

Date October 2, 2023

ABATEMENT OF PUBLIC NUISANCE AT 2026 SE 6th St.

WHEREAS, the property located at 2026 SE 6th St., 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, Four B Properties, LLC, and the Mortgage Holder, Earlham Savings 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 Lots 7 and 8 in VAN GINKEL ADDITION TO SEVASTOPOL, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2026 SE 6th 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				
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.

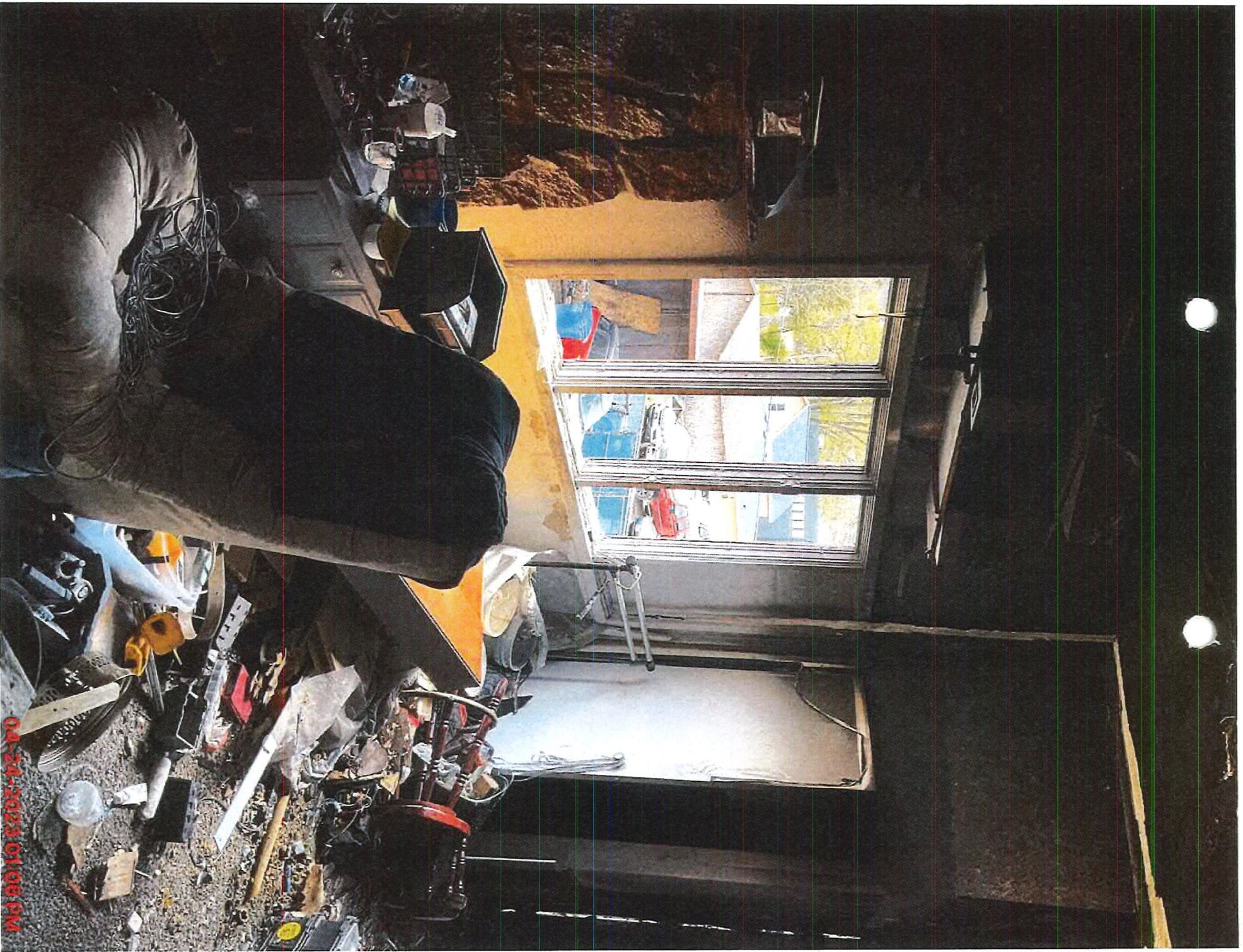
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

