



Roll Call Number

Agenda Item Number

29B

Date May 23, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1502 MILTON AVE.

WHEREAS, the property located at 1502 Milton Ave., 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, Stephanie L. Hansen, 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 thirty-six (36) and all that part of the East Half (E 1/2) of vacated East 15th Street lying West and adjacent in GRAHAM'S ADDITION TO CAPITAL PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1502 Milton 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,

Second 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

29B



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

Case Number: NUIS-2022-000021	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/19/2022
	Date of Notice: 03/17/2022
Date of Inspection: 01/03/2022	

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
C/O GENPACT MERS MAILROOM
1901 E VORHEES ST STE C
DANVILLE IL 618344512

Address of Property: 1502 MILTON AVE, DES MOINES IA 50316
Parcel Number: 792425353040
Legal Description: W 25 F ADJ & 8.25 F N & ADJ & LT 36 GRAHAMS 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 THROUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	04/14/2022
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.	04/14/2022

60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THROUGHOUT	04/14/2022
	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.	
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT	04/14/2022
	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(14) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT	04/14/2022
	Repair or replace the unsafe equipment OR demolish the structure.	
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT	04/14/2022
	Repair or replace the unsafe or unlawful structure OR demolish the structure.	
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE THROUGHOUT	04/14/2022
	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.	

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.

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*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

*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.

*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.

*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.

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

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

MAIN STRUCTURE THROUGHOUT

04/14/2022

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

04/14/2022

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(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THROUGHOUT	04/14/2022
<p>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.</p>		
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	04/14/2022

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,



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

29B



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

Case Number: NUIS-2022-000021	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/19/2022
	Date of Notice: 03/17/2022
Date of Inspection: 01/03/2022	

ASHWORTH FUNDING INCORPORATED
MATTHEW P JOHNSON, REG. AGENT
2060 NW 129TH ST
CLIVE IA 50325

Address of Property: 1502 MILTON AVE, DES MOINES IA 50316
Parcel Number: 792425353040
Legal Description: W 25 F ADJ & 8.25 F N & ADJ & LT 36 GRAHAMS ADD

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STEPHANIE L HANSEN
1502 MILTON AVE
DES MOINES IA 50316

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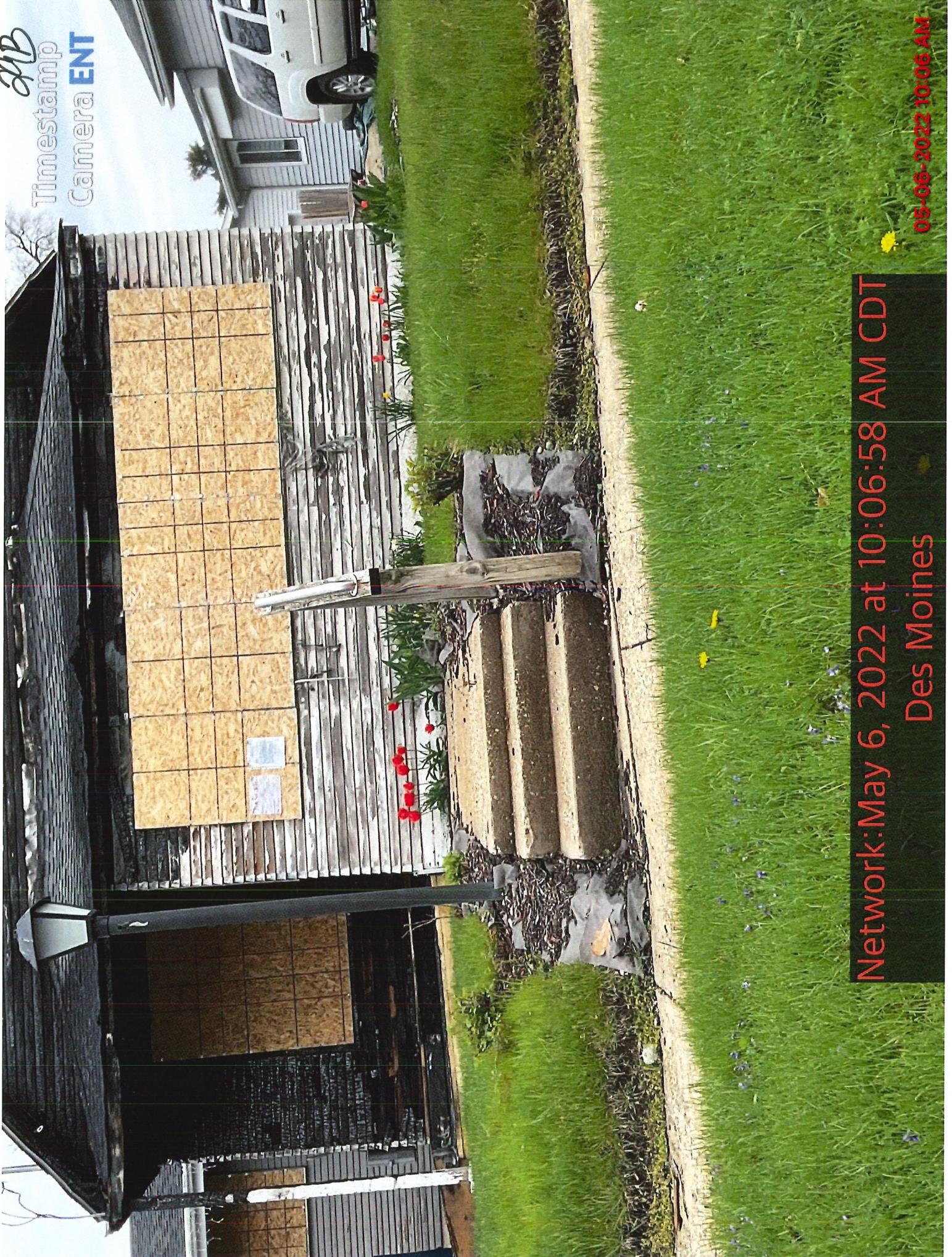
Thank you for your help,

