



Roll Call Number

Agenda Item Number

27A

Date August 21, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1200 LEWIS AVENUE

WHEREAS, the property located at 1200 Lewis Avenue, 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, CAM 2023, LLC, was 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 Lot 26 and the East 1/2 of Lot 25 in LAWN ARBOR PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1200 Lewis Avenue, has previously been declared a public nuisance;

The City Legal Department 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:

[Signature]
Molly E. Tracy, Assistant City Attorney

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.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

Mayor

City Clerk

27A



07-20-2023 09:30 AM



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	1200 LEWIS AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/02930-001-000	Geoparcels	7824-21-351-024	Status	<u>Active</u>
School	Des Moines	Nbhd/Pocket	DM35/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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Photo Processed on 2015-04-10 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CAM 2023 LLC	2023-02-17	<u>19399/35</u>

Legal Description and Mailing Address

LT 26 & E 1/2 LT 25 LAWN ARBOR PLACE	CAM 2022 LLC 5001 SW 9TH ST DES MOINES, IA 50315-4502
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Current Values

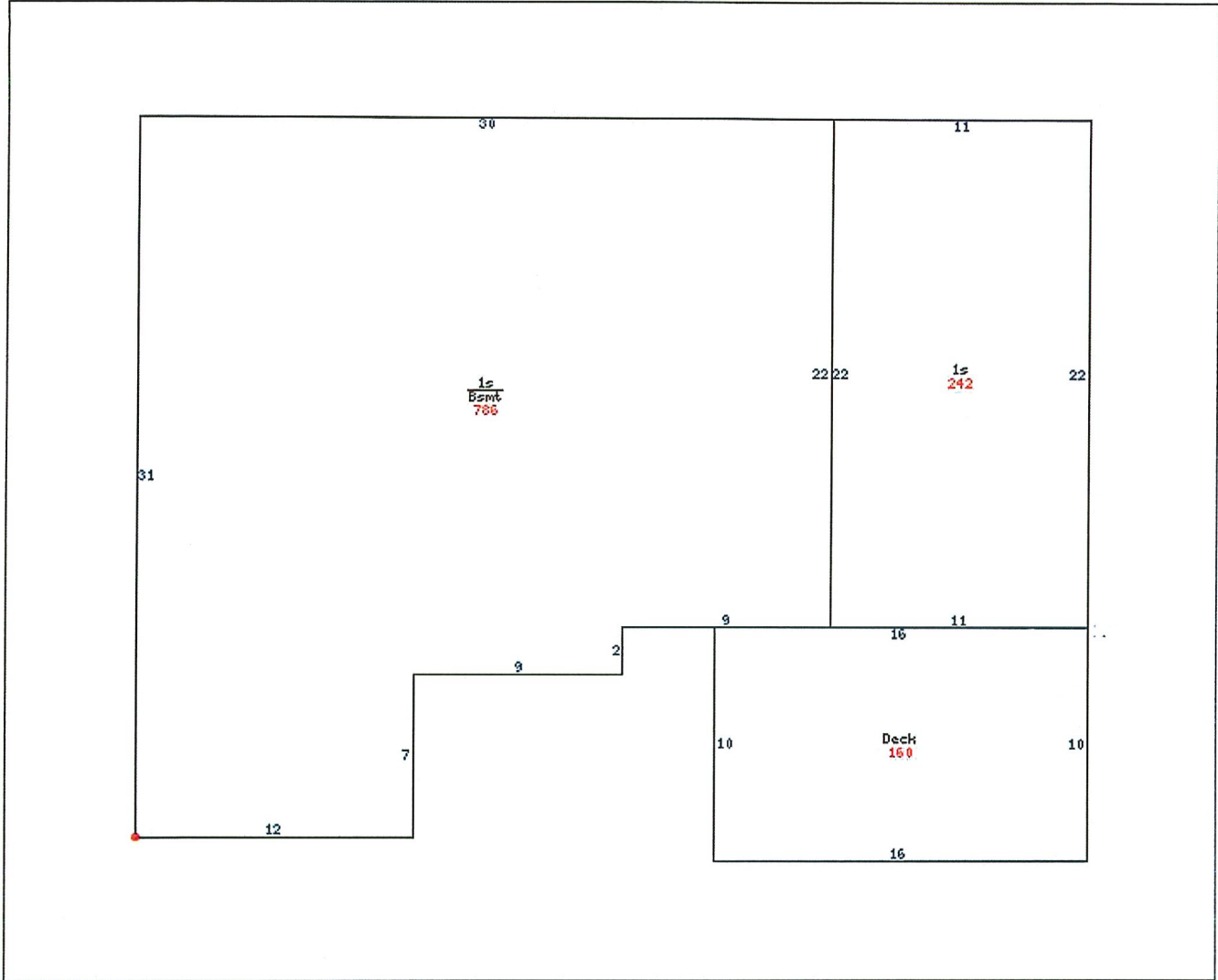
Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$34,100	\$69,300	\$103,400

