



Date June 12, 2023

**ABATEMENT OF PUBLIC NUISANCE AT 2600 COTTAGE GROVE**

WHEREAS, the property located at 2600 Cottage Grove, 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 a public nuisance; and

WHEREAS, the Titleholder, MK Capital LLC, and the Mortgage Holder, Union State Bank, were notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as Lot 233 in UNIVERSITY LAND COMPANY'S FIRST ADDITION to Des Moines lying North of Parcel 2017-210 as shown in Plat of Survey filed November 27, 2017 in Book 16734 Page 709, in the Office of the Polk County Recorder, Polk County, Iowa, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2600 Cottage Grove, 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, 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

45C





45e

# Polk County Assessor

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

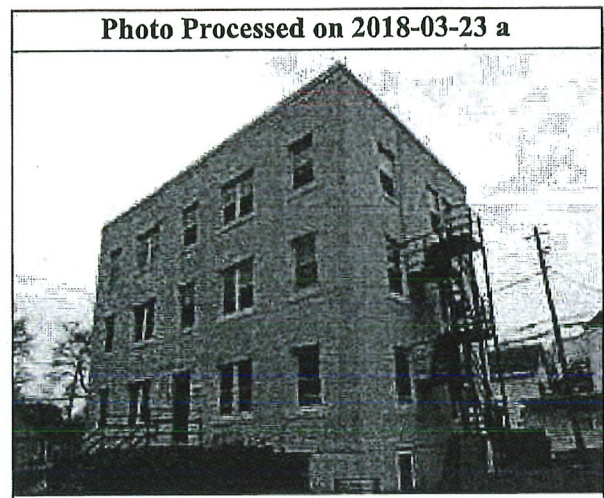
(515) 286-3014 Fax (515) 286-3386  
polkweb@assess.co.polk.ia.us

Location					
Address	2600 COTTAGE GROVE AVE				
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines
District/Parcel	030/04964-003-000	Geoparcel	7824-05-106-017	Status	Active
School	Des Moines	Nbhd/Pocket	DM95/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279		

## Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MK CAPITAL LLC	2017-06-19	16528/151

## Legal Description and Mailing Address

LYG N OF PARCEL 2017-210 BK 16734 PG 709 LOT 223  
UNIVERSITY LAND COS 1ST ADDITION

MK CAPITAL LLC  
4225 FLEUR DR STE 171  
DES MOINES, IA 50321-2325

## Current Values

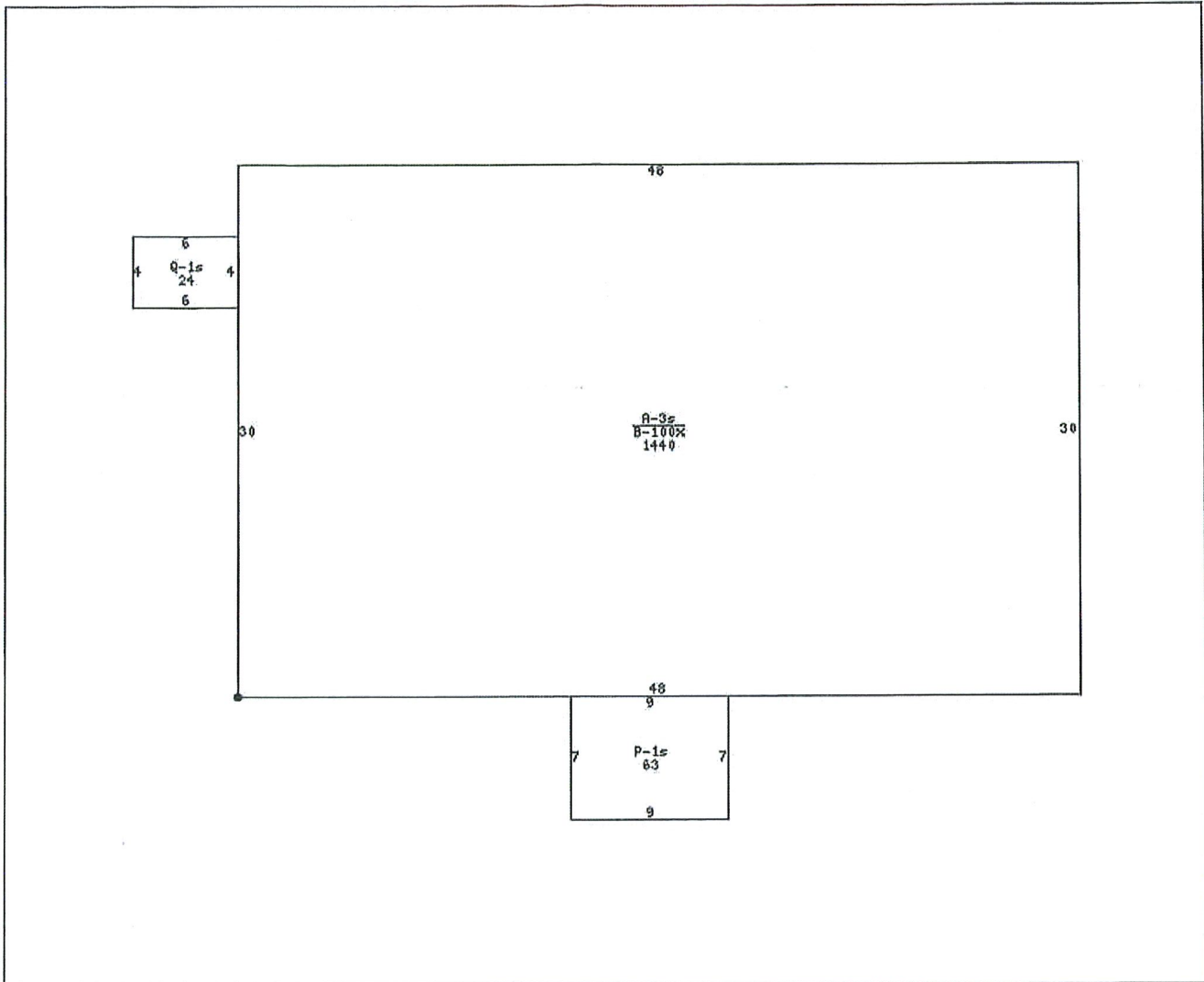
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential 3+	Full	\$15,400	\$194,600	\$210,000

