



Roll Call Number

Agenda Item Number

63 A

Date June 13, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1344 HUTTON ST.

WHEREAS, the property located at 1344 Hutton St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, Ancona Systems, Inc., was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 71 in ASHBROOK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1344 Hutton 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

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, *Laura Baumgartner* ^{acting} 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

Case Number: NUIS-2022-000080	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/07/2022
	Date of Notice: 04/13/2022
Date of Inspection: 04/01/2022	

ANCONA SYSTEMS INC
JOHN MARTIN, REG. AGENT
422 SPRING ST #3
REDWOOD CITY CA 94063

Address of Property: 1344 HUTTON ST, DES MOINES IA 50316
Parcel Number: 792436353030
Legal Description: LOT 71 ASHBROOK

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

GARAGE THROUGHOUT

05/25/2022

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.

*IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.

*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL 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.

*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.

*UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS EXIST.

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

GARAGE THROUGHOUT

05/25/2022

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 or 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

GARAGE THROUGHOUT

05/25/2022

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.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

05/25/2022

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,



63A

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

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

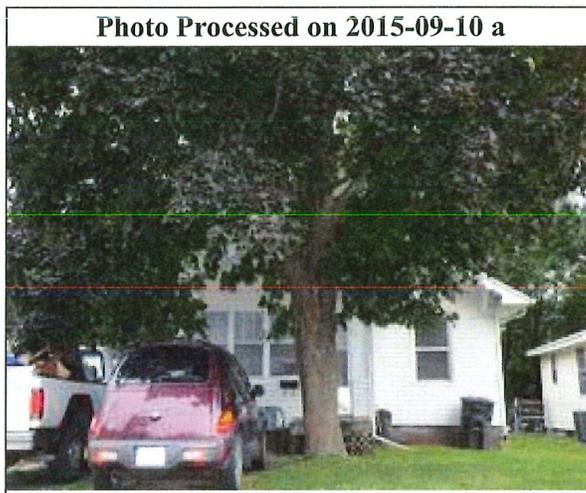
Location					
Address	1344 HUTTON ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/00166-000-000	Geoparcels	7924-36-353-030	Status	Active
School	Des Moines	Nbhd/Pocket	DM08/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2015-09-10 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ANCONA SYSTEMS INC	2018-04-12	16880/700

Legal Description and Mailing Address

LOT 71 ASHBROOK	ANCONA SYSTEMS INC POB 1086 SAN MATEO, CA 94403-0686
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$8,400	\$43,100	\$51,500

Market Adjusted 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)

