



**Roll Call Number**

**Agenda Item Number**

37B

**Date** January 10, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 5902 HICKMAN RD.**

WHEREAS, the property located at 5902 Hickman Rd., 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 public nuisance; and

WHEREAS, the Titleholder, Iowa HM, LLC, was notified more than thirty days ago to repair or demolish the main structure and as of this date have 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 Lots 150 to 155, both inclusive, except that part of Lots 153 and 154 lying North of a line beginning at the Northwest corner of said Lot 154 thence to a point 4.0 feet South of the Northeast corner of said Lot 153 on the East line thereof, in LOOKOUT HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and that part of Lot "M" in LOOKOUT HEIGHTS, lying East of and abutting Lots 150 and 151, excepting therefrom that portion of said Lot "M" which has heretofore been platted as 59<sup>th</sup> Street (Lot A) in Lookout Heights, 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 5902 Hickman Rd., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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



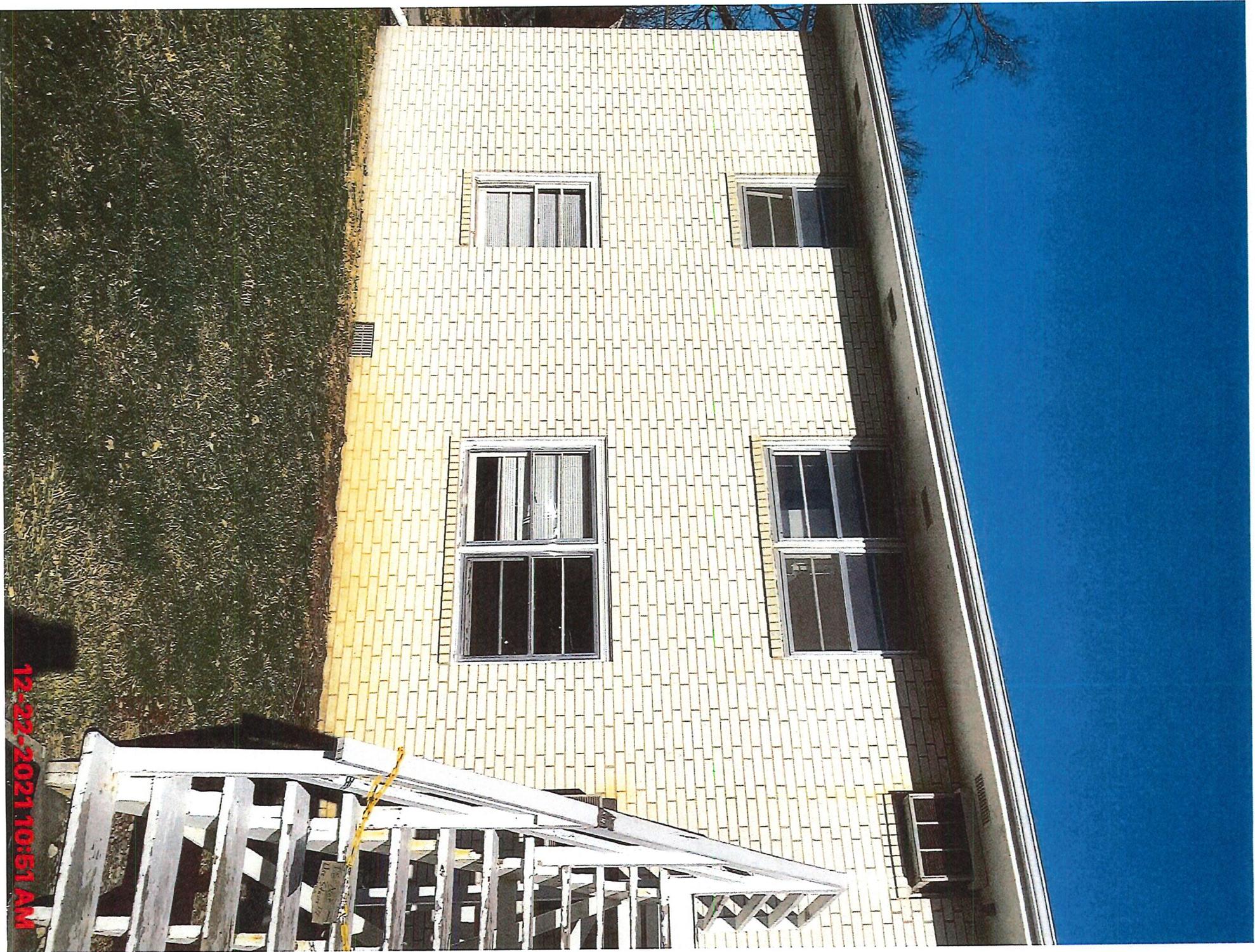
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12-22-2021 10:51 AM