## Unadjusted Cost Report

## Zoning - 2 Records

Zoning	Description	SF	Assessor Zoning
NX2	NX2 Neighborhood Mix District	6479	Residential

Zoning	Description		SF	Assessor Zoning	
N5	N5 Neighborhood District		766	Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
Square Feet	7,246	Acres	0.166	Topography	Blank
Shape	Irregular	Vacancy	Blank	Unbuildable	Blank
<b>Commercial Summary</b>					
Occupancy	Apartment	Age, Weighted	1918	Total Story Height	3
Land Area	7,246	Gross Area	4,320	Finished Area	4,320
Unfinished Bsmt Area	1,440	Finished Bsmt Area	450	Number of Units	7
Primary Group	Apartment	Percent Primary Group	75.00	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up	Condition, Weighted	BN/Below Normal
Ground Floor Area	1,440	Perimeter	156		
<b>Commercial Sections - 1 Record</b>					
<b>Commercial Section #101</b>					
Occupant	FIRST STEP APTS.				
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete Block or Tile
Submerged	No	Exterior Wall	Stucco	Roof	Flat
Roof Material	Built-up	Covered Area	63	Covered Quality	Normal
Entrance Square Foot	24	Entrance Quality	Normal	Wiring	Adequate
Plumbing	Adequate	Total Story Height	3	Frame Type	Frame
Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	5,760	Ground Floor Area	1,440
Perimeter	156	Total Number Units	6	Grade	4+00
Year Built	1918	Condition	Below Normal		
Comment	(2)4X4 FIRE ESC.;P=7X9 OP;Q=4X6 ENT.;				



**Permits - 2 Records**

Year	Type	Permit Status	Application	Reason	Reason1
2020	Permit	No Add	2019-03-15	Alterations	WINDOWS
2019	Pickup	Complete	2019-01-30	Review Value	TREND

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Multi-Residential	Full	\$15,400	\$194,600	\$210,000
2019	<u>Board Action</u>	Multi-Residential	Full	\$14,000	\$158,000	\$172,000
2019	<u>Assessment Roll</u>	Multi-Residential	Full	\$14,000	\$158,000	\$172,000
2018	<u>Assessment Roll</u>	Multi-Residential	Full	\$14,000	\$128,600	\$142,600

**Commercial Groups - 3 Records**

**Commercial Group #101 1**

<b>Use Code</b>	Apartment	<b>Base Story</b>	1	<b>Number Stories</b>	3
<b>Total Group Area</b>	4,320	<b>Base Floor Area</b>	1,440	<b>Number Units</b>	6
<b>Heating</b>	Central	<b>Air Conditioning</b>	None	<b>Exhaust System</b>	No

**Commercial Group #101 2**

<b>Use Code</b>	Basement Finished	<b>Number Stories</b>	1	<b>Total Group Area</b>	450
<b>Base Floor Area</b>	450	<b>Number Units</b>	1	<b>Heating</b>	Central
<b>Air Conditioning</b>	None	<b>Grade Adjust</b>	Minus 20	<b>Exhaust System</b>	No

