



Date August 23, 2021

ABATEMENT OF PUBLIC NUISANCE AT 2101 FOREST AVENUE

WHEREAS, the property located at 2101 Forest Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Clayton Enterprises, was notified more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as The East 25-28/30 feet of Lots 3 and 4 in Block 3 in MARQUARDT'S ADDITION TO NORTH DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2101 Forest 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:

/s/ Megan Norberg
Megan Norberg, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, Mayor.

CERTIFICATE

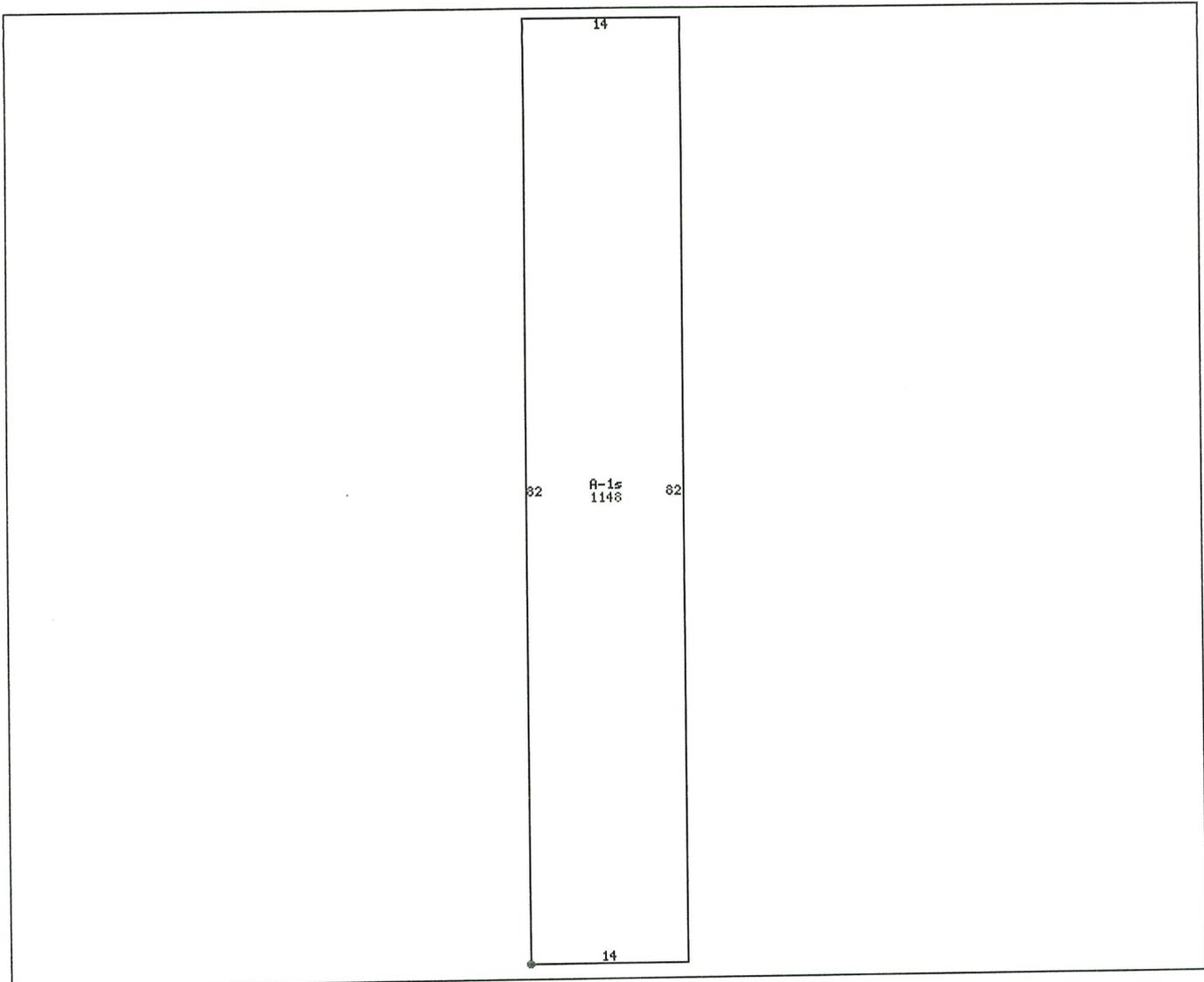
I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk

