



**Roll Call Number**

**Agenda Item Number**

46 F

**Date** August 8, 2022

**ABATEMENT OF PUBLIC NUISANCES AT 2322 E 37<sup>th</sup> COURT**

WHEREAS, the property located at 2322 E 37<sup>th</sup> Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Estate of Brian Logan Nelson, was notified more than thirty days ago to repair or demolish the main structure and accessory structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and accessory structure on the real estate legally described as Lot 782 in FOUR MILE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2322 E 37<sup>th</sup> Court, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by \_\_\_\_\_ to adopt.  
Second by \_\_\_\_\_

FORM APPROVED:

  
\_\_\_\_\_  
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, Laura Baumgartner, 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.

\_\_\_\_\_ City Clerk

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

Case Number: NUIS-2022-000017	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 01/19/2022
	Date of Notice: 01/25/2022
Date of Inspection: 01/19/2022	

CHRISTINA L MORTIMORE  
6213 EDWARDS AVE  
DES MOINES IA 50312

Address of Property: 2322 E 37TH CT, DES MOINES IA 50317  
Parcel Number: 792329480042  
Legal Description:

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.	03/08/2022
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.	03/08/2022
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.	03/08/2022

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

ACCESSORY STRUCTURE THROUGHOUT

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 OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

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

\*SCRAPE LOOSE PAINT, REPAIR WHERE NEEDED AND PAINT TO MATCH.

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 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.

\*SCRAPE LOOSE PAINT, REPAIR WHERE NEEDED AND PAINT TO MATCH.

\*UNABLE TO GAIN ACCESS INTO STRUCTURE, IT IS POSSIBLE THAT MORE VIOLATIONS EXIST.

60-192(6) - Dangerous Structure or Premise  
- Unsafe

MAIN STRUCTURE THROUGHOUT

03/08/2022

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

MAIN STRUCTURE THROUGHOUT

03/08/2022

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.

60-192(9) - Dangerous Structure or Premise  
- Unsanitary, Unfit for Habitation

MAIN STRUCTURE THROUGHOUT

03/08/2022

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.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

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 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

46F

# 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>	2322 E 37TH CT				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	060/04473-000-000	<b>Geoparcel</b>	7923-29-480-042	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM12/D	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Paul OConnell 515-286-2240		

### Map and Current Photos - 1 Record

<p style="text-align: center;"><b>Click on parcel to get a new listing</b></p> <p style="text-align: center;">E 37TH CT</p> <p style="text-align: center;"> <a href="#">Bigger Map</a> <a href="#">Polk County GIS</a>  <a href="#">Google Map</a> <a href="#">Pictometry</a> </p>	<p style="text-align: center;"><b>Photo Processed on 2014-08-12 a</b></p>
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### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	NELSON, BRIAN L	2016-03-11	<a href="#">15920/753</a>

### Legal Description and Mailing Address

LOT 782 FOUR MILE	CHRISTINA MORTIMORE 6213 EDWARDS AVE DES MOINES, IA 50312-1542
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$22,300	\$48,100	\$70,400

