



Roll Call Number

Agenda Item Number

39B

Date October 19, 2020

ABATEMENT OF PUBLIC NUISANCE AT 2909 CLEVELAND AVENUE

WHEREAS, the property located at 2909 Cleveland Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, 3 Angels, LLC, was notified more than thirty days ago to repair or demolish the main structure and as of this date has failed to abate the nuisance.

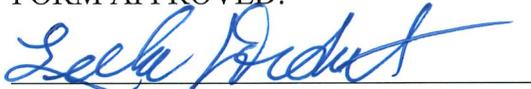
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 12 in Block 1 in HYDE PARK PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2909 Cleveland Avenue, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by _____ to adopt.

FORM APPROVED:



Luke DeSmet, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

top

2909 Cleveland Ave



10/08/2020 14:28

JJB

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

39B

Location					
Address	2909 CLEVELAND AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/06351-000-000	Geoparcel	7923-32-304-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM14/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)

Photo Processed on 2013-09-20 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	3 ANGELS LLC	2019-01-03	17202/211

Legal Description and Mailing Address

LOT 12 BLK 1 HYDE PARK PLAT NO 2	3 ANGELS LLC 2800 UNIVERSITY AVE STE 293 WEST DES MOINES, IA 50266
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value <i>Partial Value</i>	Residential	Full	\$18,000	\$31,100	\$49,100

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

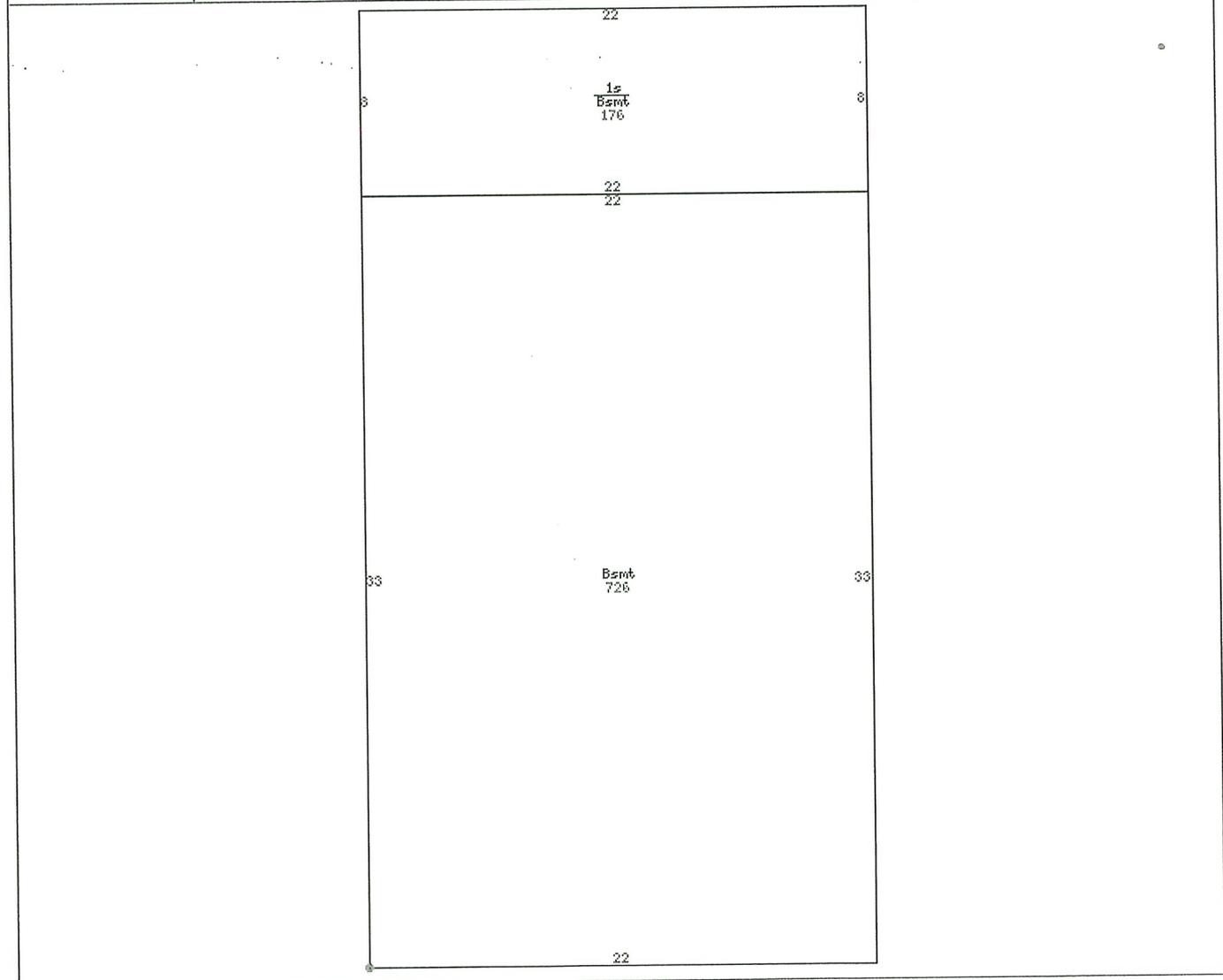
Land

Square Feet	7,000	Acres	0.161	Frontage	50.0
Depth	140.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1922	Number Families	1	Grade	4-05
Condition	Very Poor	Total Square Foot Living Area	176	Main Living Area	176
Basement Area	902	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Number Fireplaces	1
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	5		



