



**Roll Call Number**

**Agenda Item Number**

46I

**Date** August 8, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 3725 UNIVERSITY AVE.**

WHEREAS, the property located at 3725 University Ave., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, University Park Place LLC, and Mortgage Holder, Community Choice Credit Union, were notified more than thirty days ago to repair or demolish the structure (commercial building) and as of this date have failed to abate the nuisance.

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

The structure (commercial building) on the real estate legally described as the South 200 feet of the West 106.3 feet and the South 160 feet of the North 400 feet (except the West 31 feet thereof) of Lot 34; Lot 57 and the East 15 feet of Lot 58, all in CHETWYND, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3725 University 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				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

**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.

\_\_\_\_\_  
Mayor

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

461



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

Case Number: NUIS-2022-000123	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 05/19/2022
	Date of Notice: 06/22/2022
	Date of Inspection: 05/17/2021

COMMUNITY CHOICE CREDIT UNION  
6163 NW 86TH ST STE 105  
JOHNSTON IA 50131

Address of Property: 3725 UNIVERSITY AVE, DES MOINES IA 50311  
Parcel Number: 792432451004  
Legal Description: E 15F LT 58 & ALL LT 57 CHETWYND; AND S 200 F W 106.3F & -EX W 31F- S 160F N 400F LOT 34 CHETWYND

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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MAIN STRUCTURE THROUGH OUT

Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.

\* ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTRE THAT ARE IN NEED OF REPLACEMENT OR REPAIR ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

\*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 STRUCTRE. 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 STRUCTRE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

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\* REPLACE/REPAIR DUCTWORK BY LICENSED MECHANICAL CONTRACTOR, OBTAIN FINAL ON MECHANICAL PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR

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

\* WAS UNABLE TO DETERMINE IF MAIN STRUCTURE IS DAMAGED AS WELL. WILL REQUIRE A STRUCTURE INSPECTION ONCE THE GARAGE IS DEMOLISHED OR SAFE TO ENTER.

\* 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

\* REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

\* OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

REPAIR OR REPLACE. IN COMPLIANCE WITH INTERNATIONAL RESIDENTIAL BUILDING CODE.

\* 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.

\* OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR PROPERLY REMEDIATE ALL MOLD.

\* 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.

\* 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

\* REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

\* 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.

\* REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING.. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

\* REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE.

\* CLEAN SOMKE DAMAGE FROM WALLS AND THEN PAINT TO MATCH.

60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THROUGH OUT 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.	07/25/2022
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGH OUT 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.	07/25/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGH OUT Repair or replace the unsafe equipment OR demolish the structure.	07/25/2022
60-192(2) - Dangerous Structure or Premise - Walking Surface	MAIN STRUCTURE THROUGH OUT 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.	07/25/2022
60-192(3) - Dangerous Structure or Premise - Damaged	MAIN STRUCTURE THROUGH OUT 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. ENTIRE STRUCTURE WAS AFFECTED EITHER BY FIRE OF WATER DAMAGE FROM DISTINGUISHING FIRE. MAIN FIRE WAS IN TOP SOUTH EAST APARTMENT. LOWER APARTMENTS AND STAIRWELLS WERE HEAVILY SATURATED WITH WATER AND SMOKE DAMAGES ASWELL AS MAIN FIRE AREA.	07/25/2022

60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THROUGH OUT 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.	07/25/2022
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	MAIN STRUCTURE THROUGH OUT 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.	07/25/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	07/25/2022
60-195 - Emergency Measures to Vacate	Immediately vacate the building or structure.	07/25/2022

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,



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  
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<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 05/19/2022
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Date of Inspection: 05/17/2022	

UNIVERSITY PARK PLACE LLC  
 MATHEW L DEBOTH, REG. AGENT  
 104 E TIMBER CREEK DR  
 CARROLL IA 51401

Address of Property: 3725 UNIVERSITY AVE, DES MOINES IA 50311  
 Parcel Number: 792432451004  
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Thank you for your help,

