



**Roll Call Number**

**Agenda Item Number**

35 A

**Date** November 6, 2023

**ABATEMENT OF PUBLIC NUISANCE AT 1150 13<sup>th</sup> ST.**

WHEREAS, the property located at 1150 13<sup>th</sup> 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 Titleholders, David Philpot and Colkeyah Philpot, and the Mortgage Holder, Iowa 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 5, except the South 36 feet, all of Lots 3 and 4 all in Block 3 in MONELL'S ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1150 13<sup>th</sup> 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

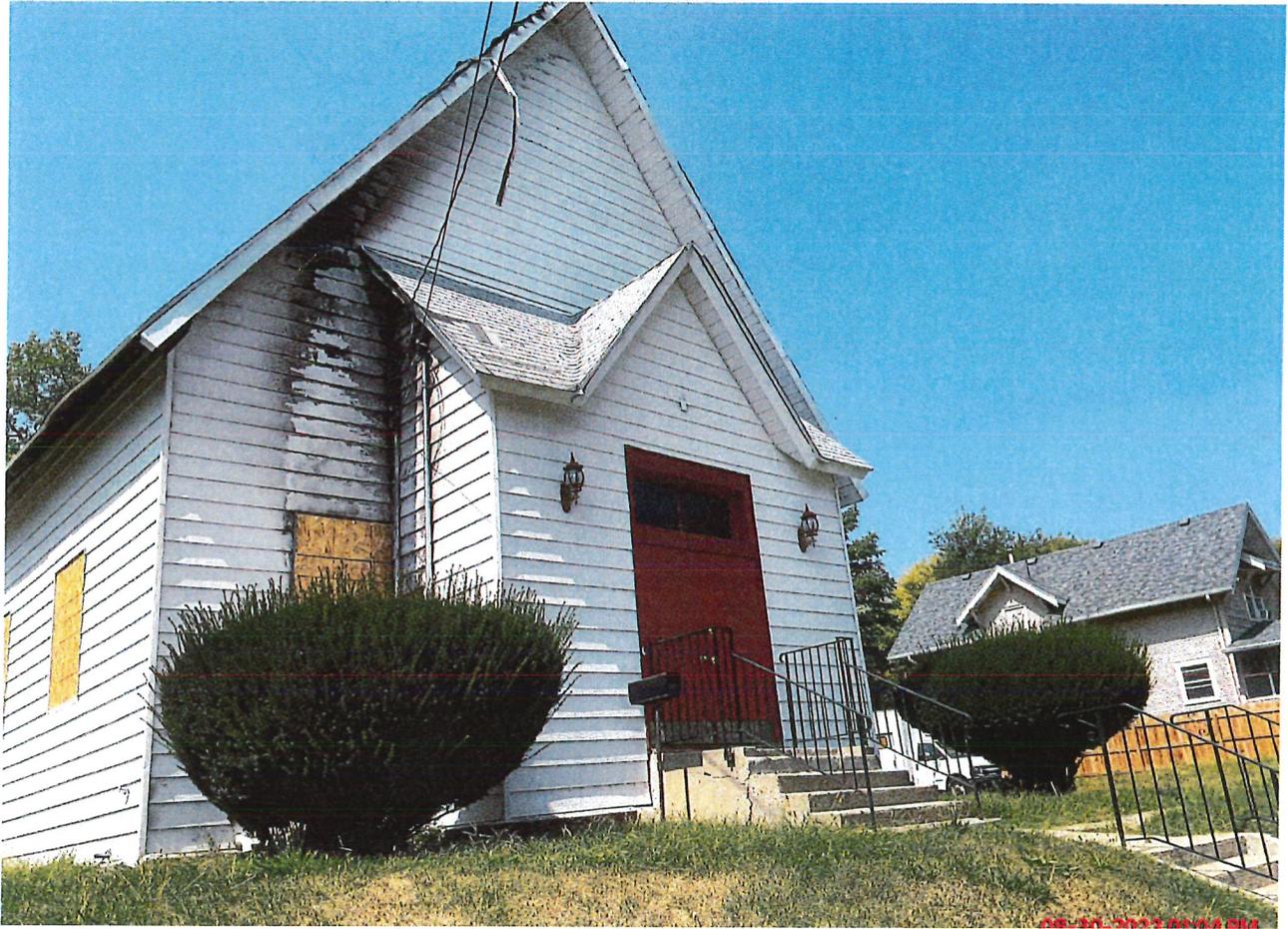
**CERTIFICATE**

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





# 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					
Address	1150 13TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	030/03635-000-001	Geoparcels	7824-04-101-038	Status	Active
School	Des Moines	Nbhd/Pocket	DM76/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

