



Roll Call Number

Agenda Item Number

35J

Date February 22, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1544 DES MOINES ST.

WHEREAS, the property located at 1544 Des Moines St., 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, B&M PROPERTIES 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 BLK 47 STEWARTS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1544 Des Moines St., has previously been declared a public nuisance;

The City Legal Department, through special counsel Ahlers & Cooney, PC, 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:

Kristine Stone, Special Counsel
Ahlers & Cooney, PC

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

Polk County Assessor

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

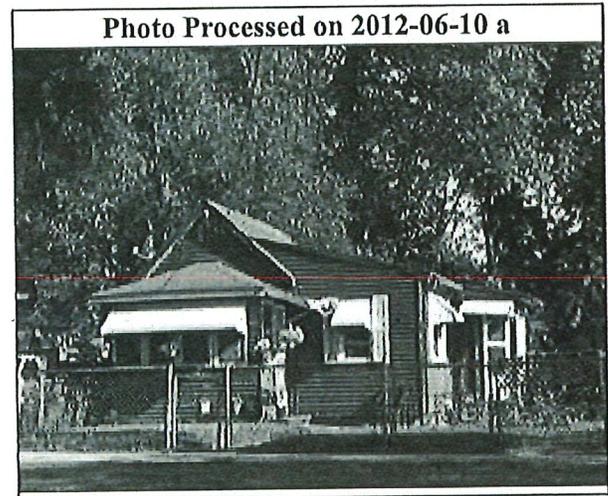
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1544 DES MOINES ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/05212-000-000	Geoparcels	7824-02-108-026	Status	Active
School	Des Moines	Nbhd/Pocket	DM15/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	B&M PROPERTIES LLC	2020-01-07	17657/636

Legal Description and Mailing Address

LOT 12 BLK 47 STEWARTS ADDITION	BILL MOYER B&M PROPERTIES LLC 801 SE 14TH ST DES MOINES, IA 50317
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$8,900	\$34,400	\$43,300

Market Adjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
RX1	RX1 Mixed Use District		Residential

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
IMPERIAL PROPERTIES, INC	WILDERSON JR., DONALD	<u>2007-01-15</u>	\$200,000	Contract	<u>12087/510</u>
OLSON, JANICE M	MOYER, WILLIAM J.	<u>2004-10-18</u>	\$47,000	Deed	<u>10788/299</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
IMPERIAL PROPERTIES INC	B&M PROPERTIES LLC MOYER, BILL	2020-01-03	2020-01-07	Quit Claim Deed	<u>17657/636</u>
WILKERSON JR, DONALD	IMPERIAL PROPERTIES INC	2018-03-21	2018-03-29	Forfeiture of Contract	<u>16863/679</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Board Action</u>	Residential	Full	\$8,900	\$34,400	\$43,300
2019	<u>Assessment Roll</u>	Residential	Full	\$8,900	\$34,400	\$43,300
2018	<u>Board Action</u>	Residential	Full	\$7,400	\$29,000	\$36,400
2017	<u>Assessment Roll</u>	Residential	Full	\$7,400	\$29,000	\$36,400
2015	<u>Assessment Roll</u>	Residential	Full	\$6,800	\$26,900	\$33,700
2013	<u>Board Action</u>	Residential	Full	\$6,800	\$26,000	\$32,800
2013	<u>Assessment Roll</u>	Residential	Full	\$6,800	\$26,000	\$32,800
2011	<u>Assessment Roll</u>	Residential	Full	\$7,700	\$30,700	\$38,400
2009	<u>Assessment Roll</u>	Residential	Full	\$8,000	\$31,500	\$39,500
2007	<u>Assessment Roll</u>	Residential	Full	\$8,100	\$31,900	\$40,000
2005	<u>Assessment Roll</u>	Residential	Full	\$8,200	\$28,600	\$36,800
2003	<u>Assessment Roll</u>	Residential	Full	\$7,200	\$24,810	\$32,010
2001	<u>Assessment Roll</u>	Residential	Full	\$8,830	\$20,600	\$29,430
1999	Assessment Roll	Residential	Full	\$6,370	\$19,920	\$26,290
1997	Assessment Roll	Residential	Full	\$5,490	\$17,170	\$22,660
1995	Assessment Roll	Residential	Full	\$4,990	\$15,590	\$20,580
1993	Assessment Roll	Residential	Full	\$4,400	\$13,740	\$18,140
1989	Assessment Roll	Residential	Full	\$4,400	\$11,600	\$16,000

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

DATE OF NOTICE: November 19, 2020

DATE OF INSPECTION: September 21, 2020

CASE NUMBER: COD2020-04447
PROPERTY ADDRESS: 1544 DES MOINES ST
LEGAL DESCRIPTION: LOT 12 BLK 47 STEWARTS ADDITION

B&M PROPERTIES LLC
Title Holder
WILLIAM MOYER, REG. AGENT
801 SE 14TH ST
DES MOINES IA 50317

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: 11/19/2020

MAILED BY: JDH

Areas that need attention: 1544 DES MOINES ST

Component:	See Comments	Defect:	Fire damaged
Requirement:	Permit Required	Location:	Main Structure Throughout
Comments:	If you intend to tear the structure down a Demo permit is required.		
Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist. Electrical permit required.		
Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	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:	Fire damaged
Requirement:	Plumbing Permit	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:	Soffit/Facia/Trim	Defect:	Fire damaged
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:	Trusses	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Repair/replace any damaged trusses. Any repairs to the structure will require a building permit.		
Component:	Windows/Window Frames	Defect:	Fire damaged
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.		
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure Throughout
Comments:	Repair/replace any broken, missing, damaged or rotted siding. Any repairs to the structure will require a building permit.		

<u>Component:</u>	See Comments	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance, International Property Maintenance Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Other violations may exist inside the structure due to inspection being limited to exterior only at this time.		



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