Respectfully,



Charles McClaran  
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E 15F LT 58 & ALL LT 57 CHETWYND; AND S 200 F W 106.3F & -EX W 31F- S 160F N 400F LOT 34 CHETWYND	UNIVERSITY PARK PLACE LLC 104 E TIMBER CREEK DR CARROLL, IA 51401-3297
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**Current Values**

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential 3+	Full	\$160,000	\$1,070,000	\$1,230,000

Unadjusted Cost Report

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
NX2	NX2 Neighborhood Mix District		Residential

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

**Land**

Square Feet	Acres	Topography
60,408	1.387	Blank
Shape	Vacancy	Unbuildable
Rectangle	Blank	Blank

**Commercial Summary**

Occupancy	Apartment	Age, Weighted	1965	Total Story Height	2
Land Area	60,408	Gross Area	21,472	Finished Area	21,472
Unfinished Bsmt Area	4,224	Finished Bsmt Area	0	Number of Units	28
Primary Group	Apartment	Percent Primary Group	83.56	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	3/Brick Veneer	Condition, Weighted	NM/Normal
Ground Floor Area	9,636	Perimeter	702	Bsmt Parking Area	968

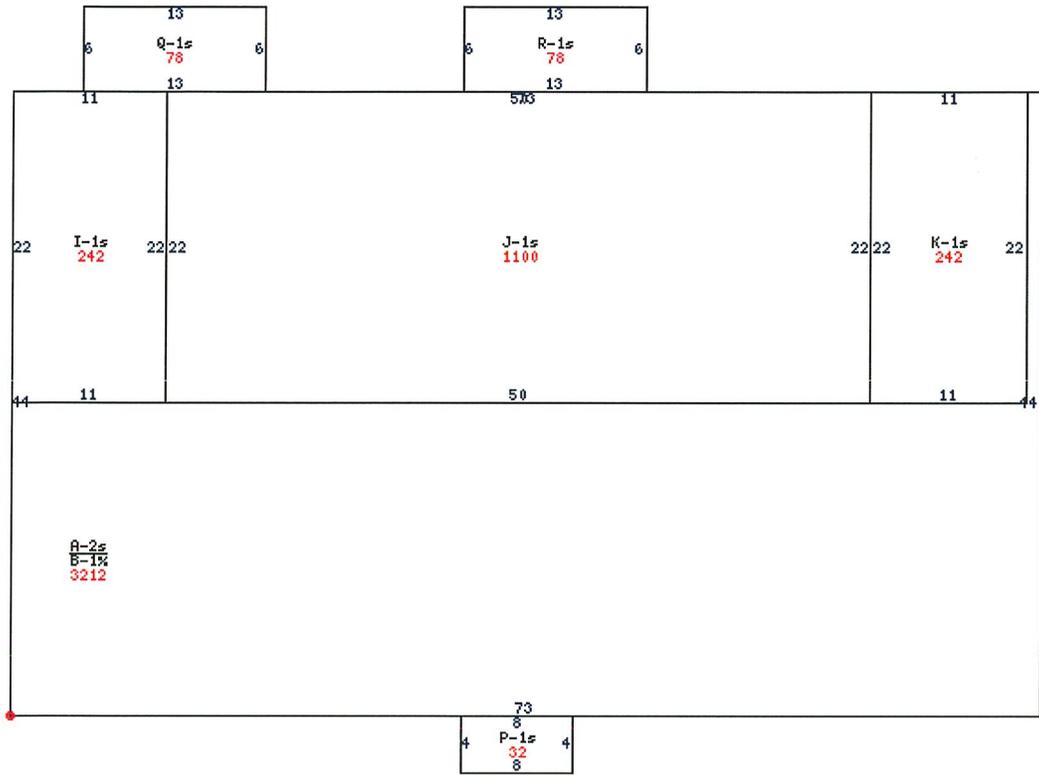
**Commercial Sections - 3 Records**

**Commercial Section #101**

Occupant	UNIVERSITY PARK APTS				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete
Exterior Wall	Brick Veneer	Roof	Gable	Roof Material	Shingle
Landings Square Foot	344	Landing Quality	Below Normal	Wiring	Adequate
Plumbing	Adequate	Total Story Height	2	Frame Type	Frame
Fireproof Construction	No	Bldg Class	Brick Veneer	Total Section Area	9,636
Ground Floor Area	3,212	Perimeter	234	Grade	4+05
Year Built	1965	Year Remodel	1975	Condition	Normal
Comment	P=MS Q,R=2S BALCONY I,K=BSMT GAR J=BSMT APT, 8/2 BEDRM + 2 EFF(BSMT)				