59B



04-24-2023 01:20 PM



04-24-2023 01:06 PM



04-24-2023 01:09 PM





04-24-2023 01:09 PM

Office DEPOT

DANGER

THE CITY OF DES MOINES, IOWA, NEIGHBORHOOD INSPECTION DIVISION, IN ACCORDANCE WITH THE STATE CODE AND CHAPTER 60, ARTICLE IV (RESIDENTIAL PUBLIC NUISANCE CODE) OF THE DES MOINES MUNICIPAL CODE, HEREBY DECLARES THE DWELLING OR DWELLING UNIT TO WHICH THIS NOTICE IS ATTACHED TO BE A

PUBLIC NUISANCE **Unsafe or Unfit for Human Occupancy**

IT IS UNLAWFUL FOR ANY PERSON TO CONTINUE TO OCCUPY OR USE THESE PREMISES UNDER PENALTY OF LAW, UNTIL AUTHORIZED TO DO SO BY THE NEIGHBORHOOD INSPECTION DIVISION. THE CITY OF DES MOINES IS PURSUING LEGAL ACTION WHICH MAY RESULT IN THE DEMOLITION OF THIS STRUCTURE.

ADDRESS: **2026 SE 6TH ST**

DATE: **04/24/2023**

FOR FURTHER INFORMATION
CALL THE NEIGHBORHOOD INSPECTION DIVISION
(515) 283-4046

BY: **Scott Clauson**
Neighborhood Inspector, (515) 669-8231
SAClauson@dm.gov.org

REMOVAL OR DEFACING OF THIS PLACARD IS PUNISHABLE BY A CIVIL PENALTY OF \$500.00 FOR THE INITIAL OFFENSE AND \$750.00 FOR REPEAT OFFENSE.