[Protest Notice](#) [Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
<u>2022 Homestead Credit</u>	BENSON, LEANNE	Application <u>#272261</u>

Zoning - 1 Record					
Zoning	Description			SF	Assessor Zoning
N5	N5 Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	12,675	Acres	0.291	Frontage	75.0
Depth	169.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1923	Number Families	1	Grade	4-05
Condition	Below Normal	Total Square Foot Living Area	1028	Main Living Area	1028
Basement Area	786	Deck Area	160	Foundation	Brick
Exterior Wall Type	Hardboard	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	4		



Sales - 5 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
COMMUNITY IMPROVEMENT GROUP INC	CAM 2023 LLC	2023-02-13	\$26,000	Deed	19399/35
BENSON, PATRICK	COMMUNITY IMPROVEMENT GROUP INC	2023-02-10	\$15,000	Deed	19399/32
SECRETARY OF HUD	BENSON, PATRICK	2011-10-17	\$15,000	Deed	14018/463
NATIONWIDE ADVANTAGE MORTGAGE CO	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	2011-02-07	\$28,380	Deed	13798/531
ANDREANO, ANTHONY	CALIGIURI, CARLENE L	1990-08-10	\$31,000	Deed	6271/329 Multiple Parcels

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
COMMUNITY IMPROVEMENT GROUP INC	CAM 2023 LLC	2023-02-13	2023-02-17	Warranty Deed Corporate	19399/35
BENSON, PATRICK _____ BENSON, LEANNE	COMMUNITY IMPROVEMENT GROUP INC	2023-02-10	2023-02-17	Warranty Deed	19399/32

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2023-03-15	Fix Damage	FIRE

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Board Action	Residential	Full	\$34,100	\$69,300	\$103,400
2023	Assessment Roll	Residential	Full	\$34,100	\$69,300	\$103,400
2021	Assessment Roll	Residential	Full	\$28,100	\$54,600	\$82,700
2019	Assessment Roll	Residential	Full	\$26,300	\$50,700	\$77,000
2017	Assessment Roll	Residential	Full	\$22,900	\$44,700	\$67,600
2015	Assessment Roll	Residential	Full	\$21,300	\$41,800	\$63,100
2013	Assessment Roll	Residential	Full	\$20,500	\$40,900	\$61,400
2012	Board Action	Residential	Full	\$20,500	\$40,400	\$60,900
2011	Assessment Roll	Residential	Full	\$20,500	\$48,500	\$69,000
2009	Assessment Roll	Residential	Full	\$21,800	\$51,800	\$73,600
2007	Assessment Roll	Residential	Full	\$21,600	\$44,300	\$65,900
2005	Board Action	Residential	Full	\$21,900	\$45,700	\$67,600
2005	Assessment Roll	Residential	Full	\$21,900	\$57,600	\$79,500
2003	Assessment Roll	Residential	Full	\$19,120	\$50,640	\$69,760
2001	Assessment Roll	Residential	Full	\$16,870	\$44,510	\$61,380
1999	Assessment Roll	Residential	Full	\$14,060	\$35,720	\$49,780
1997	Assessment Roll	Residential	Full	\$12,910	\$32,800	\$45,710
1995	Assessment Roll	Residential	Full	\$11,090	\$28,180	\$39,270
1993	Assessment Roll	Residential	Full	\$9,790	\$24,870	\$34,660
1992	Assessment Roll	Residential	Full	\$9,790	\$22,910	\$32,700
1992	Was Prior Year	Residential	Full	\$10,080	\$22,910	\$32,990