461

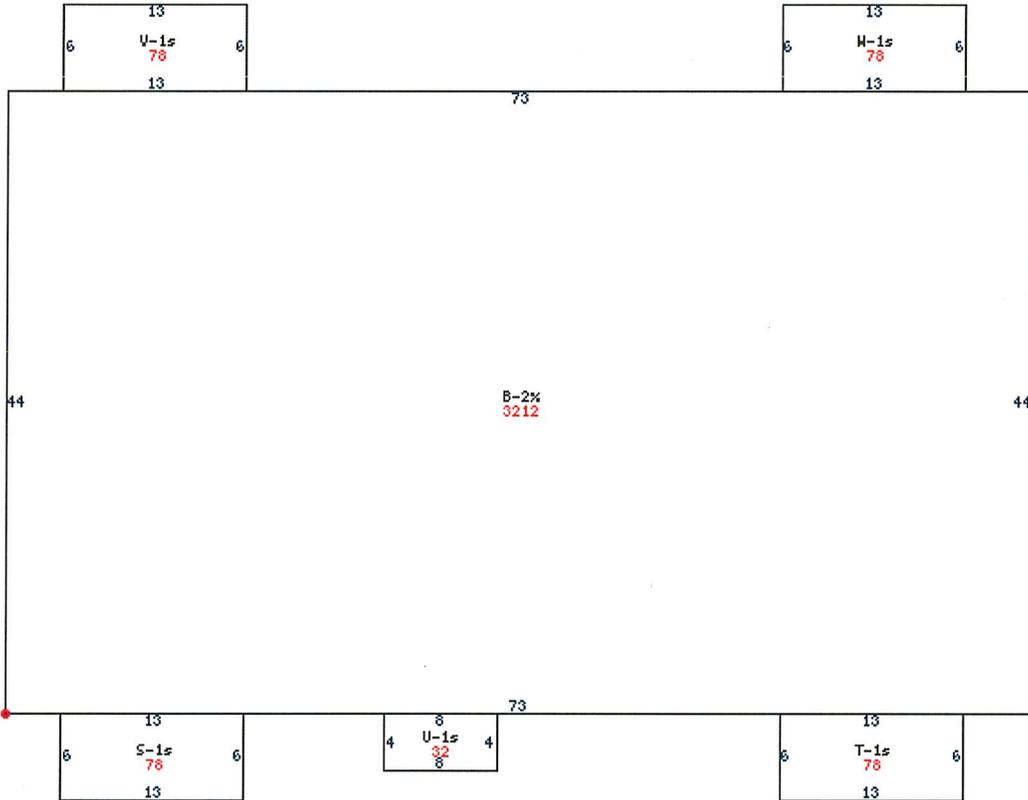
Commercial Groups - 4 Records					
<b>Commercial Group #101 1</b>					
<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	2
<b>Total Group Area</b>	6,424	<b>Base Floor Area</b>	3,212	<b>Number Units</b>	8
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Comment</b>	SLEEVE TYPE A/C				
<b>Commercial Group #101 2</b>					
<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	1,100	<b>Base Floor Area</b>	1,100	<b>Number Units</b>	2
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Comment</b>	BSMT LEVEL/EFF APTS				
<b>Commercial Group #101 3</b>					
<b>Use Code</b>	Basement Entire	<b>Number Stories</b>	1	<b>Total Group Area</b>	2,112
<b>Base Floor Area</b>	2,112	<b>Heating</b>	None	<b>Air Conditioning</b>	None
<b>Exhaust System</b>	No				
<b>Comment</b>	BSMT GAR				
<b>Commercial Group #101 4</b>					
<b>Use Code</b>	Basement Parking	<b>Number Stories</b>	1	<b>Total Group Area</b>	484
<b>Base Floor Area</b>	484	<b>Number Parking Spaces</b>	2	<b>Heating</b>	None
<b>Air Conditioning</b>	None	<b>Exhaust System</b>	No		
<b>Comment</b>	2 GAR^S				