12-22-2021 10:52 AM



12-22-2021 10:52 AM



12-22-2021 10:52 AM



City of Des Moines  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

Case Number: NUIS-2021-000028

Case Type: Public Nuisance

Case Opened: 09/28/2021

Date of Notice: 10/22/2021

Date of Inspection: 09/28/2021

**Notice of  
 Violation**

IOWA HM LLC  
 METRO REALTY GROUP INC, R.A.  
 2769 86TH ST  
 URBANDALE IA 50322

Address of Property: 5902 HICKMAN RD, DES MOINES IA 50322  
 Parcel Number: 792536228003  
 Legal Description: -EX N OF LN BEG NW COR LT 154 THN TO PT 4F S OFNE COR LT 153-LTS 150 THRU 155 &  
 -EX LT A LOOKOUT HTS PLAT 2-LT M LYG E OF LTS 150 & 151 LOOKOUT HEIGHTS

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

**VIOLATION(S)**

Violation	Corrective Action	Compliance Due Date
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	<p>Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.</p> <p>HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE</p>	11/12/2021

ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.

HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELEC TRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTRE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE.

60-192(2) - Dangerous Structure or Premise  
- Walking Surface

Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.

11/12/2021

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

60-192(3) - Dangerous Structure or Premise  
- Damaged

Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

11/12/2021

REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE

STRUCTURE.

REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

REPAIR OR REPLACE. IN COMPLIANCE WITH INTERNATIONAL RESIDENTIAL BUILDING CODE.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR PROPERLY REMEDIATE ALL MOLD. PROVIDE COPY OF INVOICE.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL

STRUCTURAL COMPONENTS.

HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR DAMAGED CHIMNEY. HAVE SERVICED, PROVIDE RECEIPT

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the

Municipal Code of the City of Des Moines, Iowa.

**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.** Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

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

Thank you for your help,

Respectfully,



Scott Clauson

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

SAClauson@dmgov.org



City of Des Moines  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

Case Number: NUIS-2021-000028

Case Type: Public Nuisance

Case Opened: 09/28/2021

Date of Notice: 11/08/2021

Date of Inspection: 10/01/2021

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COMMUNITY STATE BANK  
 817 N ANKENY BLVD  
 ANKENY IA 50023

Address of Property: 5902 HICKMAN RD, DES MOINES IA 50322  
 Parcel Number: 792536228003  
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Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

SAClauson@dmgov.org

# Polk County Assessor

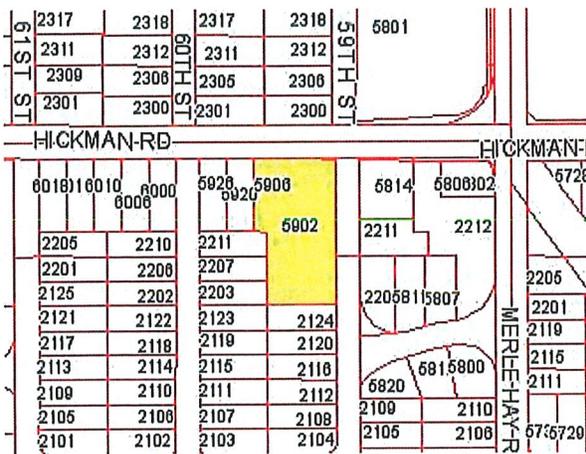
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	5902 HICKMAN RD				
<b>City</b>	DES MOINES	<b>Zip</b>	50322	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	100/08689-000-000	<b>Geoparcels</b>	7925-36-228-003	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM53/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Austin Viggers 515-286-3958		

## Map and Current Photos - 2 Records

Click on parcel to get a new listing

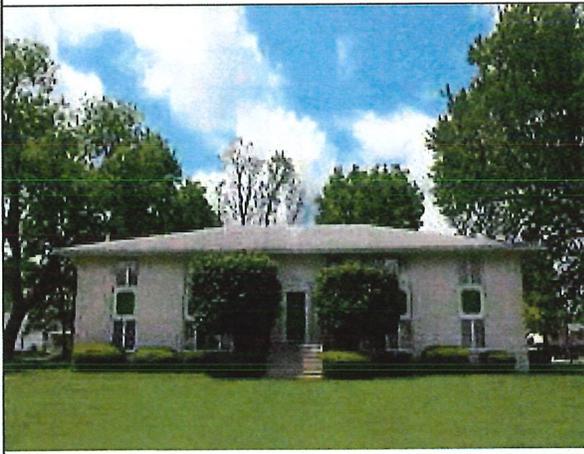


[Bigger Map](#) [Polk County GIS](#)  
[Google Map](#) [Pictometry](#)