NUIS-2023-000109

04-24-2023 01:05 PM



04-24-2023 01:06 PM



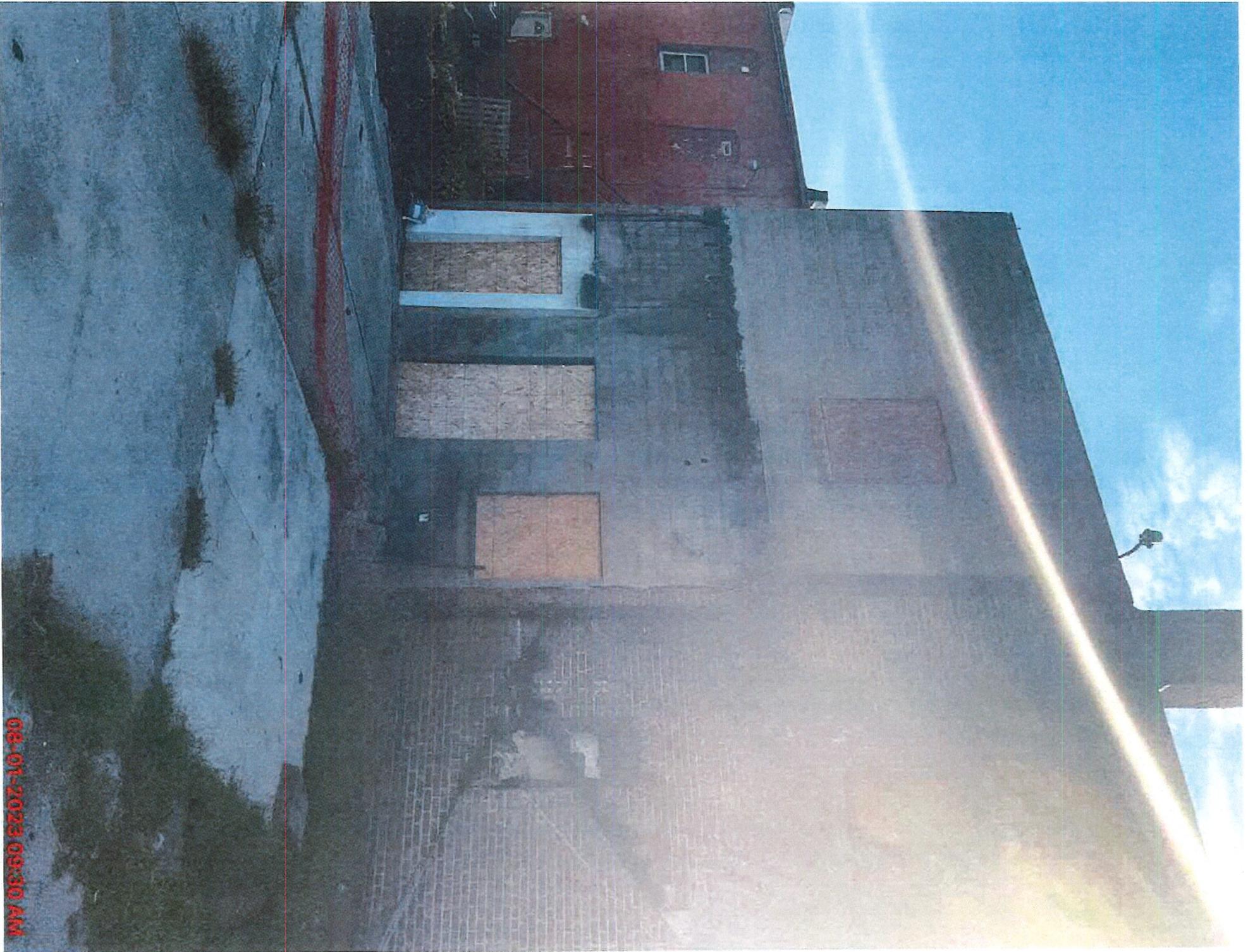
04-24-2023 01:06 PM

04-24-2023 01:06 PM





04-24-2023 01:05 PM



08-01-2023 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	2026 SE 6TH ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	010/05339-000-000	Geoparcel	7824-15-201-031	Status	Active
School	Des Moines	Nbhd/Pocket	DM23/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279		

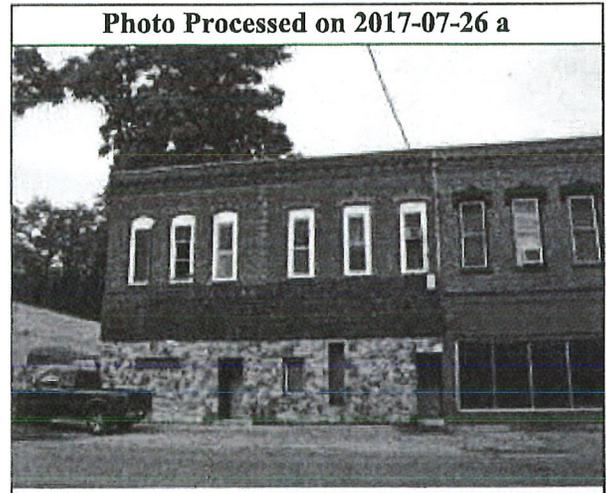
Map and Current Photos - 1 Record

Click on parcel to get a new listing

2013	2014	2015
2016	2018	2021
	2022 2022	
	2024	2023
2025	2028	
	2029	2020
2027	2100	2021
2041		2101

SE 6TH ST

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	FOUR B PROPERTIES LLC	2022-07-22	19203/378

Legal Description and Mailing Address

LOTS 7 & 8 VAN GINKEL ADDITION	FOUR B PROPERTIES LLC 1697 E MCKINLEY AVE DES MOINES, IA 50320-1661
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Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Assessment Roll	Residential 3+	Full	\$25,900	\$130,100	\$156,000
2022 Value	Residential 3+	Full	\$21,700	\$105,300	\$127,000

[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
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Zoning	Description	SF	Assessor Zoning
MX1	MX1 Mixed Use District		
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

Land					
Square Feet	6,116	Acres	0.140	Frontage	44.0
Depth	139.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		

Commercial Summary					
Occupancy	Apartment	Age, Weighted	1872	Total Story Height	2
Land Area	6,116	Gross Area	6,880	Finished Area	6,460
Unfinished Bsmt Area	1,600	Finished Bsmt Area	0	Number of Units	5
Primary Group	Apartment	Percent Primary Group	76.18	Secondary Group	Warehouse
Percent Secondary Group	4.95	Grade, Weighted	5/Grade 5	Bldg Class, Weighted	2/Brick or Masonry
Condition, Weighted	NM/Normal	Ground Floor Area	3,440	Perimeter	246
Unfinished Area	420				

