



Roll Call Number

Agenda Item Number

53B

Date March 7, 2022

ABATEMENT OF PUBLIC NUISANCE AT 2424 CAPITOL AVENUE

WHEREAS, the property located at 2424 Capitol 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, ACC 406, 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 73 and the West 15 feet of Lot 75 in Block 2 in GRANT PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2424 Capitol 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.

Second by _____

FORM APPROVED:

Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

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



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

53B

Case Number: NUIS-2021-000013	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 08/05/2021
	Date of Notice: 01/18/2022
	Date of Inspection: 06/10/2019

ACC 406 LLC
 TODD M QUECK
 3161 SE 22ND ST
 DES MOINES IA 50320

Address of Property: **2424 CAPITOL AVE, DES MOINES IA 50317**
 Parcel Number: **782401176021**
 Legal Description: **W 15F LOT 75 & ALL LOT 73 BLK 2 GRANT PARK**

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
60-191 - Vacation and Abatement	MAIN STRUCTURE THROUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	02/21/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	MAIN STRUCTURE THROUGHOUT Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.	02/21/2022

60-192(12) - Dangerous Structure or Premise - Abandoned	MAIN STRUCTURE THROUGHOUT	02/21/2022
	Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.	
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT	02/21/2022
	Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT	02/21/2022
	Repair or replace the unsafe or unlawful structure OR demolish the structure.	

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.

*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 ENTIRE STRUCTURE. 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 STRUCTURE. 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 ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.

*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

*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.

*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES

LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

*REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

*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.

60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

MAIN STRUCTURE THROUGHOUT

02/21/2022

Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

60-192(6) - Dangerous Structure or Premise
- Unsafe

MAIN STRUCTURE THROUGHOUT

02/21/2022

Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.

60-192(7) - Dangerous Structure or Premise
- Attractive Nuisance, Harbor for Vagrants

MAIN STRUCTURE THROUGHOUT

02/21/2022

Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

60-192(9) - Dangerous Structure or Premise
- Unsanitary, Unfit for Habitation

MAIN STRUCTURE THROUGHOUT

02/21/2022

Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

02/21/2022

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.

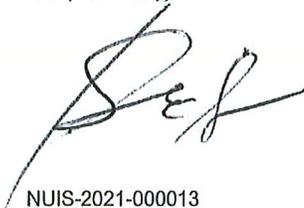
If you no longer own this property, please let us know.