**Commercial Section #201**

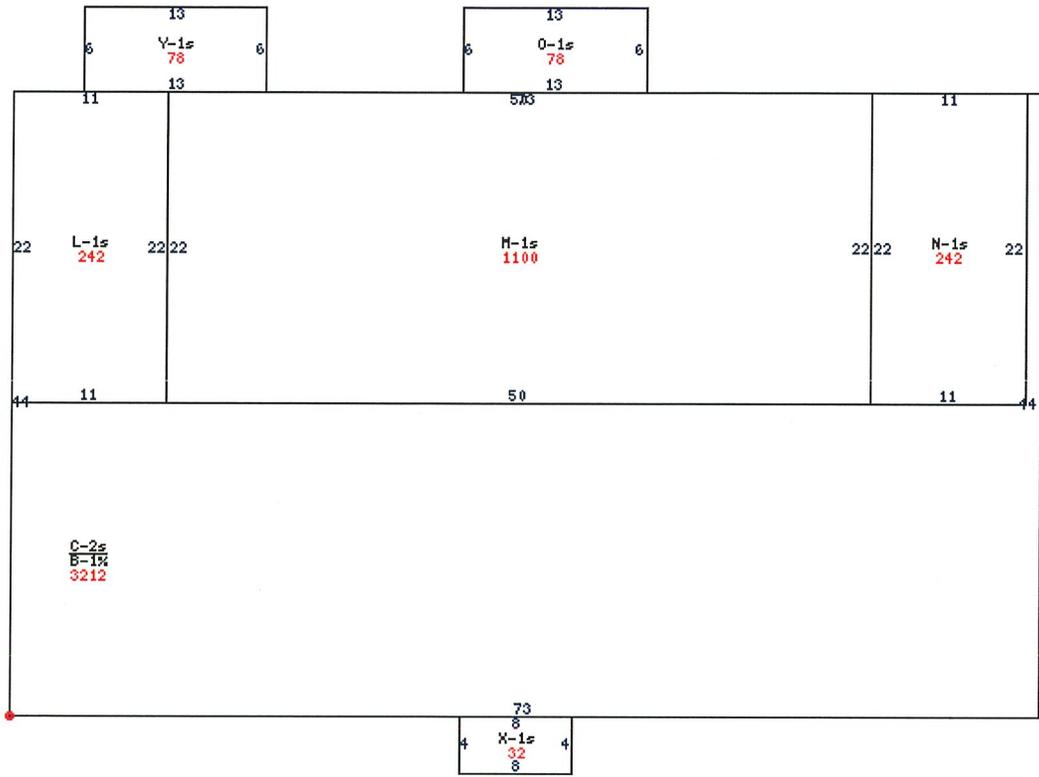
<b>Occupant</b>	UNIVERSITY PARK APTS				
<b>Section Multiplier</b>	1	<b>Occupancy</b>	Apartment	<b>Foundation</b>	Concrete
<b>Exterior Wall</b>	Brick Veneer	<b>Roof</b>	Gable	<b>Roof Material</b>	Shingle
<b>Landings Square Foot</b>	656	<b>Landing Quality</b>	Below Normal	<b>Wiring</b>	Adequate
<b>Plumbing</b>	Adequate	<b>Total Story Height</b>	2	<b>Frame Type</b>	Frame
<b>Fireproof Construction</b>	No	<b>Bldg Class</b>	Brick Veneer	<b>Total Section Area</b>	6,424
<b>Ground Floor Area</b>	3,212	<b>Perimeter</b>	234	<b>Grade</b>	4+05
<b>Year Built</b>	1965	<b>Condition</b>	Normal		
<b>Comment</b>	S,T,V,W=BALC/CONC U=MS, 8/2BEDRM APTS				