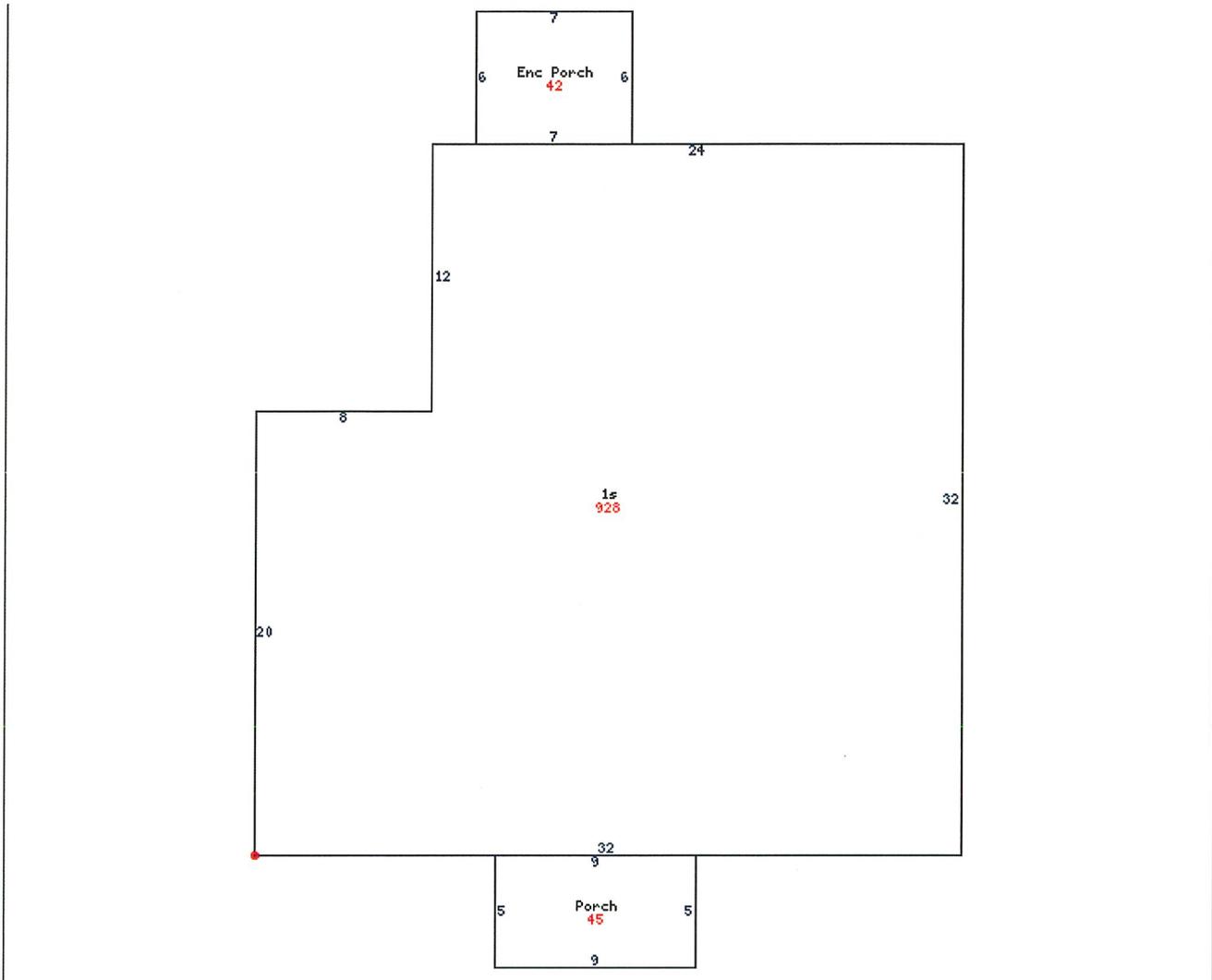
### [Market Adjusted Cost Report](#)

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	NELSON, BRIAN L	Application <a href="#">#349153</a>

### Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>		<b>SF</b>	<b>Assessor Zoning</b>	
F	F Flood District			Floodway	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	6,300	<b>Acres</b>	0.145	<b>Frontage</b>	50.0
<b>Depth</b>	126.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1959	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Poor	<b>Total Square Foot Living Area</b>	928	<b>Main Living Area</b>	928
<b>Open Porch Area</b>	45	<b>Enclosed Porch Area</b>	42	<b>Foundation</b>	Concrete Block
<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>	1
<b>Bedrooms</b>	2	<b>Rooms</b>	5		



**Sales - 3 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOCIATION	NELSON, BRIAN L.	<a href="#">2016-03-04</a>	\$30,000	Deed	<a href="#">15920/753</a>
ROBBINS, RYAN D	RISIUS, LAURA L	<a href="#">1997-06-15</a>	\$48,000	Deed	<a href="#">7665/196</a>
FISCUS, MARY F	ROBBINS, RYAN D	<a href="#">1992-02-18</a>	\$19,500	Contract	<a href="#">6506/881</a>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
FANNIE MAE Also Known As FEDERAL NATIONAL MORTGAGE ASSOCIATION	NELSON, BRIAN L	2016-03-04	2016-03-11	Special Warranty Deed	<a href="#">15920/753</a>

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
MCCARTHY, BILL (Sheriff)  RISIUS, LAURA L (Defendant)	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2015-12-01	2015-12-21	Sheriffs Deed	<a href="#">15845/118</a>

