



**Date** January 9, 2023

**ABATEMENT OF PUBLIC NUISANCE AT 5905 SOUTH UNION ST.**

WHEREAS, the property located at 5905 South Union 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 a public nuisance; and

WHEREAS, the Titleholder, Sonia D. Houghton, and Mortgage Holder, Iowa State Bank, were notified more than thirty days ago to repair or demolish the garage structure 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 garage structure on the real estate legally described as The South 93 feet of Lot 77 (except the West 5 feet) and the South 93 feet of Lots 78 and 79 in CUMMINSFORD, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 5905 South Union 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				
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



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

37D

Case Number: NUIS-2022-000209	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 10/05/2022
	Date of Notice: 11/10/2022
Date of Inspection: 10/05/2022	

IOWA STATE BANK  
 627 E LOCUST ST  
 DES MOINES IA 50309

Address of Property: **5905 SOUTH UNION ST, DES MOINES IA 50315**  
 Parcel Number: **782427304002**

Legal Description: **-EX W 5F- S 93F LT 77 & S 93F LTS 78 & 79 CUMMINSFORD**

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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Violation	Corrective Action	Compliance Due Date
<p><b>60-191 - Vacation and Abatement</b>            Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p> <p>Garage Only</p>	11/22/2022
<p><b>60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability</b>            For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:            (4) 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.</p>	<p>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.</p> <p>Garage only:            REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE</p> <p>REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.</p> <p>UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.</p>	11/22/2022

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated</b>            For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:            (5) The building or structure, or part of a structure, 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, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	<p>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.</p> <p>Garage Only:            REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT</p> <p>REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.</p> <p>UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.</p>	11/22/2022
<p><b>60-194 - Defacing and Removing Placard</b>            No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	11/22/2022

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,

A handwritten signature in black ink, appearing to read "Scott Clauson", with a long horizontal flourish extending to the right.

Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 669-8231  
SAClauson@dmgov.org



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

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<b>Notice of Violation</b>	<b>Case Type: Public Nuisance</b>
	<b>Case Opened: 10/05/2022</b>
	<b>Date of Notice: 10/10/2022</b>
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SONIA D HOUGHTON  
 5905 SOUTH UNION ST  
 DES MOINES IA 50315

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Parcel Number: **782427304002**

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Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4120  
SAClauson@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>	5905 SOUTH UNION ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	120/00632-001-000	<b>Geoparcel</b>	7824-27-304-002	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM41/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Andrew Rand 515-286-3368		

### 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;"> <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 2017-10-23 a</b></p>
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### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HOUGHTON, SONIA D	2011-03-18	<a href="#">13800/756</a>

### Legal Description and Mailing Address

-EX W 5F- S 93F LT 77 & S 93F LTS 78 & 79 CUMMINSFORD	SONIA D HOUGHTON 5905 S UNION ST DES MOINES, IA 50315-5251
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### Current Values