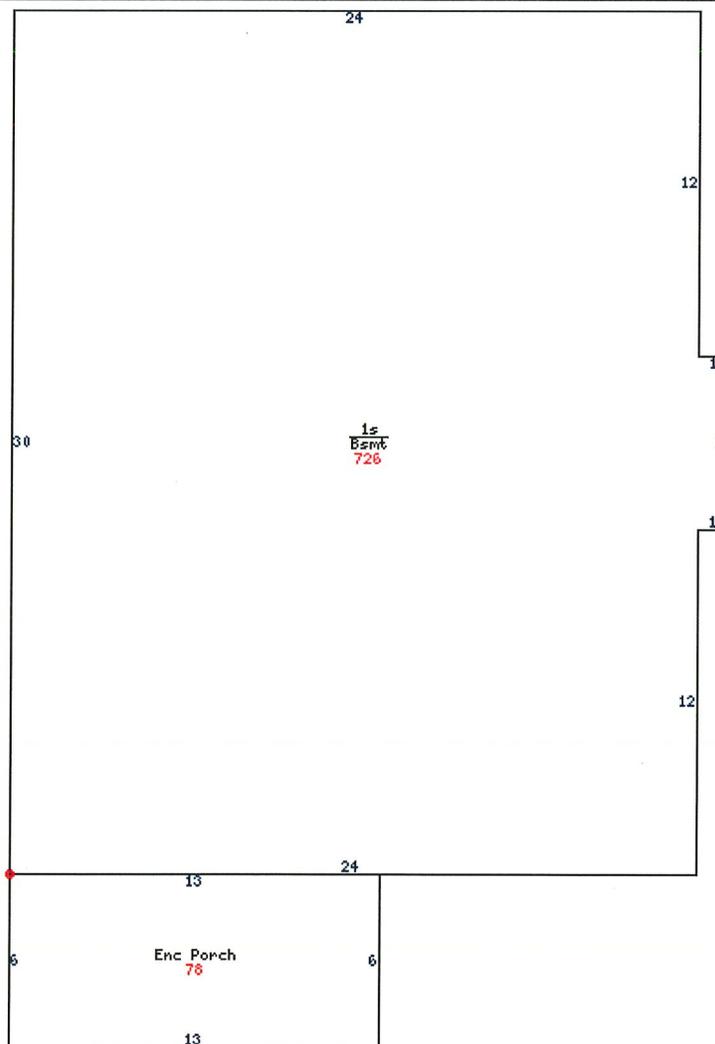
Land

Square Feet	5,200	Acres	0.119	Frontage	40.0
Depth	130.0	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	1918	Number Families	1	Grade	5+05
Condition	Normal	Total Square Foot Living Area	726	Main Living Area	726
Basement Area	726	Enclosed Porch Area	78	Foundation	Brick
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	4		



Detached Structures - 1 Record

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	11	Measure 2	18	Story Height	1
Grade	5	Year Built	1924	Condition	Poor

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NEIGHBORHOOD MORTGAGE RECOVERY LLC	ANCONA SYSTEMS, INC.	2018-04-09	\$2,000	Deed	16880/700
NEIGHBORHOOD MORTGAGE RECOVERY, LLC	DICKENS, DARYL	2011-09-19	\$45,000	Contract	14007/377

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
NEIGHBORHOOD MORTGAGE RECOVERY LLC	ANCONA SYSTEMS INC	2018-04-09	2018-04-12	Quit Claim Deed	16880/700

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
1989	Pickup	Complete	1989-03-23		Remodel
1988	Pickup	Complete	1987-08-27		A/C

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$8,400	\$43,100	\$51,500
2019	Assessment Roll	Residential	Full	\$7,700	\$39,100	\$46,800
2017	Assessment Roll	Residential	Full	\$7,000	\$36,400	\$43,400
2015	Assessment Roll	Residential	Full	\$6,400	\$33,100	\$39,500
2013	Assessment Roll	Residential	Full	\$6,100	\$32,000	\$38,100
2011	Assessment Roll	Residential	Full	\$6,900	\$42,900	\$49,800
2009	Assessment Roll	Residential	Full	\$7,100	\$43,900	\$51,000
2007	Assessment Roll	Residential	Full	\$7,100	\$43,900	\$51,000
2005	Assessment Roll	Residential	Full	\$5,200	\$38,100	\$43,300
2003	Assessment Roll	Residential	Full	\$4,520	\$33,620	\$38,140
2001	Assessment Roll	Residential	Full	\$4,890	\$27,090	\$31,980
1999	Assessment Roll	Residential	Full	\$4,450	\$22,590	\$27,040
1997	Assessment Roll	Residential	Full	\$4,030	\$20,460	\$24,490
1996	Assessment Roll	Residential	Full	\$3,620	\$18,380	\$22,000
1995	Assessment Roll	Government	Full	\$3,980	\$22,400	\$26,380
			Adj	\$0	\$0	\$0
1994	Assessment Roll	Residential	Full	\$3,620	\$20,390	\$24,010
1993	Assessment Roll	Residential	Full	\$3,620	\$20,390	\$24,010
			Adj	\$3,620	\$17,310	\$20,930
1989	Assessment Roll	Residential	Full	\$3,620	\$19,580	\$23,200
			Adj	\$3,620	\$16,500	\$20,120