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,

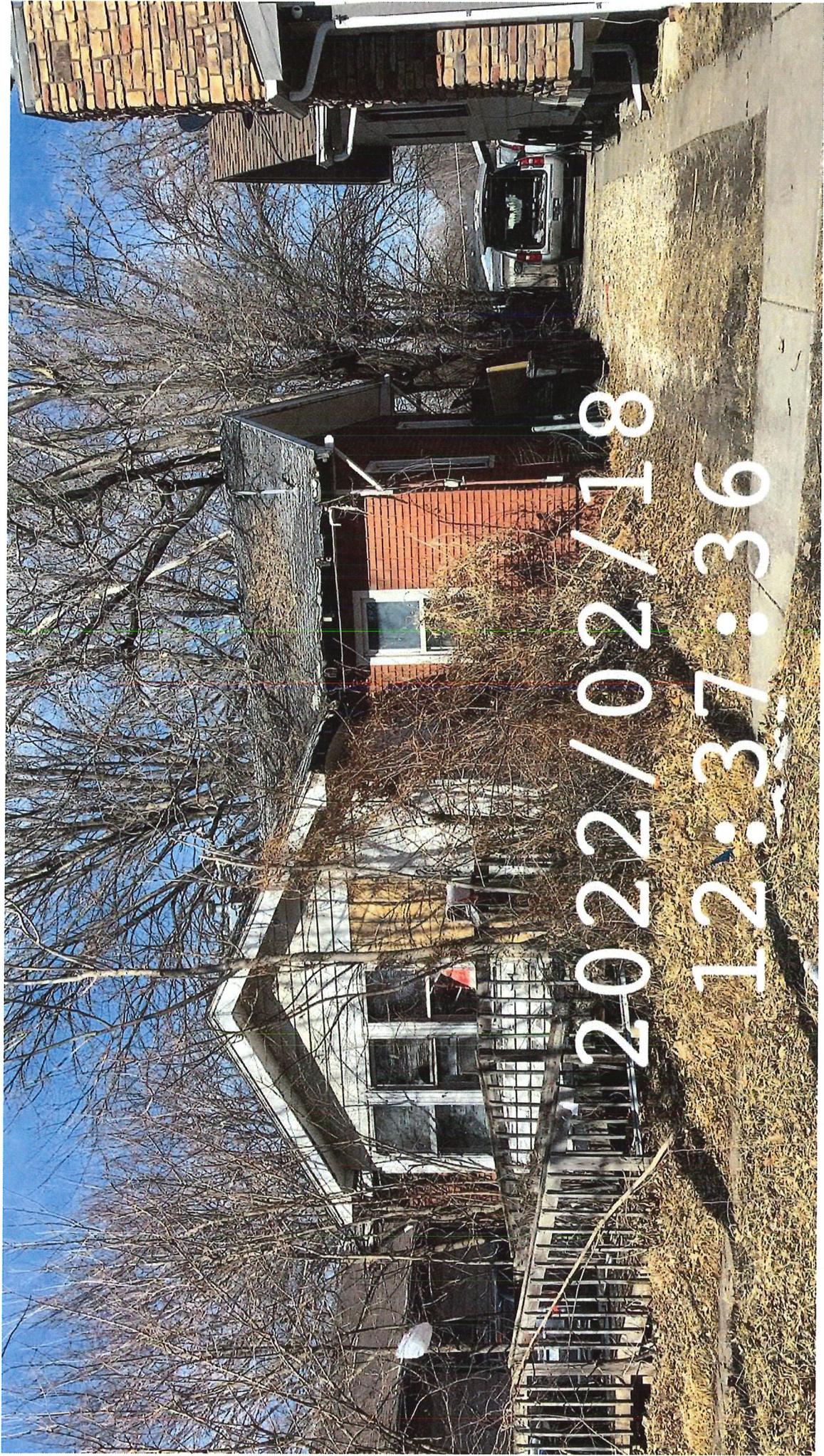
Respectfully,



NUIS-2021-000013

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org

