

Date March 7, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1619 6th AVE.

WHEREAS, the property located at 1619 6th Ave., 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 public nuisance; and

WHEREAS, the Titleholder, Delaney Enterprises, LLC, was notified more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as The South Half (S ½) of Lot Eleven (11) in Block Three (3) of the Official Plat of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 34, Township 79 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, and also known as POLK COUNTY HOMESTEAD TRUST CO. ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1619 6th Ave., 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

536



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

Case Number: NUIS-2022-000008	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/07/2022
	Date of Notice: 01/25/2022
	Date of Inspection: 01/05/2022

DELANEY ENTERPRISES LLC
MARK CRITELLI
2924 100TH ST
URBANDALE IA 50322

Address of Property: 1619 6TH AVE, DES MOINES IA 50314
Parcel Number: 792434260019
Legal Description: -EX N 50 F- LOT 11 BLK 3 POLK COUNTY HOMESTEAD & TRUST CO ADD

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 THOUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	03/08/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THOUGHOUT 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.	03/08/2022

60-192(11) - Dangerous Structure or Premise - Remains after Demolition	MAIN STRUCTURE THOUGHTOUT Remove any portion of the building, structure, or accessory structure remaining on site after the demolition or destruction of the primary building or structure.	03/08/2022
60-192(12) - Dangerous Structure or Premise - Abandoned	MAIN STRUCTURE THOUGHTOUT 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.	03/08/2022
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHTOUT 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.	03/08/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHTOUT Repair or replace the unsafe equipment OR demolish the structure.	03/08/2022
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHTOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	03/08/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE THOUGHTOUT 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.	03/08/2022

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.

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

*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.

*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.

*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.

*UNSAFE TO GAIN ACCESS INTO

STRUCTURE, POSSIBLE MORE VIOLATIONS.

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

MAIN STRUCTURE THOUGHOUT

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 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

*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.

*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.

*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.

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*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

*CLEAN SMOKE DAMAGE FROM WALLS AND THEN PAINT TO MATCH.

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

MAIN STRUCTURE THOUGHOUT

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

03/08/2022

60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	MAIN STRUCTURE THOUGHOUT 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.	03/08/2022
60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THOUGHOUT 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.	03/08/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE THOUGHOUT 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.	03/08/2022
60-192(8) - Dangerous Structure or Premise - Substantial Risk	MAIN STRUCTURE THOUGHOUT Repair or replace any portion of 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.	03/08/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THOUGHOUT 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.	03/08/2022

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
 NUIS-2022-000008 Page 7 of 8

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,



Charles McClaran
Vehicle Impound Clerk
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4722
CWMcClaran@dmgov.org