Commercial Sections - 1 Record

Commercial Section #101					
Section Multiplier	1	Occupancy	Apartment	Foundation	Concrete
Exterior Wall	Brick Block Tile	Insulation	Yes	Roof	Flat
Roof Material	Built-up	Landings Square Foot	630	Landing Quality	Normal
Entrance Square Foot	120	Entrance Quality	Below Normal	Wiring	Adequate
Plumbing	Adequate	Total Story Height	2	Frame Type	Frame
Fireproof Construction	No	Bldg Class	Brick or Masonry	Total Section Area	8,480
Ground Floor Area	3,440	Perimeter	246	Grade	5+00
Year Built	1872	Year Remodel	1986	Condition	Normal
Comment	P=DECK/STORAGE Q=DECK R=DECK/GAR				

Commercial Groups - 4 Records

Commercial Group #101 1

Use Code	Apartment	Base Story	1	Number Stories	1
Total Group Area	3,020	Base Floor Area	3,020	Number Units	3
Heating	Central	Air Conditioning	None	Exhaust System	No
Condition	Normal				

Commercial Group #101 2

Use Code	Apartment	Base Story	2	Number Stories	1
Total Group Area	3,440	Base Floor Area	3,440	Number Units	2
Heating	Central	Air Conditioning	None	Exhaust System	No
Condition	Normal				

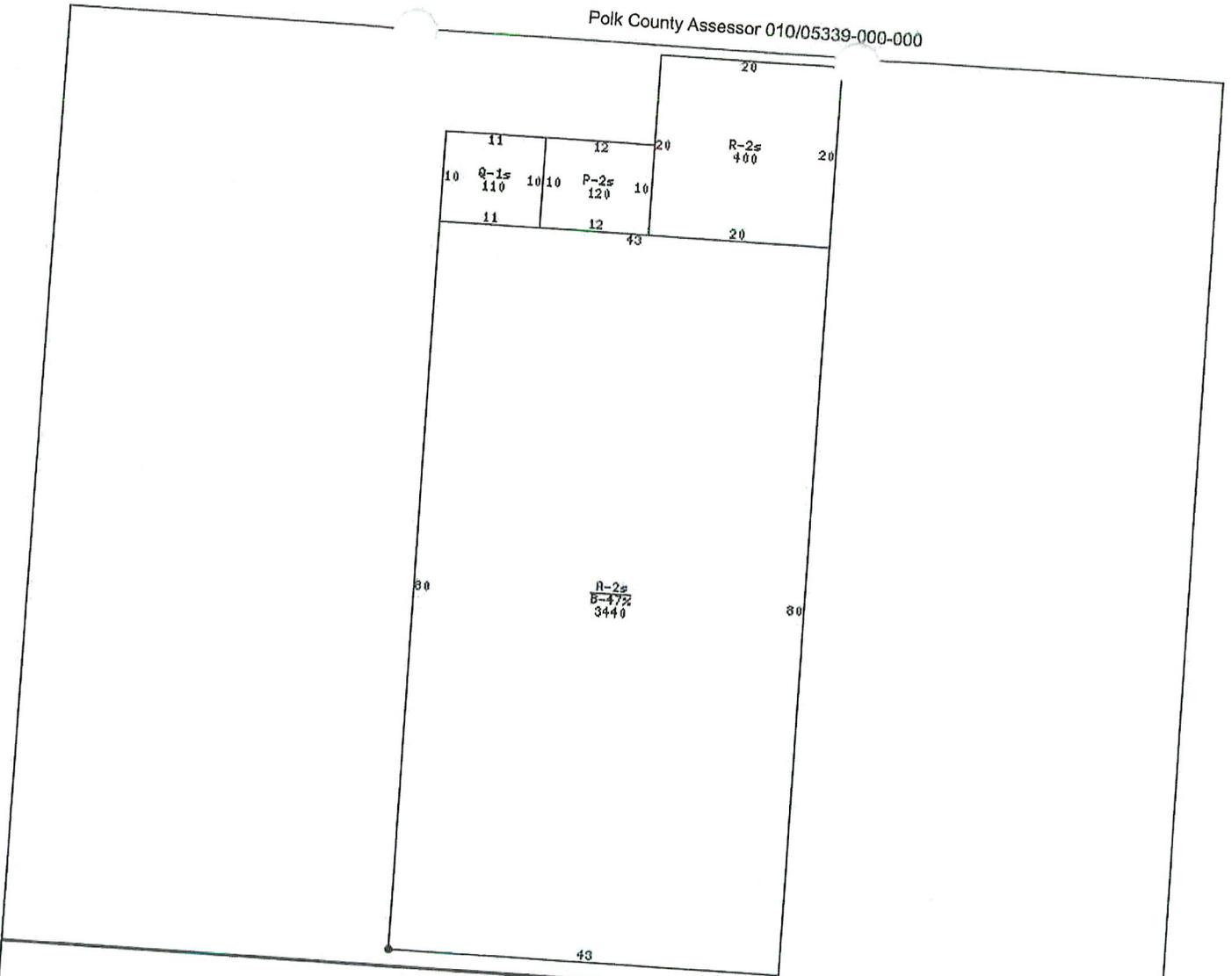
Comment new carpet, repaired plumbing, drywall, window for abatement