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IOWA SECRETARY OF STATE Paul D. Pate

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Searched: CAM 2023 LLC

Business No.	Legal Name	Status
732584	CAM 2023, LLC	Active
Type	State of Inc.	Modified
Legal	IA	No
Expiration Date	Effective Date	Filing Date
PERPETUAL	12/8/2022 9:28 AM	12/8/2022 9:28 AM
Chapter	CODE 489 DOMESTIC LIMITED LIABILITY COMPANY	

Names (Viewing 1 of 1)

Type	Status	Modified	Name
Legal	Active	No	CAM 2023, LLC

Registered Agent or Reserving Party

Full Name	CRARY, HUFF, RINGGENBERG, HARTNETT & STORM, P.C.		
Address	Address 2		
329 PIERCE ST SUITE 200			
City, State, Zip	SIOUX CITY, IA, 51101		

Home Office

Full Name			
Address	Address 2		
5001 SW 9TH STREET			
City, State, Zip	DES MOINES, IA, 50315		

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FEATURED RESOURCES

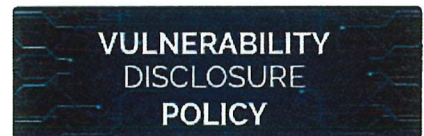
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27A



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

Case Number: NUIS-2022-000224	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/15/2022
	Date of Notice: 04/20/2023
Date of Inspection: 04/11/2023	

CAM 2023 LLC
CRARY, HUFF, RINGGENBERG, HARTNETT & STORM, P.C.
329 PIERCE ST STE. 200
SIOUX CITY IA 51101

Address of Property: 1200 LEWIS AVE, DES MOINES IA 50315
Parcel Number: 782421351024

Legal Description: LT 26 & E 1/2 LT 25 LAWN ARBOR PLACE

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>60-191 - Vacation and Abatement 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>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p>	<p>01/03/2023</p>
<p>60-192(2) - Unsafe and Dangerous Structure or Premise 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>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.</p>	<p>01/03/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>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. **FIRE DAMAGE THROUGHOUT 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. *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 *REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING *UNABLE TO GAIN ACCESS INTO ALL AREAS OF THE STRUCTURE, IT IS POSSIBLE THAT MORE VIOLATIONS EXIST. *SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED. ALL STRUCTURAL REPAIRS WILL REQUIRE OBTAINING A BUILDING PERMIT AND FINALIZING.</p>	01/03/2023
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>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.</p>	01/03/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(9) - Unsafe and Dangerous Structure or Premise Siding and masonry joints, including joints between the building envelope and the perimeter of window, doors and skylights are not maintained weather resistance or watertight.</p>	<p>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. *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. *REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE. *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.</p>	01/03/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(10) - Unsafe and Dangerous Structure or Premise Veneer, cornice, belt courses, corbels, rim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads resisting all load effects.</p>	<p>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. *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.</p>	01/03/2023
<p>60-192(13) - Unsafe and Dangerous Structure or Premise 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 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.</p>	01/03/2023
<p>60-192(15) - Unsafe and Dangerous Structure or Premise Exterior and interior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or broken and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load affects.</p>	<p>MAIN STRUCTURE Repair or replace the unsafe or unlawful structure OR demolish the structure.</p>	01/03/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	01/03/2023

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.

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,



Keith Brincks
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 208-0283
kmbrincks@dmgov.org