



Roll Call Number

Agenda Item Number

63 J

Date June 13, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1035 22<sup>ND</sup> ST.

WHEREAS, the property located at 1035 22<sup>nd</sup> 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 Titleholders, Don Roose and Jason Roose, were 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 the South 50 feet of the North 101 feet of the West 140 feet of Lot Five (5) in Block Two (2) in COTTAGE GROVE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1035 22<sup>nd</sup> 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

635



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

Case Number: NUIS-2022-000069	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 03/21/2022
	Date of Notice: 04/14/2022
Date of Inspection: 03/21/2022	

DONALD ROOSE  
7013 ROCKLYN CIR  
URBAN DALE IA 50322

Address of Property: 1035 22ND ST, DES MOINES IA 50311  
Parcel Number: 782405131010  
Legal Description: S 50F N 101F W 140F LOT 5 BLK 2 COTTAGE GROVE

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 THOUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	05/06/2022
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.	05/06/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THROUGHOUT 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.	05/06/2022

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.	05/06/2022
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT 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.	05/06/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	05/06/2022
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	05/06/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE THROUGHOUT 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.	05/06/2022

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

05/06/2022

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.

\*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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\*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. REPLACE WATER HEATER BY LICENSED PLUMBING CONTRACTOR, OBTAIN FINAL ON PLUMBING PERMIT OR PREREPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT.OVIDE RECEIPT FROM LICENSED CONTRACTOR

\*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

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\*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

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

MAIN STRUCTURE THROUGHOUT  
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.

05/06/2022

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.

05/06/2022

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.	05/06/2022
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.	05/06/2022
60-192(8) - Dangerous Structure or Premise - Substantial Risk	MAIN STRUCTURE THROUGHOUT 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.	05/06/2022
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.	05/06/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	05/06/2022
60-195 - Emergency Measures to Vacate	MAIN STRUCTURE THROUGHOUT Immediately vacate the building or structure.	05/06/2022

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,



Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4143  
CWMcClaran@dmgov.org



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

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<b>Notice of Violation</b>	Case Type: Public Nuisance
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60-192(4) - Dangerous Structure or Premise  
- Insufficient Strength or Stability

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05/06/2022

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- Dilapidated or Deteriorated

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Thank you for your help,

Respectfully,



Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4143  
CWMcClaran@dmgov.org

# Polk County Assessor

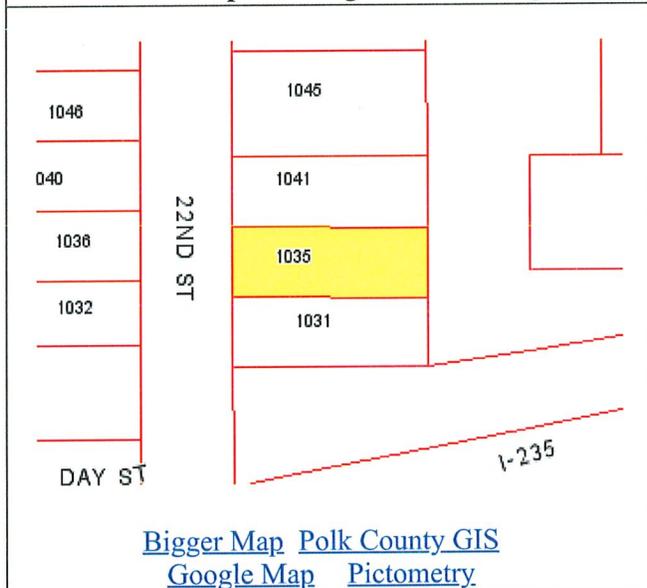
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	1035 22ND ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50311	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	030/00863-000-000	<b>Geoparcels</b>	7824-05-131-010	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM95/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Cary Halfpop, ICA 515-286-2279		

### Map and Current Photos - 1 Record

Click on parcel to get a new listing



### [Historical Photos](#)

### Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ROOSE, DON	1992-12-22	<a href="#">6698/620</a>
Title Holder	2	ROOSE, JASON	1991-04-02	6356/125

### Legal Description and Mailing Address

S 50F N 101F W 140F LOT 5 BLK 2 COTTAGE GROVE	JASON ROOSE 7043 PECKHAM ST JOHNSTON, IA 50131-4774
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential 3+	Full	\$9,900	\$92,100	\$102,000