Commercial Groups - 1 Record					
Commercial Group #201 1					
Use Code	Apartment	Base Story	1	Number Stories	2
Total Group Area	6,424	Base Floor Area	3,212	Number Units	8
Heating	Central	Air Conditioning	Yes	Exhaust System	No



Commercial Section #301					
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Plumbing	Adequate	Total Story Height	2	Frame Type	Frame
Fireproof Construction	No	Bldg Class	Brick Veneer	Total Section Area	9,636

<b>Ground Floor Area</b>	3,212	<b>Perimeter</b>	234	<b>Grade</b>	4+05
<b>Year Built</b>	1965	<b>Year Remodel</b>	1975	<b>Condition</b>	Normal
<b>Comment</b>	X=MS Y,O=2S BALCONY L,M=BSMT GAR N=BSMT APT, 8/2 BEDRM + 2 EFF(BSMT)				
<b>Commercial Groups - 4 Records</b>					
<b>Commercial Group #301 1</b>					
<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	2
<b>Total Group Area</b>	6,424	<b>Base Floor Area</b>	3,212	<b>Number Units</b>	8
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Comment</b>	SLEEVE TYPE A/C				
<b>Commercial Group #301 2</b>					
<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	1,100	<b>Base Floor Area</b>	1,100	<b>Number Units</b>	2
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No
<b>Commercial Group #301 3</b>					
<b>Use Code</b>	Basement Entire	<b>Number Stories</b>	1	<b>Total Group Area</b>	2,112
<b>Base Floor Area</b>	2,112	<b>Heating</b>	None	<b>Air Conditioning</b>	None
<b>Exhaust System</b>	No				
<b>Comment</b>	BSMT GAR				
<b>Commercial Group #301 4</b>					
<b>Use Code</b>	Basement Parking	<b>Number Stories</b>	1	<b>Total Group Area</b>	484
<b>Base Floor Area</b>	484	<b>Number Parking Spaces</b>	2	<b>Heating</b>	None
<b>Air Conditioning</b>	None	<b>Exhaust System</b>	No		
<b>Comment</b>	2 BSMT GAR^S				



**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Asphalt Paving	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	15,000
<b>Grade</b>	4	<b>Year Built</b>	1965	<b>Condition</b>	Normal

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
UNIVERISTY-PARK LP	UNIVERSITY PARK PLACE LLC	<a href="#">2021-01-14</a>	\$2,919,600	Deed	<a href="#">18311/751</a> Multiple Parcels

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
UNIVERSITY-PARK LP	UNIVERSITY PARK PLACE LLC	2021-03-19	2021-03-25	Corrected Warranty Deed Corporate	<a href="#">18434/830</a>
UNIVERISTY-PARK LP	UNIVERSITY PARK PLACE LLC	2021-01-14	2021-01-19	Warranty Deed Corporate	<a href="#">18311/751</a>

**Historical Values**

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
2021	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$160,000	\$1,070,000	\$1,230,000
2019	<a href="#">Board Action</a>	Multi-Residential	Full	\$146,000	\$864,000	\$1,010,000
2019	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$146,000	\$1,144,000	\$1,290,000
2017	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$145,800	\$924,200	\$1,070,000
2015	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$122,000	\$847,000	\$969,000
2013	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$122,000	\$740,000	\$862,000
2011	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$122,000	\$740,000	\$862,000
2009	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$122,000	\$740,000	\$862,000
2007	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$122,000	\$740,000	\$862,000
2005	<a href="#">Board Action</a>	Multi-Residential	Full	\$110,000	\$718,000	\$828,000
2005	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$110,000	\$806,000	\$916,000
2004	<a href="#">Board Action</a>	Multi-Residential	Full	\$96,000	\$649,100	\$745,100
2003	<a href="#">Board Action</a>	Multi-Residential	Full	\$96,000	\$649,100	\$745,100
2003	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$96,000	\$710,000	\$806,000
2001	<a href="#">Assessment Roll</a>	Multi-Residential	Full	\$90,610	\$554,000	\$644,610
1999	Assessment Roll	Multi-Residential	Full	\$94,000	\$554,000	\$648,000
1997	Assessment Roll	Multi-Residential	Full	\$91,000	\$538,000	\$629,000
1997	Was Prior Year	Multi-Residential	Full	\$91,000	\$538,000	\$629,000