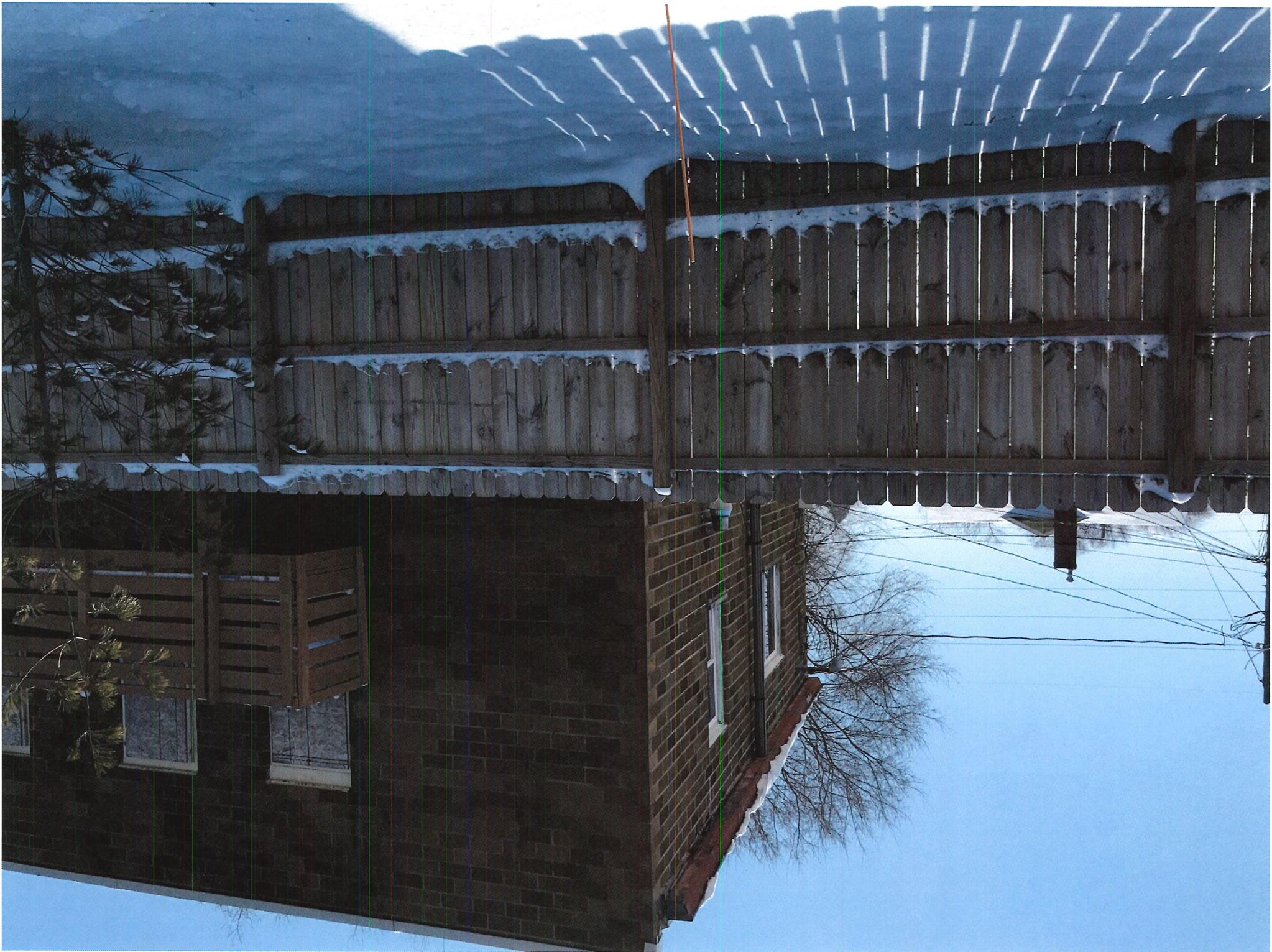








536





Polk County Assessor

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

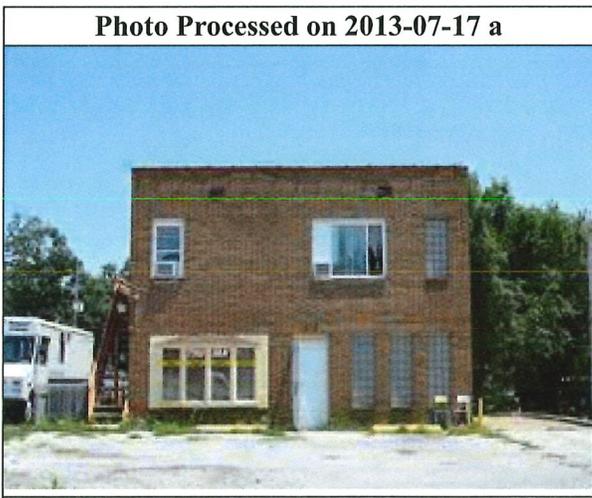
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1619 6TH AVE				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/05194-000-000	Geoparcels	7924-34-260-019	Status	Active
School	Des Moines	Nbhd/Pocket	DM78/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	62/Des Moines Metro Center Merged UR	Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515-286-3958

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	DELANEY ENTERPRISES LLC	2021-10-21	18818/385

Legal Description and Mailing Address

-EX N 50 F- LOT 11 BLK 3 POLK COUNTY HOMESTEAD & TRUST CO ADD	DELANEY ENTERPRISES LLC 2924 104TH ST URBANDALE, IA 50322-3815
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Multi-Residential	Full	\$32,600	\$290,400	\$323,000

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

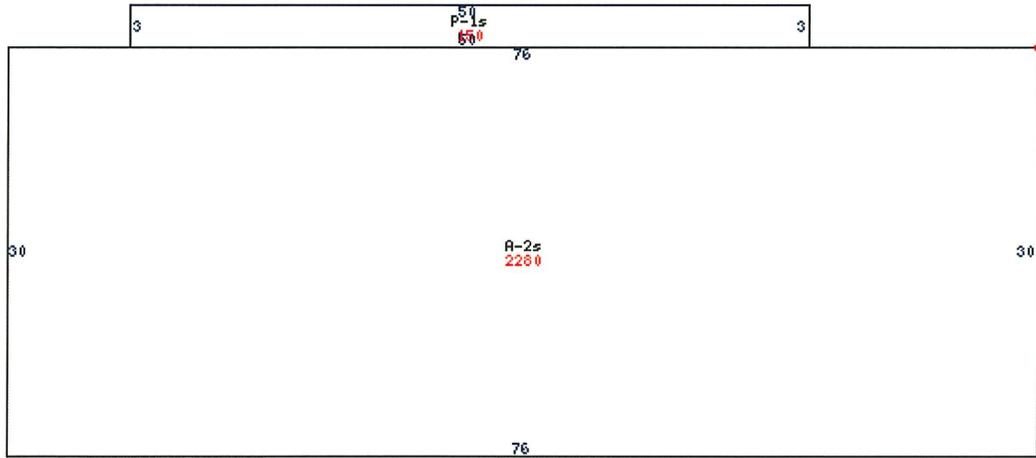
Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
MX1	MX1 Mixed Use District		