Respectfully,



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

AB
Timestamp
Camera ENT



Network: May 6, 2022 at 10:06:58 AM CDT
Des Moines

05-06-2022 10:06 AM

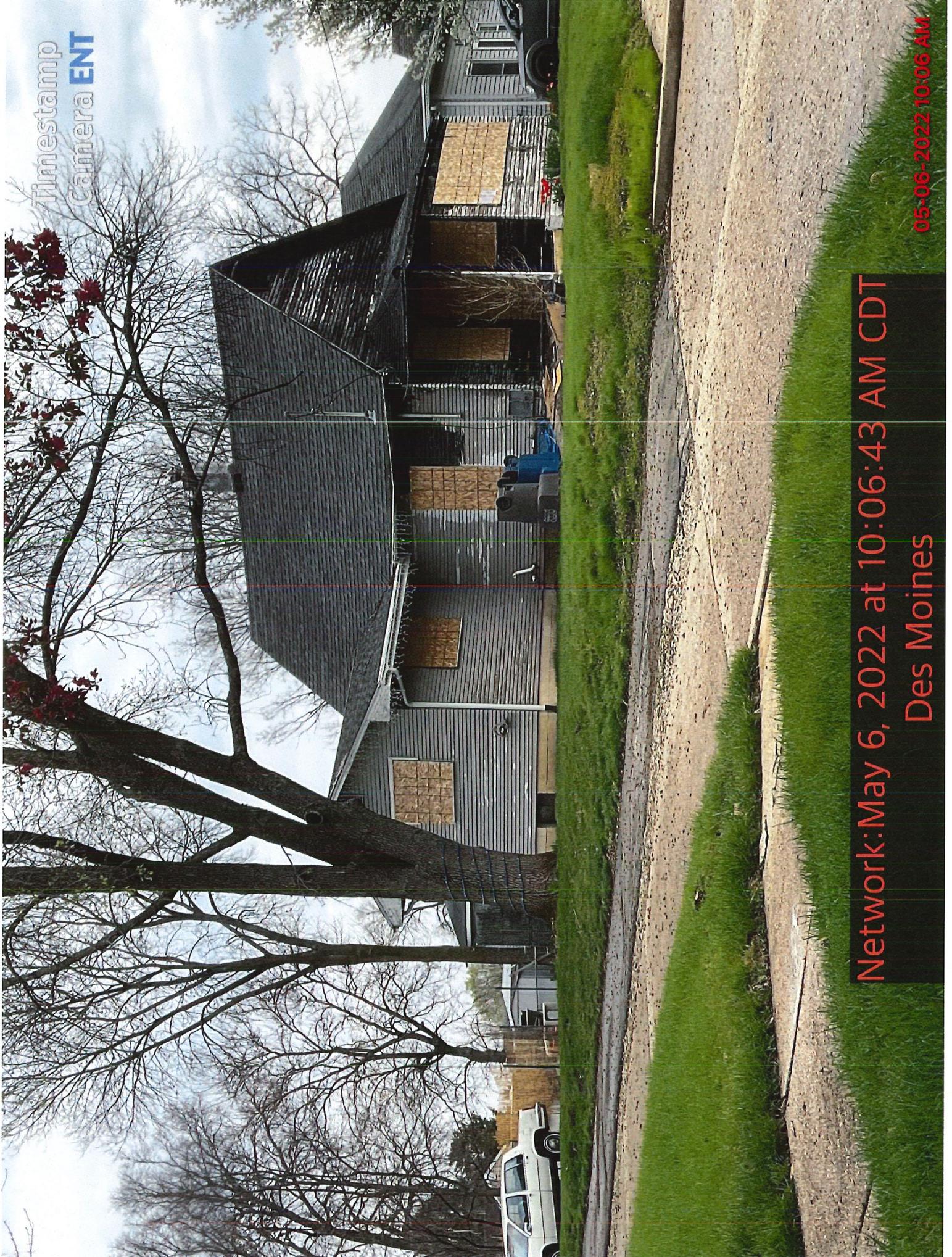
Timestamp
Camera ENT



Network: May 6, 2022 at 10:06:44 AM CDT
Des Moines

05-06-2022 10:06 AM

Timestamp
Camera ENT



Network: May 6, 2022 at 10:06:43 AM CDT
Des Moines

05-06-2022 10:06 AM

Timestamp
Camera ENT



Network: May 6, 2022 at 10:07:08 AM CDT
Des Moines

05-06-2022 10:07 AM

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	1502 MILTON AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/02765-000-000	Geoparcels	7924-25-353-040	Status	Active