Commercial Group #101 3

Use Code	Basement Entire	Number Stories	1	Total Group Area	1,600
Base Floor Area	1,600	Heating	None	Air Conditioning	None
Exhaust System	No	Condition	Below Normal		

Commercial Group #101 4

Use Code	Warehouse	Base Story	1	Number Stories	1
Total Group Area	420	Base Floor Area	420	Heating	Central
Air Conditioning	None	Night Deposit	No	Auto Bank System	No
Security System	No	Exhaust System	No	Condition	Below Normal



Detached Structures - 1 Record

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Square Feet
Measure 1	20	Measure 2	20	Story Height	1
Grade	5	Year Built	1872	Condition	Normal

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BOWEN, GARY	FOUR B PROPERTIES LLC	<u>2022-07-20</u>	\$70,000	Deed	<u>19203/378</u>
PORTER, RAYMOND L II	BROWN, GARY	<u>2001-08-09</u>	\$55,000	Contract	<u>8944/937</u>

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
BOWEN, GARY BOWEN, KARON S	FOUR B PROPERTIES LLC	2022-07-20	2022-07-22	Warranty Deed	19203/378

Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
2016	Pickup	No Add	2016-02-10	Review Value	REVIEW PROPERTY
2015	Pickup	No Add	2014-09-17	Review	DUAL CLASS
2006	Pickup	Complete	2006-02-28	Review Value	ABATEMENT FILED
2001	Permit	Complete	2000-03-06	Alterations	REMODEL
2001	Permit	Complete	2000-02-02	Alterations	REMODEL

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Multi-Residential	Full	\$21,700	\$105,300	\$127,000
2019	Assessment Roll	Multi-Residential	Full	\$19,700	\$84,300	\$104,000
2017	Assessment Roll	Multi-Residential	Full	\$19,700	\$66,300	\$86,000
2016	Assessment Roll	Multi-Residential	Full	\$16,500	\$61,000	\$77,500
2015	Assessment Roll	Multi-Residential	Full	\$16,500	\$61,000	\$77,500
2014	Assessment Roll	Commercial	Adj	\$16,500	\$59,440	\$75,940
			Full	\$16,400	\$56,600	\$73,000
2013	Assessment Roll	Commercial	Adj	\$16,400	\$55,040	\$71,440
			Full	\$16,400	\$56,600	\$73,000
2012	Assessment Roll	Commercial	Adj	\$16,400	\$54,260	\$70,660
			Full	\$16,400	\$56,600	\$73,000
2011	Assessment Roll	Commercial	Adj	\$16,400	\$54,260	\$70,660
			Full	\$16,400	\$56,600	\$73,000
2010	Assessment Roll	Commercial	Adj	\$16,400	\$53,480	\$69,880
			Full	\$16,400	\$60,400	\$76,800
2009	Assessment Roll	Commercial	Adj	\$16,400	\$57,280	\$73,680
			Full	\$16,400	\$60,400	\$76,800
2008	Assessment Roll	Commercial	Adj	\$16,400	\$56,500	\$72,900
			Full	\$16,400	\$60,400	\$76,800
2007	Assessment Roll	Commercial	Adj	\$16,400	\$55,720	\$72,120
			Full	\$16,400	\$60,400	\$76,800
2006	Assessment Roll	Commercial	Adj	\$16,400	\$54,940	\$71,340
			Full	\$14,900	\$58,600	\$73,500
2005	Assessment Roll	Commercial	Adj	\$14,900	\$52,360	\$67,260
2003	Assessment Roll	Commercial	Full	\$15,000	\$50,800	\$65,800
2001	Assessment Roll	Commercial	Full	\$13,000	\$47,500	\$60,500
1999	Assessment Roll	Commercial	Full	\$12,230	\$44,770	\$57,000
1995	Assessment Roll	Commercial	Full	\$8,700	\$35,900	\$44,600
			Full	\$8,400	\$34,900	\$43,300