Photo Processed on 2013-06-05 a



Photo Processed on 2013-06-05 b



### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IOWA HM LLC	2018-12-04	<a href="#">17170/105</a>

### Legal Description and Mailing Address

-EX N OF LN BEG NW COR LT 154 THN TO PT 4F S OF NE COR LT 153-LTS 150 THRU 155 & -EX LT A LOOKOUT HTS PLAT 2-LT M LYG E OF LTS 150 & 151 LOOKOUT HEIGHTS	IOWA HM LLC 142 AVENIDA ADOBE SAN CLEMENTE, CA 92672-2407
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**Current Values**

Type	Class	Kind	Land	Bldg	Total
2021 Value	Multi-Residential	Full	\$143,000	\$770,000	\$913,000

[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
NX1	NX1 Neighborhood Mix District		Residential

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

**Land**

Square Feet	Acres	Topography
46,200	1.061	Blank
Shape	Vacancy	Unbuildable
Rectangle	Blank	Blank

**Commercial Summary**

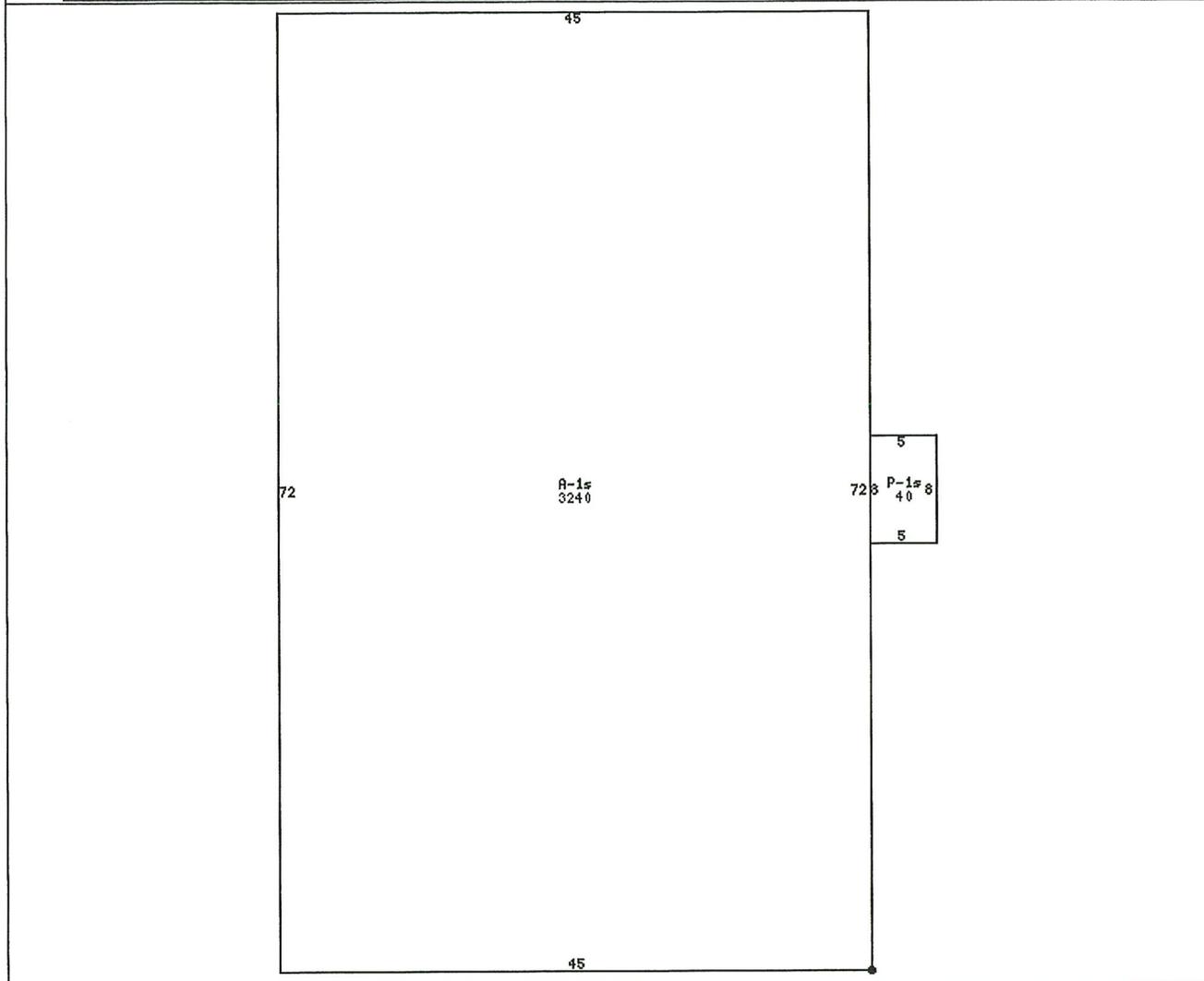
<b>Occupancy</b>	Apartment	<b>Age, Weighted</b>	1967	<b>Total Story Height</b>	2
<b>Land Area</b>	46,200	<b>Gross Area</b>	12,960	<b>Finished Area</b>	12,960
<b>Unfinished Bsmt Area</b>	0	<b>Finished Bsmt Area</b>	0	<b>Number of Units</b>	16
<b>Primary Group</b>	Apartment	<b>Percent Primary Group</b>	100.00	<b>Percent Secondary Group</b>	0.00
<b>Grade, Weighted</b>	4/Grade 4	<b>Bldg Class, Weighted</b>	3/Brick Veneer	<b>Condition, Weighted</b>	NM/Normal
<b>Ground Floor Area</b>	6,480	<b>Perimeter</b>	468		

