



Roll Call Number

Agenda Item Number

296

Date May 23, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1331 13th ST.

WHEREAS, the property located at 1331 13th 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, JRP 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 20 (except the South 9.6 feet thereof) and the South 15 feet of Lot 21 in FIELD'S SUBDIVISION of West Half of Block 3 Summit Park, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa according to the recorded plat thereof and locally known as 1331 13th 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,

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

299



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

Case Number: NUIS-2021-000077	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 12/27/2021
	Date of Notice: 02/08/2022
Date of Inspection: 09/03/2021	

HOUGHTON STATE BANK
116 E COOLBAUGH ST
RED OAK IA 51566

Address of Property: **1331 13TH ST, DES MOINES IA 50314**
Parcel Number: **792434376007**
Legal Description: **-EX S 9.6 F- LT 20 & S 15 F LT 21 OP SD W 1/2 BLK 3 SUMMIT PARK FIELDS SUB DIV**

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	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	02/24/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	COMMERCIAL MULTI-FAMILY 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.	02/24/2022

60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
	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(12) - Dangerous Structure or Premise - Abandoned	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
	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	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
	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	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
	Repair or replace the unsafe or unlawful structure OR demolish the structure.	
60-192(2) - Dangerous Structure or Premise - Walking Surface	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
	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.

*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.

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*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

COMMERCIAL MULTI-FAMILY STRUCTURE
THROUGHOUT

02/24/2022

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

COMMERCIAL MULTI-FAMILY STRUCTURE
THROUGHOUT

02/24/2022

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	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
<p>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.</p>		
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	COMMERCIAL MULTI-FAMILY STRUCTURE THROUGHOUT	02/24/2022
<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.	02/24/2022

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



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

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Notice of Violation	Case Type: Public Nuisance
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JIE CHEN
 687 32ND ST
 DES MOINES IA 50312

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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,

A handwritten signature in black ink, appearing to read 'K Pyles', written over the printed name.

Kevin Pyles

Neighborhood Inspector

Neighborhood Services

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

(515) 283-4122

KEPyles@dmgov.org

296

The Stamp
Camera ENT



Network: Mar 10, 2022 at 9:57:27 AM **03-10-2022 09:57 AM**
Des Moines, IA 50314



Timestamp
Camera EV7

Network: Mar 10, 2022 at 9:59:10 AM 03-10-2022 09:59 AM

Des Moines IA 50314



Timestamp
Camera ENT

Network: Mar 10, 2022 at 9:59:30 AM 03-10-2022 09:59 AM

Des Moines, IA 50314



Time Stamp
Camera

03-10-2022 09:59 AM

Network: M...
03-10-2022 at 9:59:21
S Moines, IA 50314



Investment
Carroll

03-10-2022 09:59 AM

Nebraska, Mar 10, 2022 at 9:59:20
Des Moines, IA 50314

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	1331 13TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/01913-000-000	Geoparcels	7924-34-376-007	Status	Active
School	Des Moines	Nbhd/Pocket	DM76/Z	Tax Authority Group	DEM-C-DEM-77131
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](#)

Photo Processed on 2013-07-19 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	JRP LLC	2019-09-10	17488/764

Legal Description and Mailing Address

-EX S 9.6 F- LT 20 & S 15 F LT 21 OP SD W 1/2 BLK 3 SUMMIT PARK FIELDS SUB DIV	JRP LLC 301 E REED ST RED OAK, IA 51566-2330
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential 3+	Full	\$6,700	\$74,800	\$81,500

[Unadjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

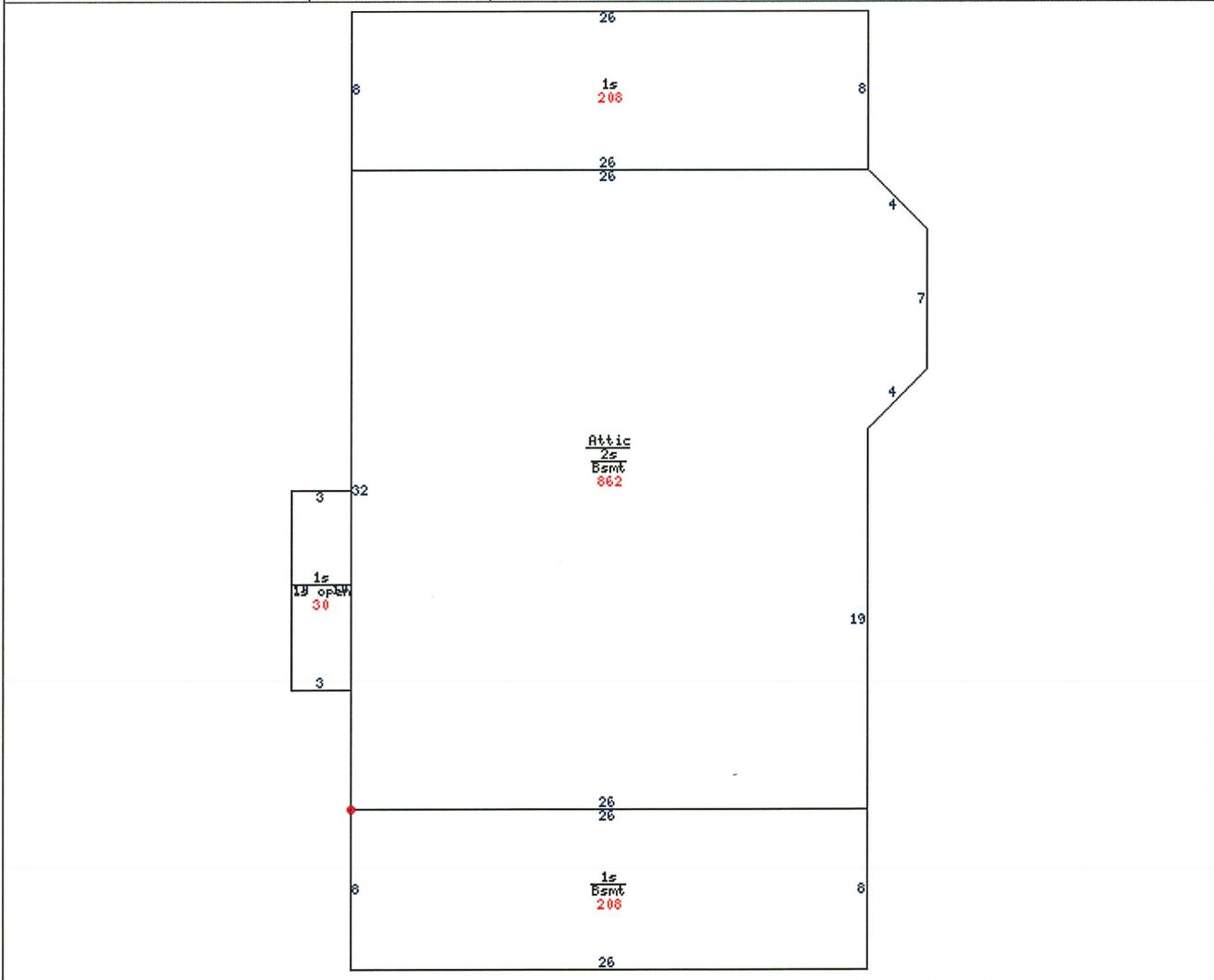
Land

Square Feet	7,534	Acres	0.173	Frontage	55.0
Depth	136.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		

Residences - 1 Record

Residence #1

Occupancy	Conversion	Residence Type	2 Stories Plus	Year Built	1906
Number Families	3	Grade	4+00	Condition	Below Normal
Total Square Foot Living Area	2644	Main Living Area	1278	Upper Living Area	892
Attic Finished Area	474	Basement Area	1070	Foundation	Brick
Exterior Wall Type	Wood Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	3
Rooms	9				



Commercial Summary

Occupancy	Apartment Conversion	Age, Weighted	1906	Total Story Height	3
Land Area	7,534	Gross Area	2,644	Finished Area	2,644
Unfinished Bsmt Area	1,070	Finished Bsmt Area	0	Number of Units	3
Primary Group	Residence Conversion	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	5/Metal	Condition, Weighted	BN/Below Normal
Ground Floor Area	1,278				

Sales - 5 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BJB COMPANY INC	JRP LLC	2019-09-04	\$140,000	Deed	17488/764
ELLINGSON, BRIAN E	BJB COMPANY, INC	2012-07-29	\$70,500	Deed	14388/317
NEMATALLA, AYMAN	ELLINGSON, BRIAN E	2007-05-29	\$72,000	Deed	12216/794
MENA, JULIA E	NEMATALLA, AYMAN	2005-10-31	\$52,500	Deed	11377/561
METRO RENOVATIONS, L.C.	MENA, JULIA ESTER & CARLOS GONZALEZ	2002-10-16	\$35,000	Contract	9446/81

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BJB COMPANY INC	JRP LLC	2019-09-04	2019-09-10	Warranty Deed	17488/764
ELLINGSON, BRIAN E ELLINGSON, JULIE K	BJB COMPANY, INC	2012-07-29	2012-08-09	Warranty Deed	14388/317

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
1989	Pickup	Complete	1988-10-13		3 Fam Conv - Class Chg to Mult

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Multi-Residential	Full	\$6,700	\$74,800	\$81,500
2019	Assessment Roll	Multi-Residential	Full	\$6,100	\$60,700	\$66,800
2017	Assessment Roll	Multi-Residential	Full	\$6,100	\$49,400	\$55,500
2015	Assessment Roll	Multi-Residential	Full	\$5,100	\$44,900	\$50,000
2013	Assessment Roll	Multi-Residential	Full	\$5,100	\$39,400	\$44,500

Yr	Type	Class	Kind	Land	Bldg	Total
2011	Assessment Roll	Multi-Residential	Full	\$5,100	\$39,400	\$44,500
2009	Assessment Roll	Multi-Residential	Full	\$5,100	\$45,100	\$50,200
2007	Assessment Roll	Multi-Residential	Full	\$5,100	\$45,100	\$50,200
2006	Assessment Roll	Multi-Residential	Full	\$4,600	\$45,600	\$50,200
2005	Assessment Roll	Multi-Residential	Full	\$4,600	\$33,600	\$38,200
2003	Assessment Roll	Multi-Residential	Full	\$4,000	\$28,900	\$32,900
2001	Assessment Roll	Multi-Residential	Full	\$3,770	\$19,700	\$23,470
1999	Assessment Roll	Multi-Residential	Full	\$4,600	\$19,700	\$24,300
1993	Assessment Roll	Multi-Residential	Full	\$4,480	\$18,220	\$22,700
1989	Board Action	Multi-Residential	Full	\$4,480	\$21,440	\$25,920
1989	Assessment Roll	Multi-Residential	Full	\$4,480	\$21,440	\$25,920

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