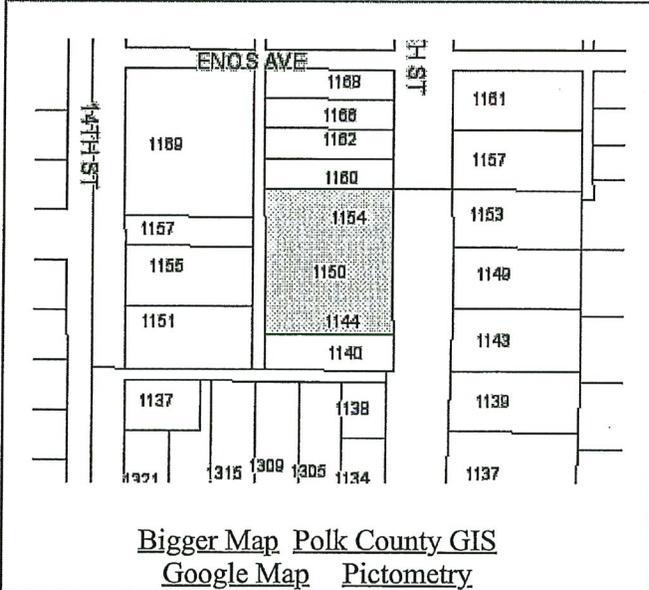
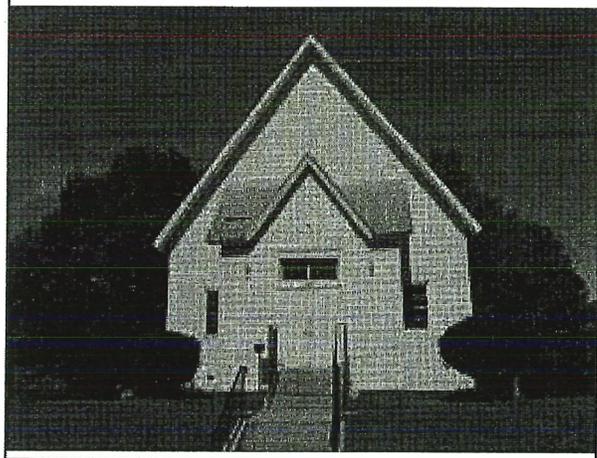


Photo Processed on 2018-06-26 a



### Historical Photos

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PHILPOT, DAVID	2022-04-04	19050/196

### Legal Description and Mailing Address

LOTS 3 & 4 & -EX S 36 F- LOT 5 BLK 3 MONELLS ADDITION

DAVID PHILPOT  
1150 13TH ST  
DES MOINES, IA 50314-2266

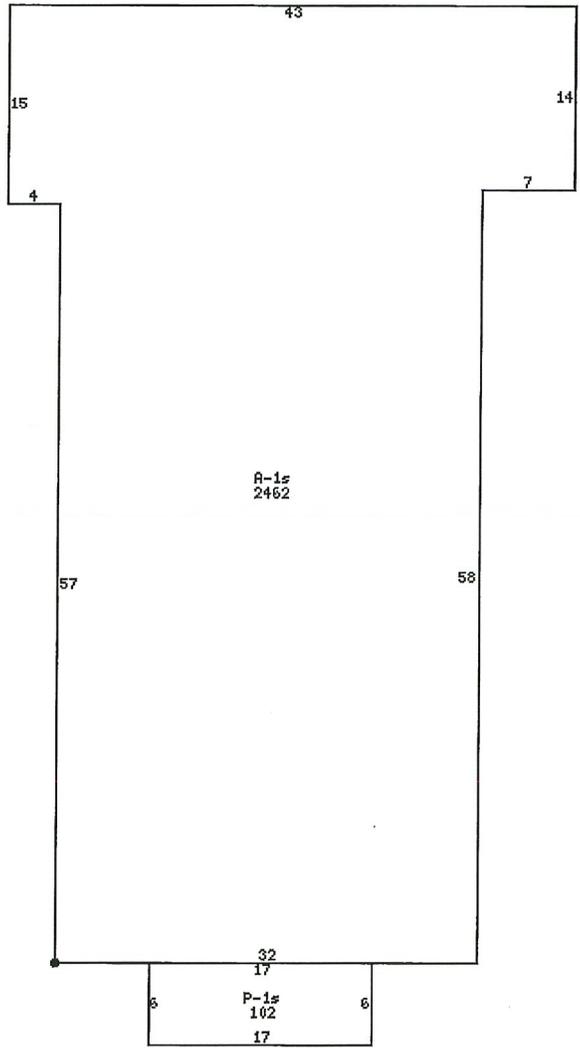
### Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Assessment Roll	Commercial Exempt	Full	\$27,300	\$178,700	\$206,000
		Adj	\$0	\$0	\$0
2022 Value	Commercial Exempt	Full	\$27,000	\$145,000	\$172,000
		Adj	\$0	\$0	\$0