**Commercial Sections - 2 Records**

**Commercial Section #101**

<b>Section Multiplier</b>	1	<b>Occupancy</b>	Apartment	<b>Foundation</b>	Concrete
<b>Exterior Wall</b>	Brick Veneer	<b>Insulation</b>	Yes	<b>Roof</b>	Hip
<b>Roof Material</b>	Shingle	<b>Landings Square Foot</b>	40	<b>Landing Quality</b>	Above Normal
<b>Wiring</b>	Adequate	<b>Plumbing</b>	Adequate	<b>Total Story Height</b>	2
<b>Frame Type</b>	Frame	<b>Bldg Class</b>	Brick Veneer	<b>Total Section Area</b>	6,480
<b>Ground Floor Area</b>	3,240	<b>Perimeter</b>	234	<b>Grade</b>	4+00
<b>Year Built</b>	1967	<b>Condition</b>	Normal		
<b>Comment</b>	A=BLDG P=MS TOTAL=2 BLDGS				

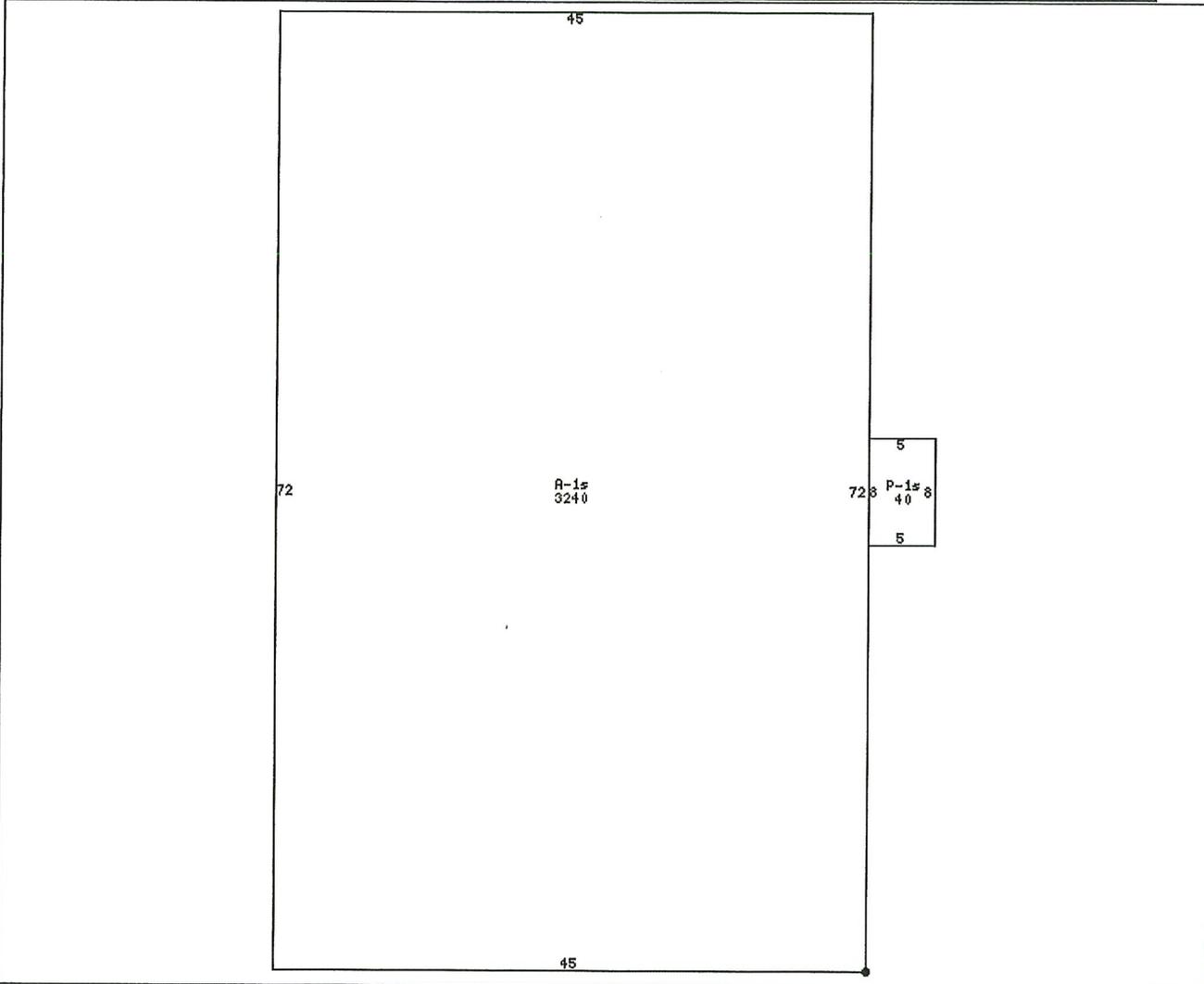
Commercial Groups - 1 Record					
Commercial Group #101 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	6,480	Base Floor Area	3,240	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Comment	8-2BDRM APTS				



