



**Roll Call Number**

**Agenda Item Number**

53D

**Date** March 7, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 2317 DES MOINES ST.**

WHEREAS, the property located at 2317 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 public nuisance; and

WHEREAS, the Titleholder, Wilbert P. Babcock, Jr., 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 15 and 16 in Block 19 in YORK'S CHOICE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2317 Des Moines St., 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,

Seconded by \_\_\_\_\_

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	

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



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

531

Case Number: NUIS-2021-000064	
<b>Notice of Violation</b>	Case Type: <b>Public Nuisance</b>
	Case Opened: <b>11/30/2021</b>
	Date of Notice: <b>01/18/2022</b>
Date of Inspection: <b>05/07/2021</b>	

NATIONSTAR MORTGAGE LLC, C/O CORPORATION SERVICE CO.  
 505 5TH AVE STE 729  
 DES MOINES IA 50309

Address of Property: **2317 DES MOINES ST, DES MOINES IA 50317**  
 Parcel Number: **782401110005**  
 Legal Description: **LOTS 15 & 16 BLK 19 YORKS CHOICE**

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.	02/15/2022
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.	02/15/2022
60-192(12) - Dangerous Structure or Premise - Abandoned	MAIN STRUCTURE THROUGHOUT 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.	02/15/2022

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

02/15/2022

MAIN STRUCTURE THROUGHOUT

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.

ALL VIOLATIONS ARE ON MAIN STRUCTURE THROUGHOUT.

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.

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 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.  
 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.  
 HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.  
 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.  
 REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

GARAGE THROUGHOUT

THE GARAGE OR SHED IN ITS CURRENT CONDITION DOES NOT CONSTITUTE A PUBLIC NUISANCE. HOWEVER, IF THE PRIMARY STRUCTURE IS DEMOLISHED AND NO PRIMARY STRUCTURE IS IMMEDIATELY BUILT ON THE PROPERTY, THE GARAGE MUST BE DEMOLISHED AS WELL BECAUSE IT IS AN ACCESSORY US ONLY PURSUANT TO DES MOINES MUNICIPAL CODE SECTION 134-343.

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

MAIN STRUCTURE THROUGHOUT  
 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.

02/15/2022

60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THROUGHOUT 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.	02/15/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE THROUGHOUT 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.	02/15/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THROUGHOUT 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.	02/15/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	02/15/2022

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  
 NUIS-2021-000064 Page 4 of 5

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,



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

2022/02/22  
12:44:36



2022/02/22  
12:44:47



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2022/02/22  
12:44:49



2022/02/22  
12:44:59





2022/02/22  
12:46:17



2022/02/22  
12:46:20

530



2022/02/22  
12:46:35



2022/02/22  
12:46:38

530

# 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>	2317 DES MOINES ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	050/03966-000-000	<b>Geoparcels</b>	7824-01-110-005	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM16/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Braxton Peats 515-286-3839		

### Map and Current Photos - 1 Record

**Click on parcel to get a new listing**

DES MOINES ST

E 23RD ST

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

**Photo Processed on 2010-10-28 a**

### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BABCOCK JR, WILBERT P	2009-03-24	<a href="#">12964/492</a>

### Legal Description and Mailing Address

LOTS 15 & 16 BLK 19 YORKS CHOICE	WILBERT P BABCOCK JR 2317 DES MOINES ST DES MOINES, IA 50317-6544
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$18,200	\$73,100	\$91,300

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

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Disabled Veteran Homestead Credit</a>	BABCOCK JR, WILBERT P	Veteran IA Code 425.15(1)(b)

**Zoning - 1 Record**

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
N3C	N3c Neighborhood District		Residential