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

Type	Class	Kind	Land	Bldg	Total
<b>Assessor Adjustments to Value</b>					
<u>Religious Churches</u>	Commercial Exempt	2023	-\$ 27,300	-\$ 178,700	-\$ 206,000
<u>Assessment Roll Notice Unadjusted Cost Report</u>					
<b>Land</b>					
Square Feet	19,290	Acres	0.443	Frontage	183.4
Depth	130.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
<b>Commercial Summary</b>					
Occupancy	Church	Age, Weighted	1910	Total Story Height	1
Land Area	19,290	Gross Area	2,462	Finished Area	2,462
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Primary Group	Church	Percent Primary Group	75.39	Secondary Group	Common Area
Percent Secondary Group	24.61	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up
Condition, Weighted	NM/Normal	Ground Floor Area	2,462	Perimeter	230
<b>Commercial Sections - 1 Record</b>					
<b>Commercial Section #101</b>					
Occupant	PERFECTING HOLINESS TEMPLE				
Section Multiplier	1	Occupancy	Church	Foundation	Concrete Block or Tile
Exterior Wall	Siding/Shingle	Roof	Gable	Roof Material	Shingle
Covered Area	102	Covered Quality	Normal	Wiring	Adequate
Plumbing	Adequate	Total Story Height	1	Frame Type	Frame
Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	2,462	Ground Floor Area	2,462
Perimeter	230	Grade	4+00	Year Built	1910
Condition	Normal				
Comment	P=OFP CHURCH & RESIDENCE				

Commercial Groups - 2 Records					
Commercial Group #101 1					
Use Code	Church	Base Story	1	Number Stories	1
Total Group Area	1,856	Base Floor Area	1,856	Wall Height	24
Heating	Central	Air Conditioning	Yes	Exhaust System	No
Commercial Group #101 2					
Use Code	Common Area	Base Story	1	Number Stories	1
Total Group Area	606	Base Floor Area	606	Heating	Central
Air Conditioning	Yes	Night Deposit	No	Auto Bank System	No
Security System	No	Exhaust System	No		



Permits - 2 Records					
Year	Type	Permit Status	Application	Reason	Reason1
Current	Pickup	No Add	2023-02-05	Review Value	TREND

Year	Permit Type	Pass	Permit Status	2022 Application	Addition	Reason	FEN	Reason1
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**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2022	<u>Board Prior Year</u>	Commercial Exempt	Full	\$27,000	\$145,000	\$172,000
			Adj	\$0	\$0	\$0

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

35A



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

Case Number: NUIS-2023-000173	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 06/21/2023
	Date of Notice: 06/26/2023
Date of Inspection: 06/21/2023	

DAVID N PHILPOT  
3510 BROOK RIDGE CT  
DES MOINES IA 50317

Address of Property: 1150 13TH ST, DES MOINES IA 50314  
Parcel Number: 782404101038

Legal Description: LOTS 3 & 4 & -EX S 36 F- LOT 5 BLK 3 MONELLS 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><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>	Vacate the structure.	08/08/2023
<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>	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.	08/08/2023

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(7) - Unsafe and Dangerous Structure or Premise</b>  Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.	08/08/2023
<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 effects.</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.	08/08/2023
<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>	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.	08/08/2023
<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>	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.	08/08/2023

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(24) - Unsafe and Dangerous Structure or Premise</b>            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>	08/08/2023
<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>	08/08/2023
<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>	08/08/2023
<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>Replace or restore defaced or removed placard.</p>	08/08/2023

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,



Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4143  
CWMcClaran@dmgov.org

35A



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

Case Number: NUIS-2023-000173	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 06/21/2023
	Date of Notice: 07/17/2023
Date of Inspection: 06/21/2023	

COLKEYAH PHILPOT  
3510 BROOK RIDGE CT  
DES MOINES IA 50317

Address of Property: 1150 13TH ST, DES MOINES IA 50314  
Parcel Number: 782404101038

Legal Description: LOTS 3 & 4 & -EX S 36 F- LOT 5 BLK 3 MONELLS ADDITION

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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

35A



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

Case Number: NUIS-2023-000173	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 06/21/2023
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Date of Inspection: 06/21/2023	

IOWA STATE BANK  
627 E LOCUST ST  
DES MOINES IA 50309

Address of Property: 1150 13TH ST, DES MOINES IA 50314  
Parcel Number: 782404101038

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<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 effects.</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.	08/08/2023
<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>	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.	08/08/2023
<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>	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.	08/08/2023

Violation	Corrective Action	Compliance Due Date
<p><b>60-192(24) - Unsafe and Dangerous Structure or Premise</b>            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>	08/08/2023
<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>	08/08/2023
<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>	08/08/2023
<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>Replace or restore defaced or removed placard.</p>	08/08/2023

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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**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