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

Land					
Square Feet	14,750	Acres	0.339	Frontage	50.0
Depth	295.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
Commercial Summary					
Occupancy	Retail	Age, Weighted	1954	Total Story Height	2
Land Area	14,750	Gross Area	4,560	Finished Area	4,560
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	4
Primary Group	Retail Small	Percent Primary Group	50.00	Secondary Group	Apartment
Percent Secondary Group	50.00	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up
Condition, Weighted	NM/Normal	Ground Floor Area	2,280	Perimeter	212
Commercial Sections - 1 Record					
Commercial Section #101					
Section Multiplier	1	Occupancy	Retail	Foundation	Concrete
Submerged	No	Exterior Wall	Concrete Block or Tile	Insulation	Yes
Roof	Flat	Roof Material	Built-up	Landings Square Foot	150
Landing Quality	Normal	Wiring	Adequate	Plumbing	Adequate
Extra Toilet Room	1	Total Story Height	2	Frame Type	Frame
Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	4,560	Ground Floor Area	2,280
Perimeter	212	Total Number Units	2	Grade	4+00
Year Built	1954	Condition	Normal		

Commercial Groups - 2 Records					
Commercial Group #101 1					
Use Code	Apartment	Base Story	2	Number Stories	1
Total Group Area	2,280	Base Floor Area	2,280	Number Units	4
Heating	Central	Air Conditioning	None	Exhaust System	No
Commercial Group #101 2					
Use Code	Retail Small	Base Story	1	Number Stories	1
Total Group Area	2,280	Base Floor Area	2,280	Heating	Central
Air Conditioning	Yes	Exhaust System	No		



Detached Structures - 4 Records					
Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	25	Grade	4

Year Built	1968	Condition	Poor		
Detached Structure #201					
Occupancy	Fence	Construction Type	Frame	Measurement Code	Dimensions
Lineal Feet	76	Height	8	Grade	4
Year Built	2000	Condition	Normal		
Detached Structure #301					
Occupancy	Fence	Construction Type	Frame	Measurement Code	Dimensions
Lineal Feet	65	Height	3	Grade	4
Year Built	2000	Condition	Normal		
Detached Structure #401					
Occupancy	Fence	Construction Type	Chain Link	Measurement Code	Lineal Feet
Lineal Feet	48	Height	6	Grade	4
Year Built	2006	Condition	Normal		

Sales - 5 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BUI, LANH MONG	DELANEY ENTERPRISES LLC	2021-10-13	\$120,000	Deed	18818/385
TO, QUANG D	HUA, Y N	2006-05-02	\$150,000	Deed	11642/324
DAVIDSON, PAUL W & MARILYN J	TO, QUANG D	2001-03-16	\$120,000	Contract	8742/362
DAVIDSON, PAUL W & MARILYN J	SMALL, DANIEL & CAROLYN F	1996-08-01	\$110,000	Contract	7456/244
HAROLD TURNER	PAUL DAVIDSON	1986-11-10	\$26,070	Deed	5768/237

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BUI, LANH MONG	DELANEY ENTERPRISES LLC	2021-10-13	2021-10-21	Warranty Deed	18818/385
BUI, CHAP VAN _____ BUI, HOANG L	BUI, LANH MONG	2020-02-08	2020-02-11	Quit Claim Deed	17696/762

Permits - 8 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Pickup	Partial	2022-02-10	Review Value	REVIEW PROPERTY
2008	Permit	No Add	2006-08-10	Addition	FENCE
2007	Permit	Pass	2006-08-10	Addition	FENCE

Year	Type	Permit Status	Application	Reason	Reason1
2003	Permit	No Add	2002-10-31	Alterations	WINDOWS
2002	Permit	No Add	2001-08-29	Alterations	WINDOWS
2001	Permit	Complete	2000-08-29	Addition	FENCE
1997	Pickup	Complete		Review Value	REVAL
1990	Pickup	Cancel	1989-08-03		Class Chg from B to M

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Multi-Residential	Full	\$32,600	\$290,400	\$323,000
2019	Assessment Roll	Multi-Residential	Full	\$29,700	\$235,300	\$265,000
2017	Assessment Roll	Multi-Residential	Full	\$29,700	\$190,300	\$220,000
2015	Assessment Roll	Multi-Residential	Full	\$24,500	\$174,500	\$199,000
2013	Assessment Roll	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2011	Assessment Roll	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2009	Assessment Roll	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2007	Assessment Roll	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2006	Assessment Roll	Commercial Multiple	Full	\$22,500	\$154,500	\$177,000
2005	Assessment Roll	Commercial	Full	\$22,500	\$131,500	\$154,000
2003	Assessment Roll	Commercial	Full	\$19,500	\$118,000	\$137,500
2001	Assessment Roll	Commercial	Full	\$18,500	\$91,500	\$110,000
1999	Board Action	Commercial	Full	\$20,500	\$74,500	\$95,000
1999	Assessment Roll	Commercial	Full	\$20,500	\$96,500	\$117,000
1997	Assessment Roll	Commercial	Full	\$20,100	\$93,900	\$114,000
1993	Assessment Roll	Commercial	Full	\$20,100	\$52,400	\$72,500
1991	Assessment Roll	Commercial	Full	\$19,360	\$50,340	\$69,700
1991	Was Prior Year	Commercial	Full	\$19,360	\$39,640	\$59,000

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