Commercial Section #201					
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete
Exterior Wall	Brick Veneer	Insulation	Yes	Roof	Hip
Roof Material	Shingle	Landings Square Foot	40	Landing Quality	Above Normal
Wiring	Adequate	Plumbing	Adequate	Total Story Height	2
Frame Type	Frame	Bldg Class	Brick Veneer	Total Section Area	6,480

<b>Ground Floor Area</b>	3,240	<b>Perimeter</b>	234	<b>Grade</b>	4+00
<b>Year Built</b>	1967	<b>Condition</b>	Normal		
<b>Comment</b>	A=BLDG P=MS TOTAL=2 BLDGS				

Commercial Groups - 1 Record					
Commercial Group #201 1					
<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	2
<b>Total Group Area</b>	6,480	<b>Base Floor Area</b>	3,240	<b>Number Units</b>	8
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Comment</b>	8-2BDRM APTS				



**Detached Structures - 1 Record**

Detached Structure #101					
<b>Occupancy</b>	Asphalt Paving	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	8,840
<b>Grade</b>	4	<b>Year Built</b>	1967	<b>Condition</b>	Normal

**Sales - 1 Record**

<b>Seller</b>	<b>Buyer</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Instrument</b>	<b>Book/Page</b>
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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NORMA J HULL (TRUST)	IOWA HM LLC	<a href="#">2018-11-28</a>	\$790,000	Deed	<a href="#">17170/105</a>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HULL, NORMA JO (Trustee) HULL, CHARLES J (Trustee) NORMA JO HULL 1997 REVOCABLE TRUST	IOWA HM LLC	2018-11-28	2018-12-04	Trustee Warranty Deed	<a href="#">17170/105</a>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	Pass	2021-10-22	Fix Damage	FIRE

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$143,000	\$770,000	\$913,000
2019	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$130,000	\$618,000	\$748,000
2017	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$130,100	\$490,900	\$621,000
2015	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$108,500	\$452,500	\$561,000
2013	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$108,500	\$391,000	\$499,500
2011	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$108,500	\$391,000	\$499,500
2009	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$108,500	\$391,000	\$499,500
2007	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$108,500	\$391,000	\$499,500
2005	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$98,500	\$379,500	\$478,000
2003	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$85,500	\$322,500	\$408,000
2001	<a href="#">Assessment Roll</a>	Commercial Multiple	Full	\$80,850	\$291,500	\$372,350
1999	Assessment Roll	Commercial Multiple	Full	\$64,500	\$291,500	\$356,000
1995	Assessment Roll	Commercial Multiple	Full	\$62,500	\$283,000	\$345,500
1993	Assessment Roll	Commercial Multiple	Full	\$59,500	\$269,500	\$329,000

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
1993	Was Prior Year	Commercial Multiple	Full	\$57,300	\$259,240	\$316,540

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