320

Zoning	Description			SF	Assessor Zoning
RX1	RX1 Mixed Use District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	2,483	Acres	0.057	Frontage	25.0
Depth	95.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
Commercial Summary					
Occupancy	Retail	Age, Weighted	1930	Total Story Height	1
Land Area	2,483	Gross Area	1,148	Finished Area	1,148
Unfinished Bsmnt Area	0	Finished Bsmnt Area	0	Number of Units	0
Primary Group	Retail Small	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	5/Grade 5	Bldg Class, Weighted	2/Brick or Masonry	Condition, Weighted	BN/Below Normal
Ground Floor Area	1,148	Perimeter	192		
Commercial Sections - 1 Record					
Commercial Section #101					
Occupant	AFRICAN GIFT SHOP				
Section Multiplier	1	Occupancy	Retail	Foundation	Concrete
Submerged	No	Exterior Wall	Brick Block Tile	Roof	Flat
Roof Material	Built-up	Wiring	Adequate	Plumbing	Adequate
Total Story Height	1	Frame Type	Frame	Fireproof Construction	No
Bldg Class	Brick or Masonry	Total Section Area	1,148	Ground Floor Area	1,148
Perimeter	192	Grade	5+00	Year Built	1930
Condition	Below Normal				
Misc Improve	1S FR SHED 70SQFT				
Comment	P=1S FR SHD				
Commercial Groups - 1 Record					
Commercial Group #101 1					
Use Code	Retail Small	Base Story	1	Number Stories	1
Total Group Area	1,148	Base Floor Area	1,148	Heating	Central
Air Conditioning	None	Exhaust System	No		



Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CLAYTON ENTERPRISES, AN IOWA PARTNERHSIP	MEDIQUIP INTERNATIONAL, INC. PAUL EBOH	<u>1989-01-09</u>	\$20,000	Contract	<u>6030/652</u>
PHILIP M. DURBALA	CLAYTON ENTERPRISES	<u>1987-09-03</u>	\$13,000	Deed	<u>5768/772</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Commercial	Full	\$8,800	\$4,200	\$13,000
2019	<u>Assessment Roll</u>	Commercial	Full	\$8,000	\$4,600	\$12,600
2017	<u>Assessment Roll</u>	Commercial	Full	\$8,000	\$3,800	\$11,800
2015	<u>Assessment Roll</u>	Commercial	Full	\$6,700	\$4,200	\$10,900
2013	<u>Assessment Roll</u>	Commercial	Full	\$6,700	\$3,500	\$10,200
2011	<u>Assessment Roll</u>	Commercial	Full	\$6,700	\$3,500	\$10,200
2009	<u>Assessment Roll</u>	Commercial	Full	\$6,700	\$3,500	\$10,200
2007	<u>Assessment Roll</u>	Commercial	Full	\$6,700	\$4,500	\$11,200
2005	<u>Assessment Roll</u>	Commercial	Full	\$6,100	\$4,400	\$10,500

Yr	Type	Class	Kind	Land	Bldg	Total
2003	<u>Assessment Roll</u>	Commercial	Full	\$5,300	\$4,100	\$9,400
2001	<u>Assessment Roll</u>	Commercial	Full	\$4,970	\$3,900	\$8,870
1999	Assessment Roll	Commercial	Full	\$8,800	\$3,900	\$12,700
1993	Assessment Roll	Commercial	Full	\$8,500	\$3,800	\$12,300
1991	Assessment Roll	Commercial	Full	\$8,200	\$3,700	\$11,900
1991	Was Prior Year	Commercial	Full	\$8,200	\$13,020	\$21,220

This template was last modified on Thu Jun 3 19:39:49 2021 .



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

32D

DATE OF NOTICE: May 4, 2021

DATE OF INSPECTION: April 29, 2021

CASE NUMBER: COD2021-02038

PROPERTY ADDRESS: 2101 FOREST AVE

LEGAL DESCRIPTION: E 25.93F LTS 3 & 4 BLK 3 MARQUARDT ADD

CLAYTON ENTERPRISES
Title Holder - ATTN: MIKE CLAYTON
14455 UNIVERSITY AVE
WAUKEE IA 50263-8100

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.

Brad Rissman

(515) 283-4754



Nid Inspector

DATE MAILED: 5/4/2021

MAILED BY: BJR

Areas that need attention: 2101 FOREST AVE

<p>Component: Electrical System Requirement: Electrical Permit Comments: Must provide receipt from licensed contractor stating system is safe and up to code. Permit MUST be finalized.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Exterior Walls Requirement: Engineering Report Comments: Repair or replace per engineers report by licensed contractor. Building Permit Required.</p>	<p>Defect: Unsafe to carry Load Location: Main Structure Throughout</p>
<p>Component: Interior Walls /Ceiling Requirement: Engineering Report Comments: Repair or replace per engineers report by licensed contractor. Building Permit Required.</p>	<p>Defect: Unsafe to carry Load Location: Main Structure Throughout</p>
<p>Component: Mechanical System Requirement: Mechanical Permit Comments: Must provide receipt from licensed contractor stating system is safe and up to code. Permit MUST be finalized.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments: Must provide receipt from licensed contractor stating system is safe and up to code. Permit MUST be finalized.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Trusses Requirement: Compliance with International Building Code Comments: Have licensed contractor check and replace all damaged. Building permit required for replacement.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Windows/Window Frames Requirement: Compliance with International Building Code Comments: Replace all damaged.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: See Comments Requirement: Building Permit Comments: Shared Wall and Ceiling Building 2103 Forest Ave</p>	<p>Defect: Cracked/Broken Location: Main Structure Throughout</p>

top

2101 Forest Ave



07/29/2021 11:28

3210

top

2101 Forest Ave



07/29/2021 11:29

32P