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$22,300	\$48,100	\$70,400
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$20,000	\$43,900	\$63,900
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$67,600	\$85,100
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$16,000	\$63,200	\$79,200
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$15,500	\$62,600	\$78,100
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$15,500	\$62,800	\$78,300
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$16,100	\$63,600	\$79,700
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$16,600	\$65,600	\$82,200
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$16,200	\$49,000	\$65,200
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$14,010	\$44,040	\$58,050
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$12,010	\$36,710	\$48,720
1999	Assessment Roll	Residential	Full	\$7,510	\$45,130	\$52,640
1997	Assessment Roll	Residential	Full	\$6,620	\$39,800	\$46,420
1995	Assessment Roll	Residential	Full	\$6,270	\$37,710	\$43,980
1993	Assessment Roll	Residential	Full	\$5,550	\$24,760	\$30,310
1991	Assessment Roll	Residential	Full	\$5,140	\$22,930	\$28,070
1991	Was Prior Year	Residential	Full	\$5,140	\$20,150	\$25,290

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Camera ENT



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Des Moines

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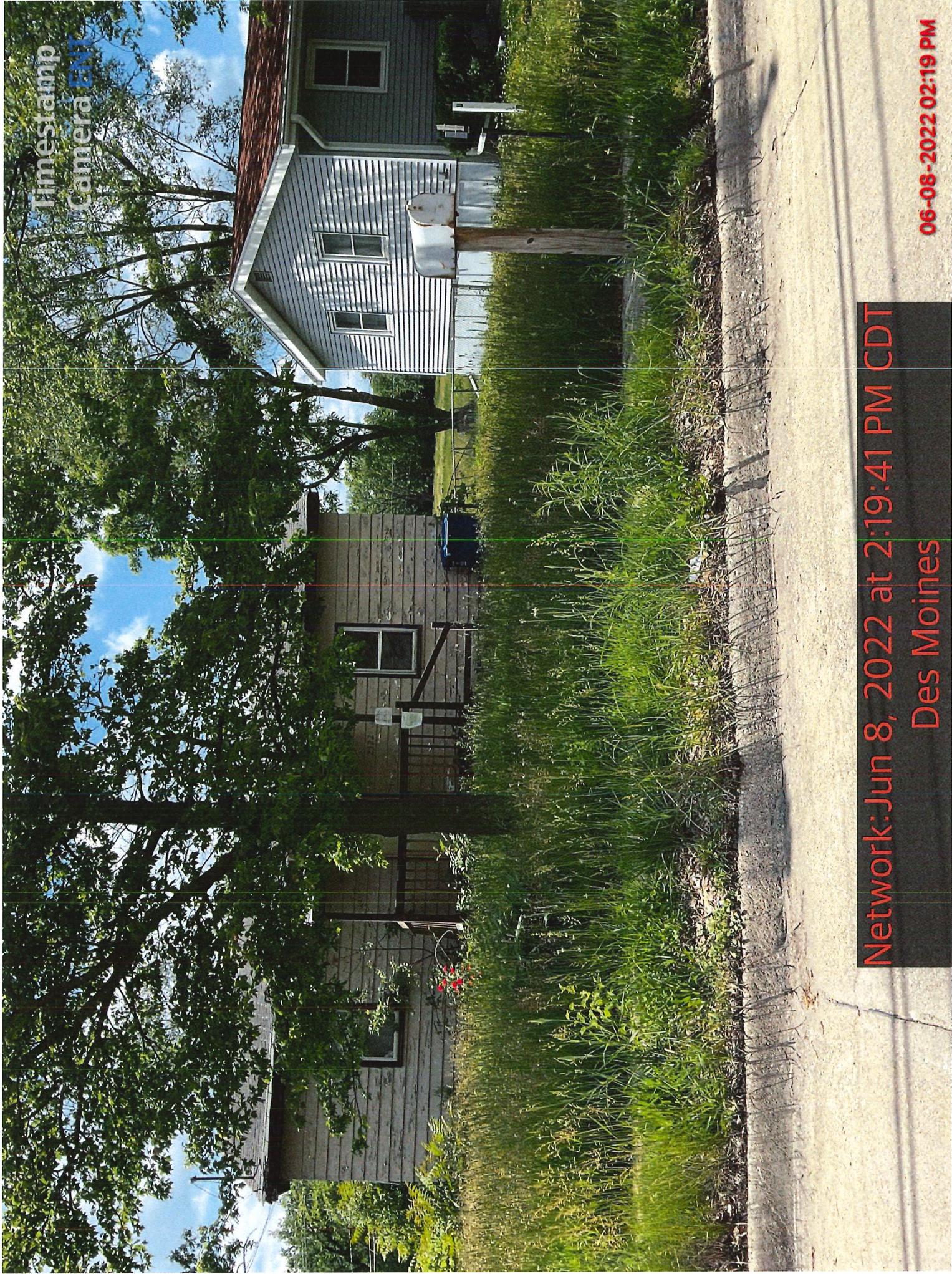
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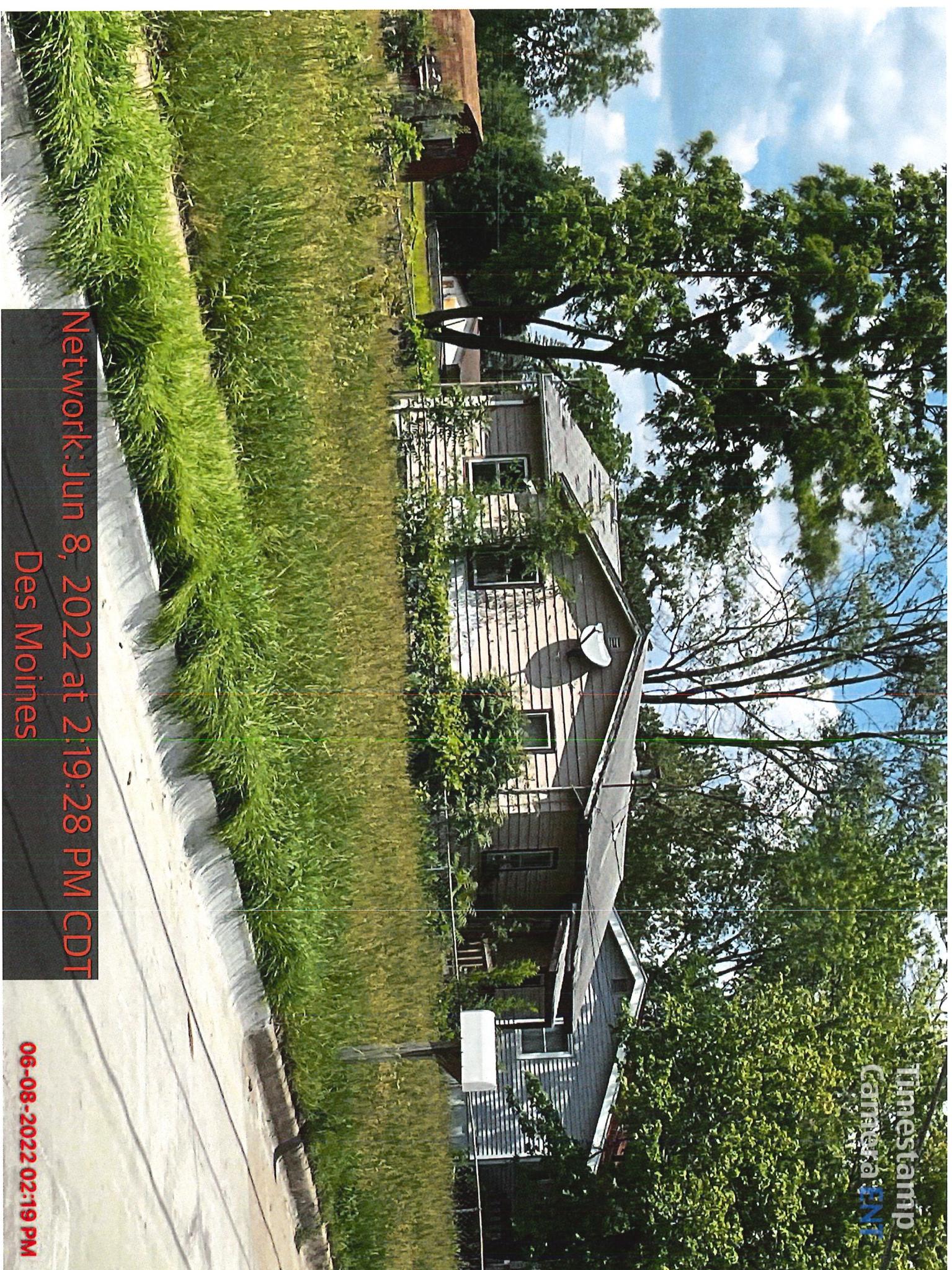
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Camera F11



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Des Moines

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Des Moines

06-08-2022 02:19 PM

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