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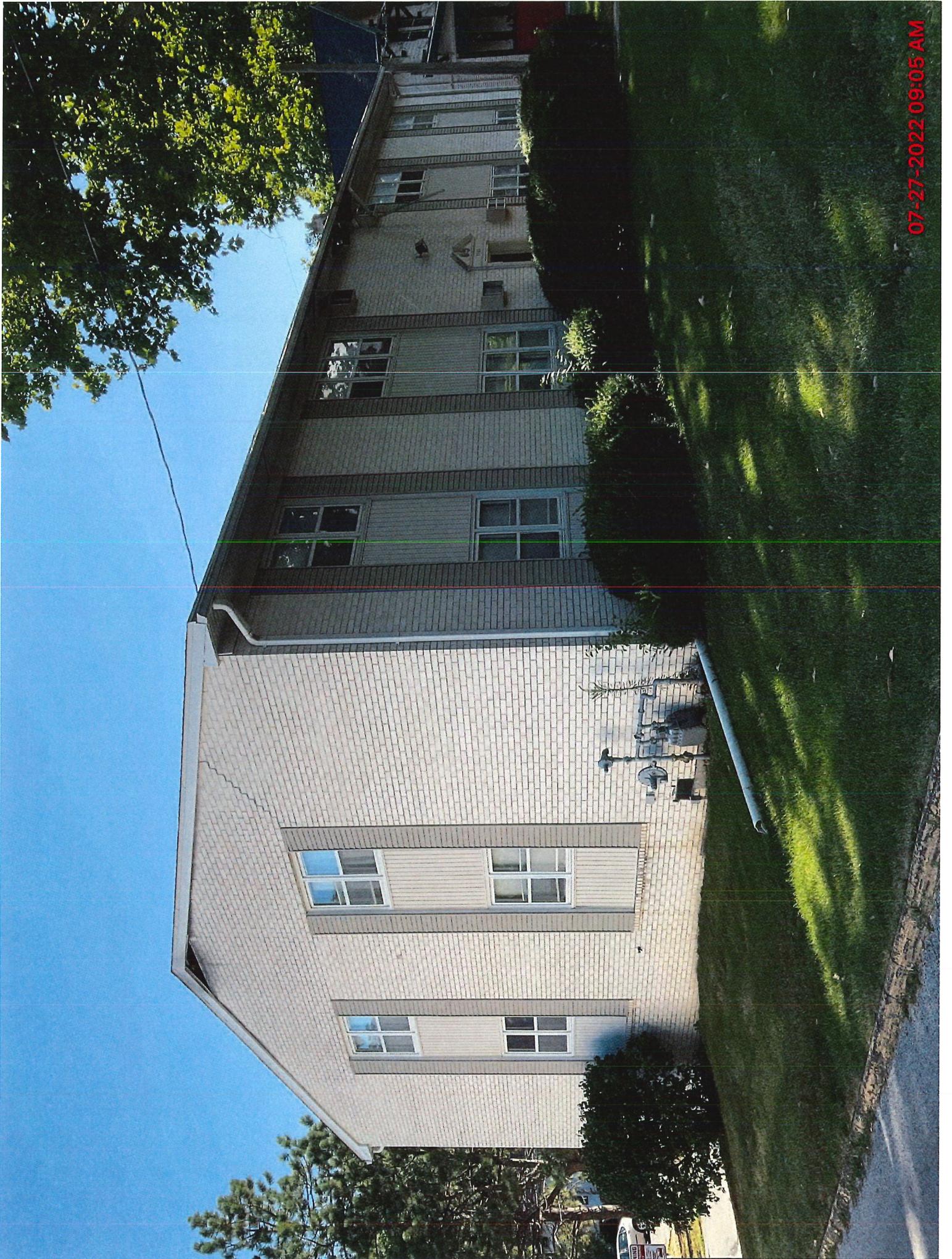
BBB  
Taylor Builders LLC  
www.taylorbuildersllc.com  
Roofing / Siding / Windows  
Chronic Lujan  
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