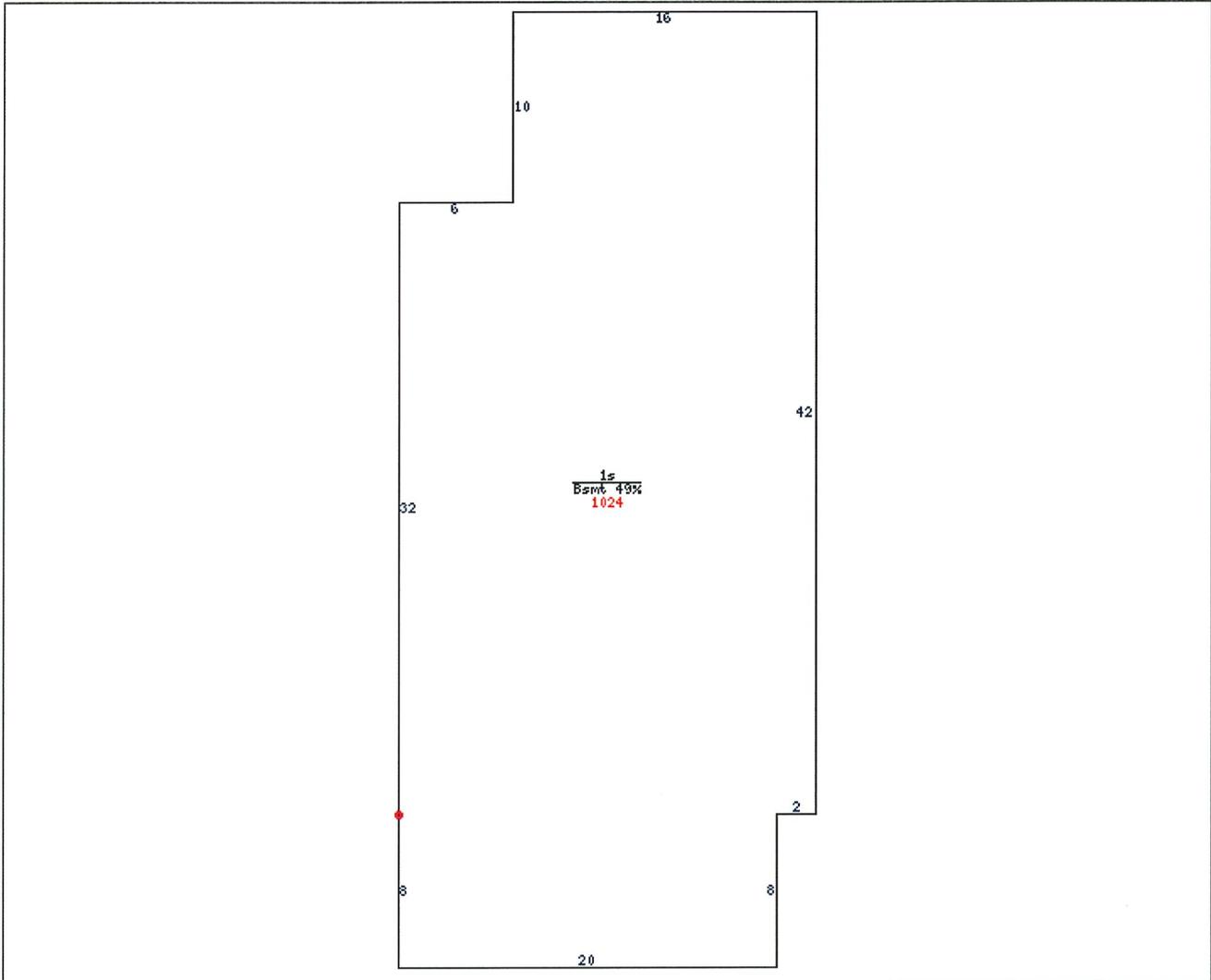
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$27,600	\$78,200	\$105,800

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

### Auditor Adjustments to Value

Category	Name	Information
<a href="#">2022 Homestead Credit</a>	HOUGHTON, SONIA D	Application <a href="#">#259880</a>

<b>Zoning - 1 Record</b>					
<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
N3B	N3b Neighborhood District				Residential
<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>	13,485	<b>Acres</b>	0.310	<b>Frontage</b>	93.0
<b>Depth</b>	145.0	<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>	Bungalow
<b>Year Built</b>	1920	<b>Year Remodel</b>	2020	<b>Number Families</b>	1
<b>Grade</b>	4-05	<b>Condition</b>	Very Good	<b>Total Square Foot Living Area</b>	1024
<b>Main Living Area</b>	1024	<b>Basement Area</b>	502	<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>	100	<b>Number Bathrooms</b>	1
<b>Number Extra Fixtures</b>	1	<b>Bedrooms</b>	2	<b>Rooms</b>	5



**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Garage	<b>Construction Type</b>	Frame	<b>Measurement Code</b>	Dimensions
<b>Measure 1</b>	20	<b>Measure 2</b>	20	<b>Story Height</b>	1
<b>Grade</b>	4	<b>Year Built</b>	1980	<b>Condition</b>	Poor
<b>Comment</b>	EST. YR. BUILT				

**Sales - 3 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
RICE, ANDREW	HOUGHTON, SONIA D.	<a href="#">2011-03-17</a>	\$61,500	Deed	<a href="#">13800/756</a>
SECRETARY OF HOUSING AND URBAN DEVELOPMENT	RICE, ANDREW	<a href="#">2006-03-29</a>	\$62,110	Deed	<a href="#">11589/509</a>
SPOONHOLTZ, DAVID D	STODGEL, WILLIAM L	<a href="#">1997-04-03</a>	\$58,900	Deed	<a href="#">7616/377</a>

**Permits - 2 Records**

Year	Type	Permit Status	Application	Reason	Reason1
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Year	Type	Permit Status	Application	Reason	Reason1
2021	Permit	Complete	2019-10-14	Fix Damage	MISC
2020	Permit	Partial	2019-10-14	Fix Damage	MISC