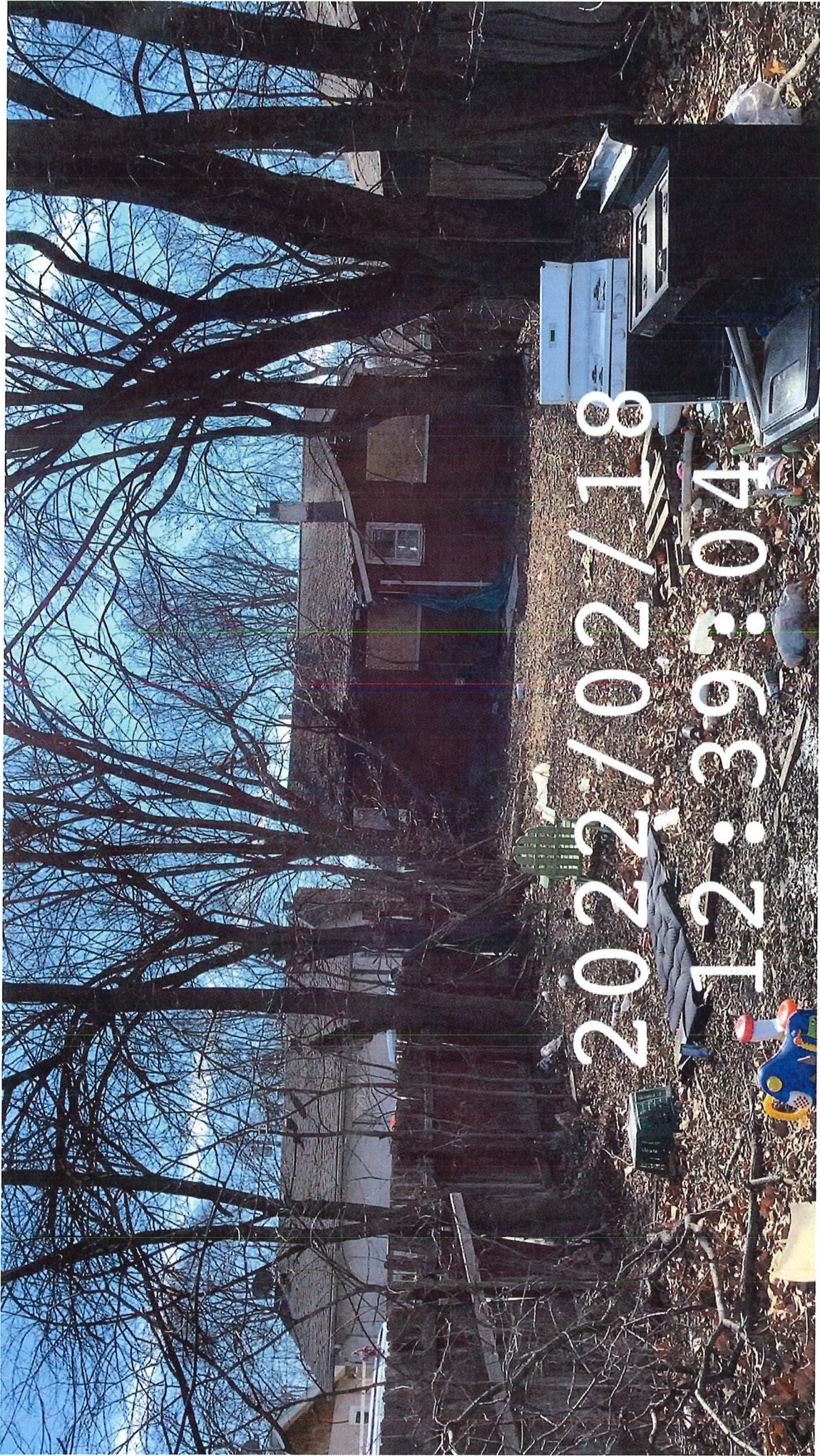
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2022/02/18
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2022/02/18
12:37:58