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
TAYLOR, LINDA L	3 ANGELS LLC	<u>2018-12-28</u>	\$36,600	Deed	<u>17202/211</u> Multiple Parcels
SHELTON, WAYNE	TAYLOR, LINDA L.	<u>1999-03-31</u>	\$45,000	Deed	<u>8183/835</u> Multiple Parcels
UNKNOWN	SHELTON, WAYNE	<u>1987-03-27</u>	\$34,500	Deed	<u>5703/302</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
TAYLOR, LINDA L	3 ANGELS LLC	2018-12-28	2019-01-03	Warranty Deed	<u>17202/211</u>

Permits - 6 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2020-09-14	Alterations	REMODEL
Current	Permit	To Work	2019-02-19	Alterations	REMODEL
2020	Permit	Complete	2019-04-17	Remove	GARAGE
2020	Permit	Partial	2019-02-19	Alterations	REMODEL
2020	Pickup	Cancel	2019-01-15	Correct Data	CONDITION
2019	Pickup	Pass	2019-01-15	Correct Data	CONDITION

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2020	<u>Assessment Roll</u>	Residential	Full	\$18,000	\$31,100	\$49,100
2019	<u>Assessment Roll</u>	Residential	Full	\$18,000	\$31,800	\$49,800
2017	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$52,500	\$68,400
2015	<u>Assessment Roll</u>	Residential	Full	\$15,000	\$50,000	\$65,000
2013	<u>Assessment Roll</u>	Residential	Full	\$14,200	\$47,700	\$61,900
2011	<u>Assessment Roll</u>	Residential	Full	\$14,200	\$47,300	\$61,500
2009	<u>Assessment Roll</u>	Residential	Full	\$15,100	\$50,300	\$65,400
2007	<u>Assessment Roll</u>	Residential	Full	\$15,100	\$50,300	\$65,400
2005	<u>Assessment Roll</u>	Residential	Full	\$13,200	\$56,700	\$69,900
2003	<u>Assessment Roll</u>	Residential	Full	\$11,680	\$50,270	\$61,950
2001	<u>Assessment Roll</u>	Residential	Full	\$10,770	\$44,060	\$54,830
1999	Assessment Roll	Residential	Full	\$6,200	\$38,700	\$44,900
1997	Assessment Roll	Residential	Full	\$5,620	\$35,180	\$40,800
1995	Assessment Roll	Residential	Full	\$5,110	\$32,010	\$37,120
1993	Assessment Roll	Residential	Full	\$4,410	\$27,630	\$32,040
1991	Assessment Roll	Residential	Full	\$4,410	\$24,230	\$28,640
1991	Was Prior Year	Residential	Full	\$4,410	\$21,110	\$25,520

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**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

39B

DATE OF NOTICE: July 1, 2020

DATE OF INSPECTION: October 03, 2019

CASE NUMBER: COD2020-00249

PROPERTY ADDRESS: 2909 CLEVELAND AVE

LEGAL DESCRIPTION: LOT 12 BLK 1 HYDE PARK PLAT NO 2

3 ANGELS LLC
Title Holder
MARK CRITELLI, REG. AGENT
2924 104TH ST
URBANDALE IA 50322

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City will issue a Municipal Infraction in accordance with Section 60-192 and 60-191 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 7/1/2020

MAILED BY: JDH

Areas that need attention: 2909 CLEVELAND AVE

Component:	Electrical System	Defect:	Disconnected Utility
Requirement:	Electrical Permit		Water/Gas/Electric
		Location:	Main Structure Throughout
Comments:	Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist.		

Component:	Mechanical System	Defect:	Disconnected Utility
Requirement:	Mechanical Permit		Water/Gas/Electric
		Location:	Main Structure Throughout
Comments:	Gas service has been shut off need licensed mechanical contractor to verify safety of mechanical systems and correct any violations prior to service being restored. Permit required.		

Component:	Plumbing System	Defect:	Disconnected Utility
Requirement:	Plumbing Permit		Water/Gas/Electric
		Location:	Main Structure Throughout
Comments:	Have plumbing system checked for any defects. All violations need to be corrected prior to utility being restored. Any repairs to the plumbing system will require a plumbing permit.		

Component:	Exterior Walls	Defect:	Missing
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, missing or damaged boards. Any structural repairs will require a permit.		

Component:	Exterior Doors/Jams	Defect:	Missing
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, damaged or broken doors. Any repairs to the structure will require a building permit.		

Component:	Floor Joists/Beams	Defect:	In poor repair
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, damaged or broken boards. Any repairs to the structure will require a building permit.		

Component:	Interior Walls /Ceiling	Defect:	Missing
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Repair/replace any broken, missing , damaged or rotted drywall. Any repairs to the structure will require a building permit.		

Component:	Roof	Defect:	Missing
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Replace any damaged roofing material. Per city code shingles limited to one layer. Any structural repairs will require a permit.		

Component: Windows/Window Frames

Defect: Missing

Requirement: Building Permit

Location: Main Structure Throughout

Comments: Repair/replace any missing, rotted or damaged windows/window frames. Any repairs to the structure will require a building permit.