School	Des Moines	Nbhd/Pocket	DM07/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

MILTON AVE

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

Photo Processed on 2005-02-08 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HANSEN, STEPHANIE L	2005-04-28	11036/879

Legal Description and Mailing Address

W 25 F ADJ & 8.25 F N & ADJ & LT 36 GRAHAMS ADD	STEPHANIE L HANSEN 1502 MILTON AVE DES MOINES, IA 50316-1622
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$22,500	\$68,200	\$90,700

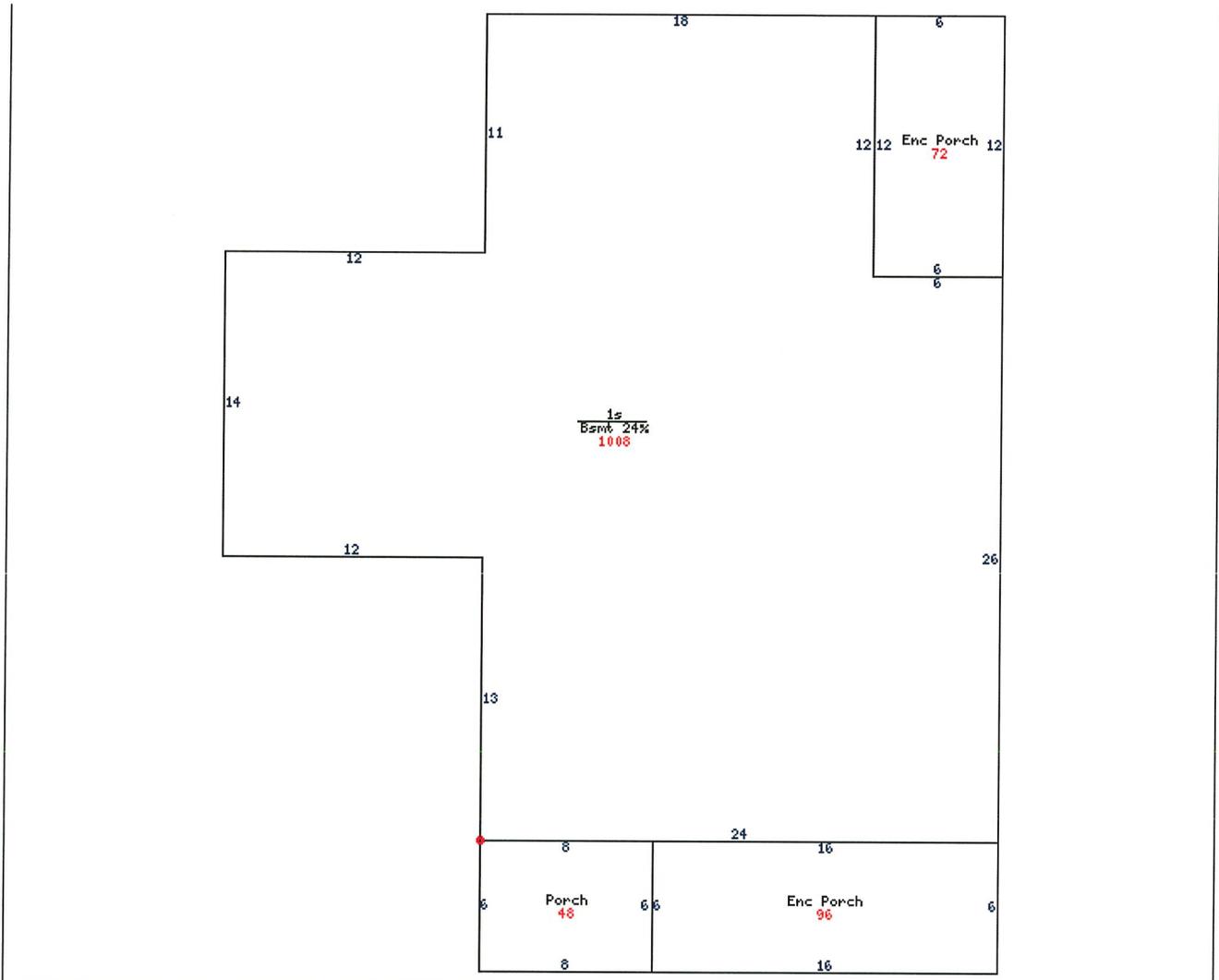
[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	HANSEN, STEPHANIE L	Application #167493