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

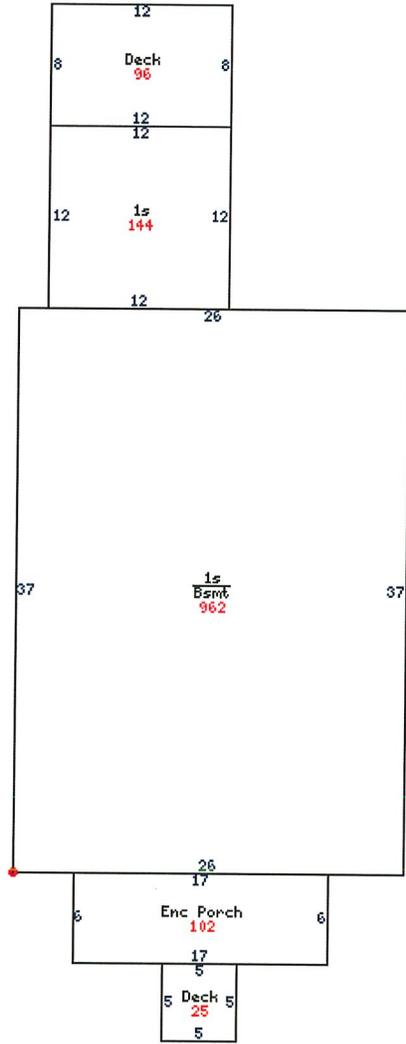
**Land**

<b>Square Feet</b>	6,500	<b>Acres</b>	0.149	<b>Frontage</b>	50.0
<b>Depth</b>	130.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1910	<b>Number Families</b>	1	<b>Grade</b>	4-10
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1106	<b>Main Living Area</b>	1106
<b>Basement Area</b>	962	<b>Enclosed Porch Area</b>	102	<b>Deck Area</b>	121
<b>Foundation</b>	Brick	<b>Exterior Wall Type</b>	Asbestos	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Basement Floor Earth</b>	25	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	2
<b>Rooms</b>	4				



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	24	Story Height	1
Grade	4	Year Built	1996	Condition	Normal
Comment	9/9/96KR NEW GARAGE COMPLETE#62948				

**Sales - 3 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOC	BABCOCK, WILBERT P	<a href="#">2009-03-20</a>	\$66,500	Deed	<a href="#">12964/492</a>
BOLEY, DONALD E	MURPHY, IRA R	<a href="#">1996-05-02</a>	\$39,500	Deed	<a href="#">7396/879</a>
UNKNOWN	SECRETARY OF HOUSING & URBAN DEVELOP.	<a href="#">1988-12-21</a>	\$28,380	Deed	<a href="#">6033/475</a>

**Permits - 4 Records**

Year	Type	Permit Status	Application	Reason	Reason1
1997	Permit	Complete	1996-06-18	Construction	GARAGE (576 sf) (Cost \$8,570)
1997	Permit	Cancel	1996-05-31	Construction	GARAGE (576 sf) (Cost \$8,570)
1994	Permit	Complete	1993-08-31		Wood Deck
1994	Permit	Complete	1993-05-23		Kitchen Addition

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$18,200	\$73,100	\$91,300
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$16,000	\$63,700	\$79,700
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$13,700	\$55,200	\$68,900
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$12,800	\$52,200	\$65,000
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$12,700	\$52,200	\$64,900
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$14,400	\$59,400	\$73,800
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$15,500	\$61,500	\$77,000
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$15,300	\$60,700	\$76,000
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$12,900	\$61,100	\$74,000
			Adj	\$12,900	\$52,700	\$65,600
2004	<a href="#">Assessment Roll</a>	Residential	Full	\$12,470	\$58,650	\$71,120
			Adj	\$12,470	\$50,250	\$62,720
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$12,470	\$58,650	\$71,120
			Adj	\$12,470	\$40,700	\$53,170
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$9,710	\$45,160	\$54,870
			Adj	\$9,710	\$27,210	\$36,920
1999	Assessment Roll	Residential	Full	\$7,540	\$48,010	\$55,550
			Adj	\$7,540	\$30,060	\$37,600
1997	Assessment Roll	Residential	Full	\$6,830	\$43,490	\$50,320
			Adj	\$6,830	\$25,540	\$32,370
1995	Assessment Roll	Residential	Full	\$5,950	\$31,510	\$37,460
			Adj	\$5,950	\$21,960	\$27,910
1994	Assessment Roll	Residential	Full	\$5,280	\$27,940	\$33,220
			Adj	\$5,280	\$18,390	\$23,670
1993	Assessment Roll	Residential	Full	\$5,280	\$19,640	\$24,920
1990	Board Action	Residential	Full	\$5,280	\$16,620	\$21,900
1990	Assessment Roll	Residential	Full	\$5,280	\$18,520	\$23,800

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