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$27,600	\$78,200	\$105,800
2020	<a href="#">Assessment Roll</a>	Residential	Full	\$24,300	\$31,100	\$55,400
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$24,300	\$65,400	\$89,700
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$21,400	\$58,100	\$79,500
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$19,400	\$53,500	\$72,900
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$18,900	\$52,900	\$71,800
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$19,900	\$55,200	\$75,100
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$19,800	\$53,600	\$73,400
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$21,100	\$61,500	\$82,600
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$17,300	\$59,600	\$76,900
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$15,370	\$53,120	\$68,490
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$16,330	\$43,550	\$59,880
1999	Assessment Roll	Residential	Full	\$12,550	\$37,960	\$50,510
1997	Assessment Roll	Residential	Full	\$11,660	\$35,280	\$46,940
1995	Assessment Roll	Residential	Full	\$10,260	\$31,040	\$41,300
1993	Assessment Roll	Residential	Full	\$8,920	\$26,990	\$35,910
1991	Assessment Roll	Residential	Full	\$8,920	\$25,610	\$34,530
1991	Was Prior Year	Residential	Full	\$8,920	\$21,710	\$30,630

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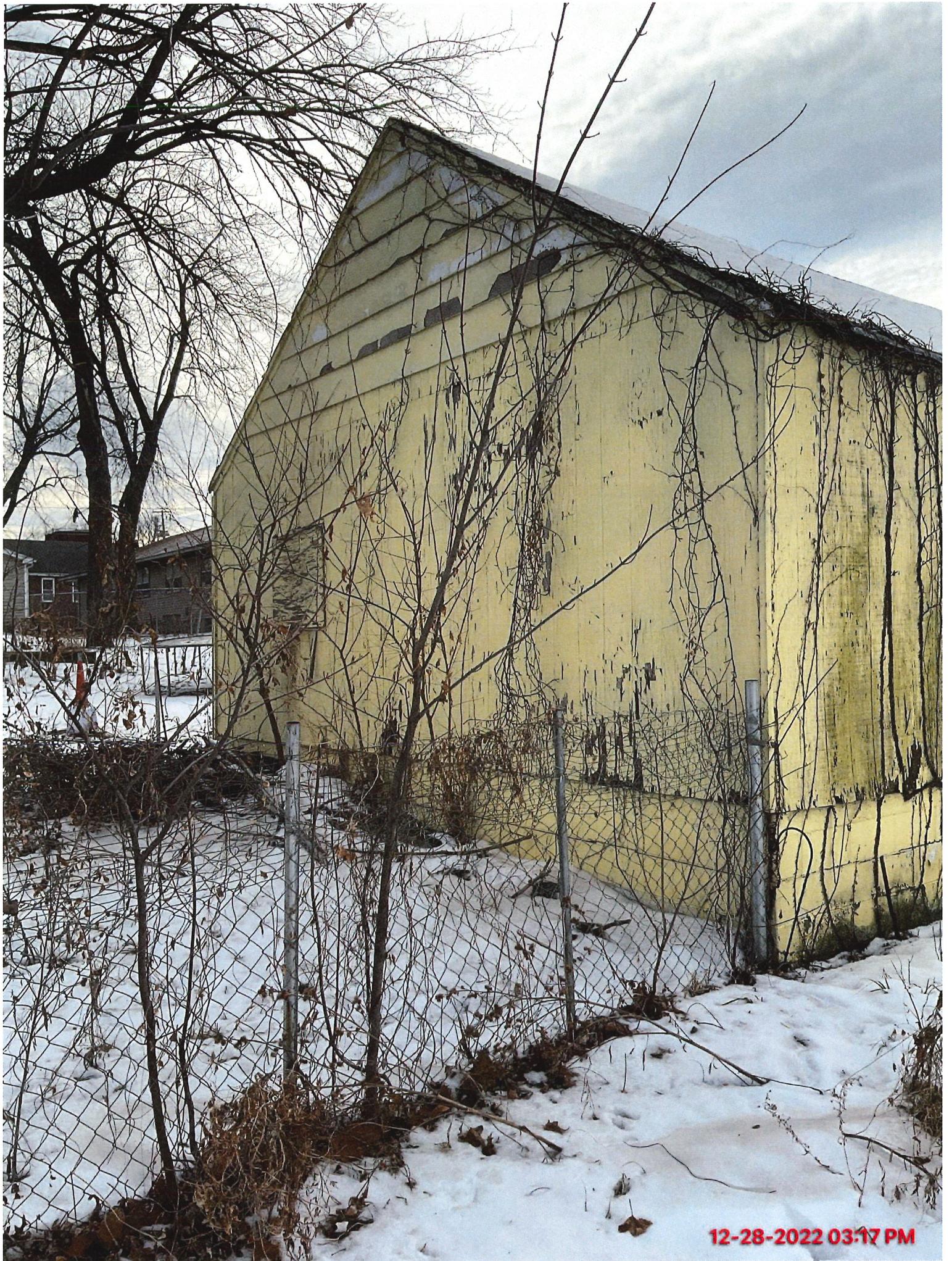


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