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	2424 CAPITOL AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/01798-000-000	Geoparcels	7824-01-176-021	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Braxton Peats 515-286-3839		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

CAPITOL AVE

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

Photo Processed on 2010-11-03 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ALFAS PROPERTIES LLC	2022-02-24	18999/54

Legal Description and Mailing Address

W 15F LOT 75 & ALL LOT 73 BLK 2 GRANT PARK	ACC 406 LLC 3161 SE 22ND ST DES MOINES, IA 50320-2401
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$15,000	\$48,400	\$63,400

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

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	PRINGLE JR, ROBERT W	Application #325019
2021 Military Exemption	PRINGLE JR, ROBERT W	Vietnam Application #105210

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3C	N3c Neighborhood District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

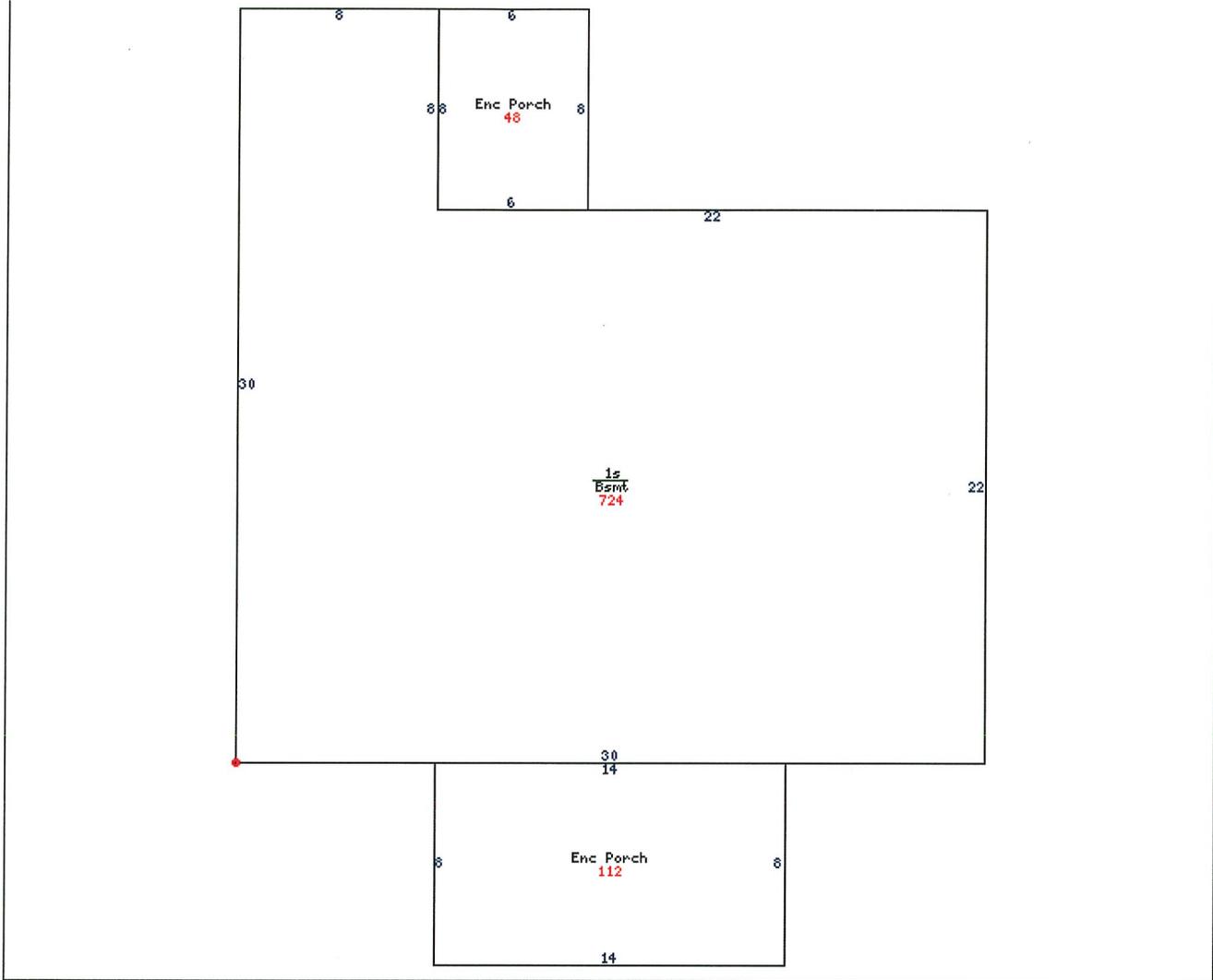
Land

Square Feet	5,360	Acres	0.123	Frontage	40.0
Depth	134.0	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	5+05
Condition	Normal	Total Square Foot Living Area	724	Main Living Area	724
Basement Area	724	Enclosed Porch Area	160	Foundation	Concrete Block
Exterior Wall Type	Composition	Roof Type	Gable	Roof Material	Asphalt Shingle
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
ACC 406 LLC	ALFAS PROPERTIES, LLC	2021-12-08	\$11,500	Deed	18999/54
GROSSMAN, LAURIE J	PRINGLE, ROBERT W JR	1995-05-31	\$34,900	Deed	7204/816
BARSKY, JEROME	GROSSMAN-HARRIS JEAN	1991-11-23	\$24,900	Deed	6480/615

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
ACC406 LLC	ALFAS PROPERTIES LLC	2021-12-08	2022-02-24	Warranty Deed Corporate	18999/54
LACEY, BEN WELLS, MARY L	ACC 406 LLC	2021-08-30	2021-09-01	Tax Sale Deed	18731/115

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
PRINGLE JR, ROBERT W <hr/> PRINGLE, VERNA J <hr/> NELSON, CANDRICE E (Attorney-In-Fact)	PRINGLE JR, ROBERT W	2014-08-26	2014-09-09	Affidavit of Surviving Spouse	15316/105

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
2009	Permit	No Add	2008-05-13	Addition	MISC
1990	Pickup	Cancel	1989-06-17		Remeasure Width

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$15,000	\$48,400	\$63,400
2019	Assessment Roll	Residential	Full	\$13,200	\$42,100	\$55,300
2017	Assessment Roll	Residential	Full	\$11,300	\$36,800	\$48,100
2015	Assessment Roll	Residential	Full	\$10,500	\$34,200	\$44,700
2013	Assessment Roll	Residential	Full	\$10,500	\$34,400	\$44,900
2011	Assessment Roll	Residential	Full	\$11,900	\$39,000	\$50,900
2009	Assessment Roll	Residential	Full	\$12,800	\$47,200	\$60,000
2007	Assessment Roll	Residential	Full	\$12,600	\$46,600	\$59,200
2005	Assessment Roll	Residential	Full	\$9,600	\$47,200	\$56,800
2003	Assessment Roll	Residential	Full	\$9,230	\$45,780	\$55,010
2001	Assessment Roll	Residential	Full	\$7,730	\$37,710	\$45,440
1999	Assessment Roll	Residential	Full	\$6,030	\$29,120	\$35,150
1997	Assessment Roll	Residential	Full	\$5,460	\$26,380	\$31,840
1995	Assessment Roll	Residential	Full	\$4,750	\$22,970	\$27,720
1993	Assessment Roll	Residential	Full	\$4,210	\$20,370	\$24,580
1990	Board Action	Residential	Full	\$4,210	\$17,390	\$21,600
1990	Assessment Roll	Residential	Full	\$4,210	\$19,290	\$23,500

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