**Commercial Group #101 3**

<b>Use Code</b>	Basement Entire	<b>Number Stories</b>	1	<b>Total Group Area</b>	1,440
<b>Base Floor Area</b>	1,440	<b>Heating</b>	None	<b>Air Conditioning</b>	None
<b>Grade Adjust</b>	Minus 10	<b>Exhaust System</b>	No		



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

45C

<b>Case Number: NUIS-2023-000012</b>	
<b>Notice of Violation</b>	<b>Case Type: Public Nuisance</b>
	<b>Case Opened: 01/23/2023</b>
	<b>Date of Notice: 03/14/2023</b>
	<b>Date of Inspection: 02/22/2023</b>

MK CAPITAL LLC  
 ZACH VANDER PLOEG, REG. AGENT  
 4225 FLEUR DR #171  
 DES MOINES IA 50321

Address of Property: **2600 COTTAGE GROVE AVE, DES MOINES IA 50311**  
 Parcel Number: **782405106017**

Legal Description: **LYG N OF PARCEL 2017-210 BK 16734 PG 709 LOT 223 UNIVERSITY LAND COS 1ST ADDITION**

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)**

<b>Violation</b>	<b>Corrective Action</b>	<b>Compliance Due Date</b>
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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 by repair, rehabilitation, demolition, or any other City-approved corrective action. 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>MAIN STRUCTURE THROUGH OUT            Vacate the structure.</p>	<p>04/13/2023</p>
<p><b>60-192(1) - Unsafe and Dangerous Structure or Premise</b>            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.</p>	<p>Repair or replace all building components damaged to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.            UNITS # 3 AND #5            ANY AREAS DANAGED BY FIRE OR SMOKE</p>	<p>04/13/2023</p>
<p><b>60-192(13) - Unsafe and Dangerous Structure or Premise</b>            Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load affects.</p>	<p>Repair or replace all structural members, floors, walls, partitions, projections, and appurtenances to be properly anchored, plumb, and of sound construction. All work must be done in a workmanlike manner with all required permits.            * UNITS # 3 AND #5            ANY AREAS DAMAGED BY FIRE, WATER OR SMOKE</p>	<p>04/13/2023</p>

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(17) - Unsafe and Dangerous Structure or Premise</b>            Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.            ** UNITS # 3 AND #5            ANY AREAS DAMAGED BY FIRE, WATER OR SMOKE</p>	04/13/2023
<p><b>60-192(18) - Unsafe and Dangerous Structure or Premise</b>            Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, is determined by the administrator to be a threat to life or health.</p>	<p>Repair or replace all elements of fire-resistant construction. Repair or replace all deficient fire protection systems. All work must be done in a workmanlike manner with all required permits.            ** UNITS # 3 AND #5            ANY AREAS DAMAGED BY FIRE, WATER OR SMOKE            COMMON AREA ALL LEVELS</p>	04/13/2023
<p><b>60-192(19) - Unsafe and Dangerous Structure or Premise</b>            Any structure that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or that contains unsafe fire suppression equipment.</p>	<p>Provide minimum safeguards as required by code to protect or warn occupants in the event of a fire. All work must be done in a workmanlike manner with all required permits.</p>	04/13/2023
<p><b>60-192(21) - Unsafe and Dangerous Structure or Premise</b>            Stairs, decks, porches, balconies, walking systems, landings, and all similar appurtenances attached thereto, including guards and handrails are not structurally sound, not properly anchored or that anchored with connections not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace all stairs, decks, porches, landings and similar elements of building egress, including guards and handrails to a sound and properly anchored condition. All work must be done in a workmanlike manner with all required permits.            ** UNITS # 3 AND #5            ANY AREAS DAMAGED BY FIRE, WATER OR SMOKE</p>	04/13/2023

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(25) - Unsafe and Dangerous Structure or Premise</b>            Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.</p>	<p>Provide an inspection report from a licensed plumbing contractor for the entire plumbing system. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/13/2023
<p><b>60-192(26) - Unsafe and Dangerous Structure or Premise</b>            Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration, or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.</p>	<p>Provide an inspection report from a licensed electrical contractor for all electrical systems and devices. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/13/2023
<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>MAIN STRUCTURE THROUGH OUT            Replace or restore defaced or removed placard.</p>	04/13/2023

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.

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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 cursive script that reads "C McClaran".

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

Case Number: **NUIS-2023-000012**

**Notice of  
 Violation**

Case Type: **Public Nuisance**  
 Case Opened: **01/23/2023**  
 Date of Notice: **04/10/2023**  
 Date of Inspection: **03/24/2023**

UNION STATE BANK  
 611 W HIGHWAY 92  
 WINTERSSET IA 50273

Address of Property: **2600 COTTAGE GROVE AVE, DES MOINES IA 50311**  
 Parcel Number: **782405106017**

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Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
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CWMcClaran@dmgov.org