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Timestamp
Camera ENT

Network: May 27, 2022 at 11:35:09 AM CDT
Des Moines

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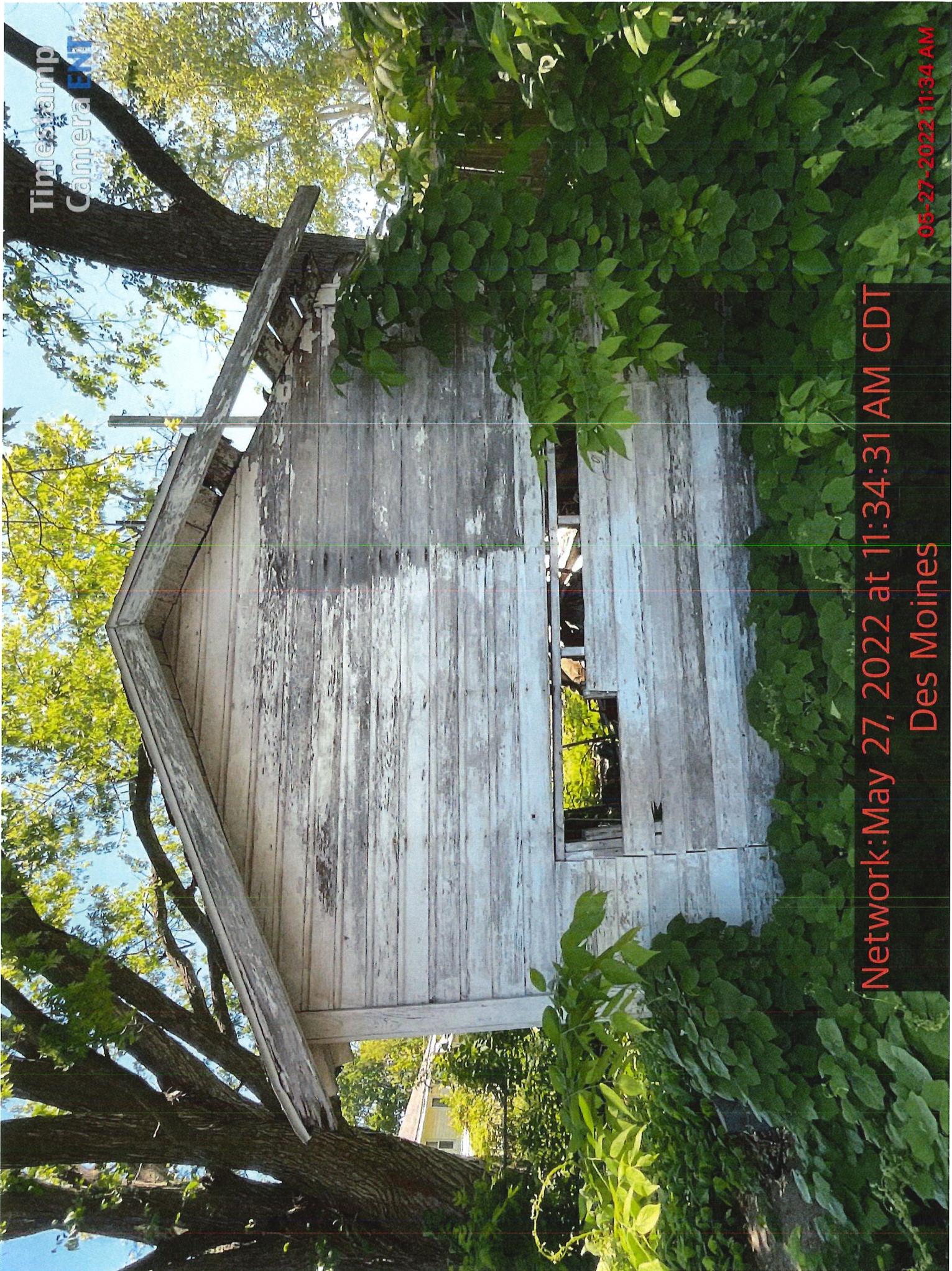
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Des Moines

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