Yr	Type	Class	Kind	L. J	Bldg	Total
1993	Assessment Roll	Commercial	Full	\$8,000	\$33,200	\$41,200
1991	Board Action	Commercial	Full	\$7,650	\$31,950	\$39,600
1991	Assessment Roll	Commercial	Full	\$7,650	\$34,750	\$42,400
1991	Was Prior Year	Commercial	Full	\$7,650	\$28,800	\$36,450

This template was last modified on Thu Jun 3 19:39:49 2021 .

59B



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

Case Number: NUIS-2023-000109	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/24/2023
	Date of Notice: 05/30/2023
Date of Inspection: 05/26/2023	

EARLHAM SAVINGS BANK
7300 LAKE DRIVE
WEST DES MOINES IA 50266

Address of Property: 2026 SE 6TH ST, DES MOINES IA 50315
Parcel Number: 782415201031

Legal Description: LOTS 7 & 8 VAN GINKEL 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)

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.</p>	<p>06/07/2023</p>
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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.</p>	<p>Properly secure structure and keep the structure secured against entry.</p>	<p>06/07/2023</p>
<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 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.</p> <p>In affected areas throughout the fire damaged portion of the structure.</p>	<p>06/07/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(17) - Unsafe and Dangerous Structure or Premise 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.</p> <p>In affected areas throughout the fire damaged portion of the structure.</p>	06/07/2023
<p>60-192(21) - Unsafe and Dangerous Structure or Premise 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.</p> <p>In affected areas throughout the fire damaged portion of the structure or outside of the fire damaged structure.</p>	06/07/2023
<p>60-192(24) - Unsafe and Dangerous Structure or Premise Mechanical equipment, appliances, fireplaces, boilers, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.</p>	<p>Provide an inspection report from a licensed mechanical contractor for all mechanical systems and appliances. Repair or replace all deficient elements and equipment. All work must be done in a workmanlike manner with all required permits.</p> <p>In affected areas throughout the fire damaged portion of the structure.</p>	06/07/2023
<p>60-192(25) - Unsafe and Dangerous Structure or Premise 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> <p>In affected areas throughout the fire damaged portion of the structure.</p>	06/07/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(26) - Unsafe and Dangerous Structure or Premise 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> <p>Throughout entire structure.</p>	06/07/2023
<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>	06/07/2023

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,

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

Case Number: NUIS-2023-000109	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/24/2023
	Date of Notice: 04/25/2023
Date of Inspection: 04/25/2023	

FOUR B PROPERTIES LLC
 DAVID L WETSCH, REG. AGENT
 699 WALNUT ST #1600
 DES MOINES IA 50309

Address of Property: 2026 SE 6TH ST, DES MOINES IA 50315
 Parcel Number: 782415201031

Legal Description: LOTS 7 & 8 VAN GINKEL ADDITION

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<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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.</p>	Properly secure structure and keep the structure secured against entry.	06/07/2023
<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 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.</p> <p>In affected areas throughout the fire damaged portion of the structure.</p>	06/07/2023

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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 that reads "Scott Clauson". The signature is fluid and cursive, with a long horizontal stroke 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