Zoning - 1 Record

Zoning	Description			SF	Assessor Zoning
N5	N5 Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	11,340	Acres	0.260	Frontage	81.0
Depth	140.0	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	1905	Number Families	1	Grade	4-05
Condition	Below Normal	Total Square Foot Living Area	1008	Main Living Area	1008
Basement Area	242	Open Porch Area	48	Enclosed Porch Area	168
Foundation	Brick	Exterior Wall Type	Wood Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	3	Rooms	6



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	24	Story Height	1
Grade	4	Year Built	1954	Condition	Normal

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SHRADER, HAZEL M	HANSEN, STEPHANIE L.	2005-04-18	\$65,000	Deed	11036/879

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2017	Permit	Complete	2016-05-23	Addition	AIR CONDITIONING

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$22,500	\$68,200	\$90,700
2019	Assessment Roll	Residential	Full	\$19,700	\$59,300	\$79,000
2017	Board Action	Residential	Full	\$18,300	\$55,700	\$74,000
2017	Assessment Roll	Residential	Full	\$18,300	\$72,100	\$90,400

Yr	Type	Class	Kind	Land	Bldg	Total
2015	Assessment Roll	Residential	Full	\$16,600	\$64,400	\$81,000
2013	Assessment Roll	Residential	Full	\$16,600	\$65,100	\$81,700
2011	Assessment Roll	Residential	Full	\$16,600	\$64,300	\$80,900
2009	Assessment Roll	Residential	Full	\$16,900	\$62,400	\$79,300
2007	Assessment Roll	Residential	Full	\$16,900	\$62,400	\$79,300
2005	Assessment Roll	Residential	Full	\$20,300	\$51,300	\$71,600
2003	Assessment Roll	Residential	Full	\$18,410	\$46,240	\$64,650
2001	Assessment Roll	Residential	Full	\$18,670	\$41,840	\$60,510
1999	Assessment Roll	Residential	Full	\$13,210	\$32,890	\$46,100
1997	Assessment Roll	Residential	Full	\$12,640	\$31,470	\$44,110
1995	Assessment Roll	Residential	Full	\$11,150	\$27,770	\$38,920
1993	Assessment Roll	Residential	Full	\$9,880	\$24,600	\$34,480
1991	Assessment Roll	Residential	Full	\$9,880	\$23,370	\$33,250
1991	Was Prior Year	Residential	Full	\$9,880	\$21,070	\$30,950

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