### [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)

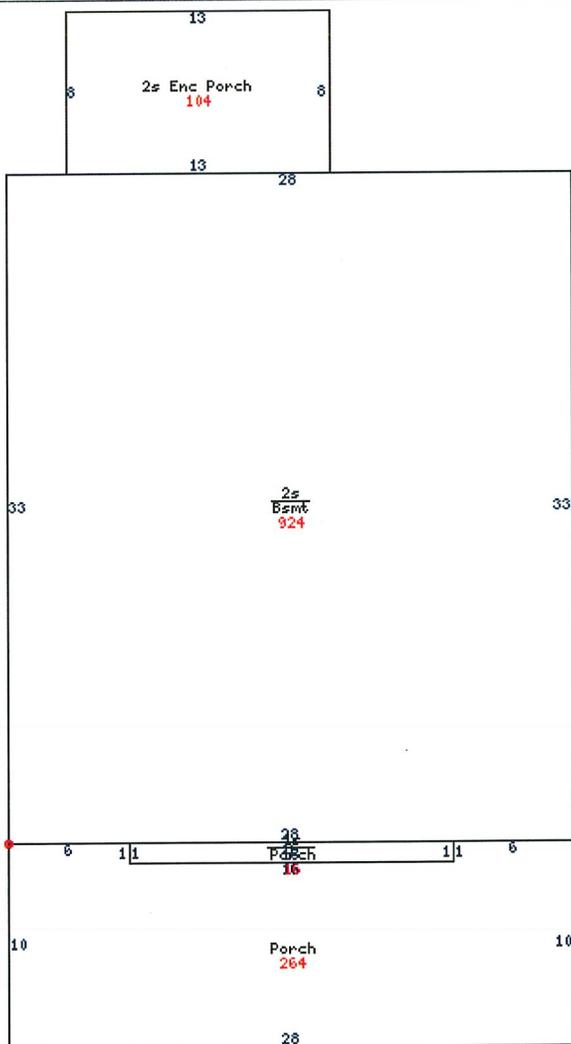
**Land**

<b>Square Feet</b>	7,000	<b>Acres</b>	0.161	<b>Frontage</b>	50.0
<b>Depth</b>	140.0	<b>Topography</b>	Blank	<b>Shape</b>	Rectangle
<b>Vacancy</b>	Blank	<b>Unbuildable</b>	Blank		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Conversion	<b>Residence Type</b>	2 Stories	<b>Year Built</b>	1900
<b>Number Families</b>	3	<b>Grade</b>	4+00	<b>Condition</b>	Below Normal
<b>Total Square Foot Living Area</b>	1864	<b>Main Living Area</b>	924	<b>Upper Living Area</b>	940
<b>Basement Area</b>	924	<b>Open Porch Area</b>	280	<b>Enclosed Porch Area</b>	208
<b>Exterior Wall Type</b>	Wood Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	0	<b>Number Bathrooms</b>	3



**Commercial Summary**

<b>Occupancy</b>	Apartment Conversion	<b>Age, Weighted</b>	1900	<b>Total Story Height</b>	2
<b>Land Area</b>	7,000	<b>Gross Area</b>	1,864	<b>Finished Area</b>	1,864
<b>Unfinished Bsmt Area</b>	924	<b>Finished Bsmt Area</b>	0	<b>Number of Units</b>	3
<b>Primary Group</b>	Residence Conversion	<b>Percent Primary Group</b>	100.00	<b>Percent Secondary Group</b>	0.00
<b>Grade, Weighted</b>	4/Grade 4	<b>Bldg Class, Weighted</b>	5/Metal	<b>Condition, Weighted</b>	BN/Below Normal
<b>Ground Floor Area</b>	924				

**Detached Structures - 2 Records**

**Detached Structure #101**

<b>Occupancy</b>	Concrete Paving	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	3,500
<b>Grade</b>	4	<b>Year Built</b>	1986	<b>Condition</b>	Below Normal

**Detached Structure #201**

<b>Occupancy</b>	Shed	<b>Measurement Code</b>	Dimensions	<b>Measure 1</b>	14
<b>Measure 2</b>	8	<b>Grade</b>	4	<b>Year Built</b>	1986
<b>Condition</b>	Below Normal				
<b>Comment</b>	YR.BUILT ESTIMATED				

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
PRINCIPAL MUTL LIFE, INS CO	ROOSE, DON	<a href="#">1992-12-21</a>	\$25,500	Deed	<a href="#">6698/620</a> Multiple Parcels

**Permits - 2 Records**

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2022-04-06	Fix Damage	FIRE
1994	Pickup	No Add	1993-10-19		Reinspection

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$9,900	\$92,100	\$102,000
2019	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$9,000	\$74,700	\$83,700
2017	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$9,000	\$60,500	\$69,500
2015	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$7,500	\$55,500	\$63,000
2013	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$7,500	\$48,500	\$56,000
2011	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$7,500	\$48,500	\$56,000
2009	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$7,500	\$55,500	\$63,000
2007	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$7,500	\$55,500	\$63,000
2006	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$6,800	\$56,200	\$63,000
2005	<a href="#">Board Action</a>	Multi-Residential	Full	\$6,800	\$43,600	\$50,400
2005	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$6,800	\$43,600	\$50,400

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
2003	<a href="#">Board Action</a>	Multi-Residential	Full	\$5,900	\$38,300	\$44,200
2003	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$5,900	\$38,300	\$44,200
2001	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$5,600	\$26,000	\$31,600
1999	Assessment Roll	Multi-Residential	Full	\$6,200	\$26,000	\$32,200
1995	Assessment Roll	Multi-Residential	Full	\$6,000	\$24,100	\$30,100
1993	Assessment Roll	Multi-Residential	Full	\$5,760	\$22,940	\$28,700
1993	Was Prior Year	Multi-Residential	Full	\$5,760	\$33,170	\$38,930

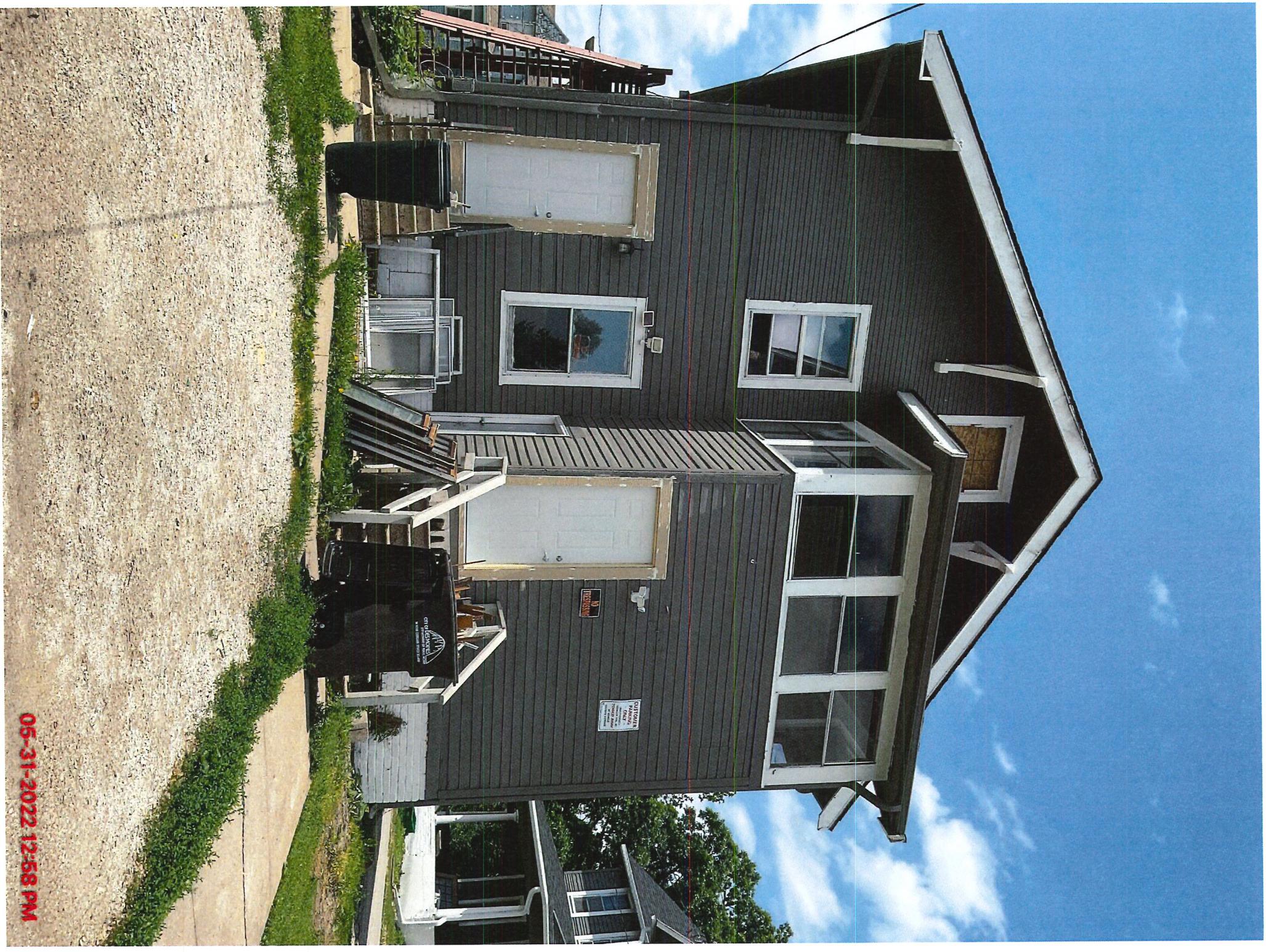
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