



Roll Call Number

Agenda Item Number

45D

Date December 18, 2023

ABATEMENT OF PUBLIC NUISANCE AT 2124 & 2126 E CAULDER AVENUE

WHEREAS, the property located at 2124 E Caulder Avenue & 2126 E Caulder 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, Nabeel W. Arafat, 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 60 in EVERGREEN PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2124 E Caulder Avenue & 2126 E Caulder 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:

/s/ Molly E. Tracy
Molly E. Tracy, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
COLEMAN				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

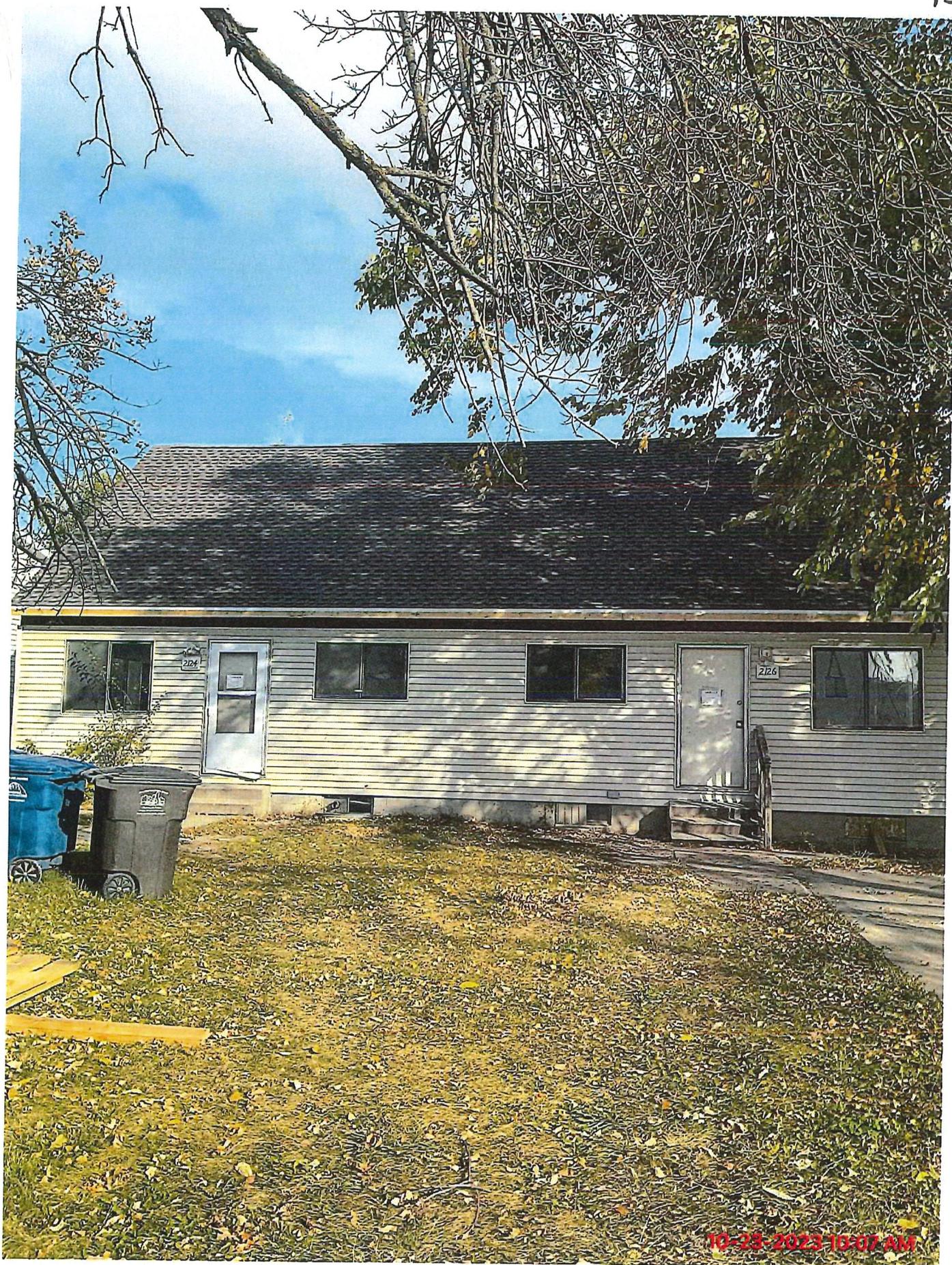
Mayor

CERTIFICATE

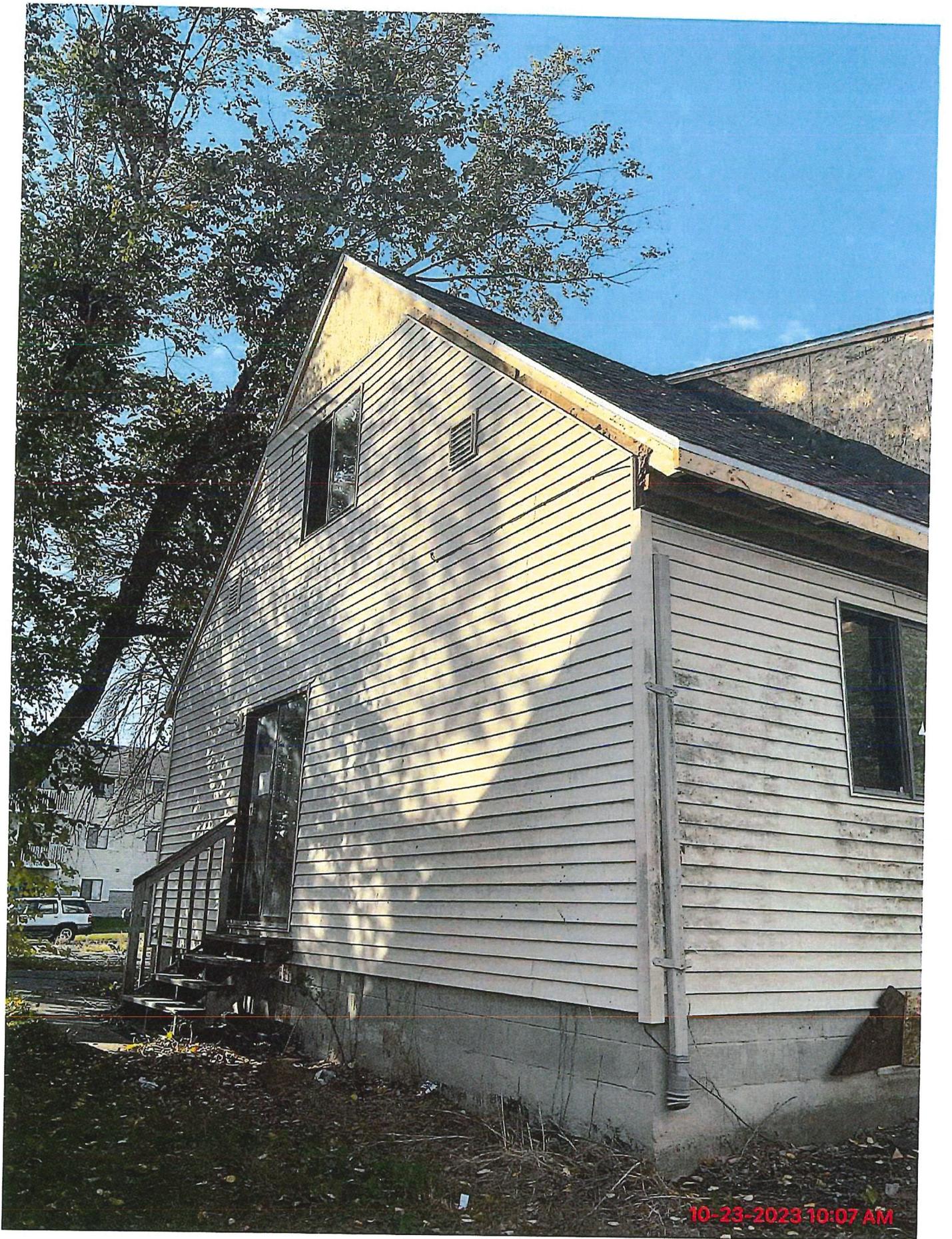
I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

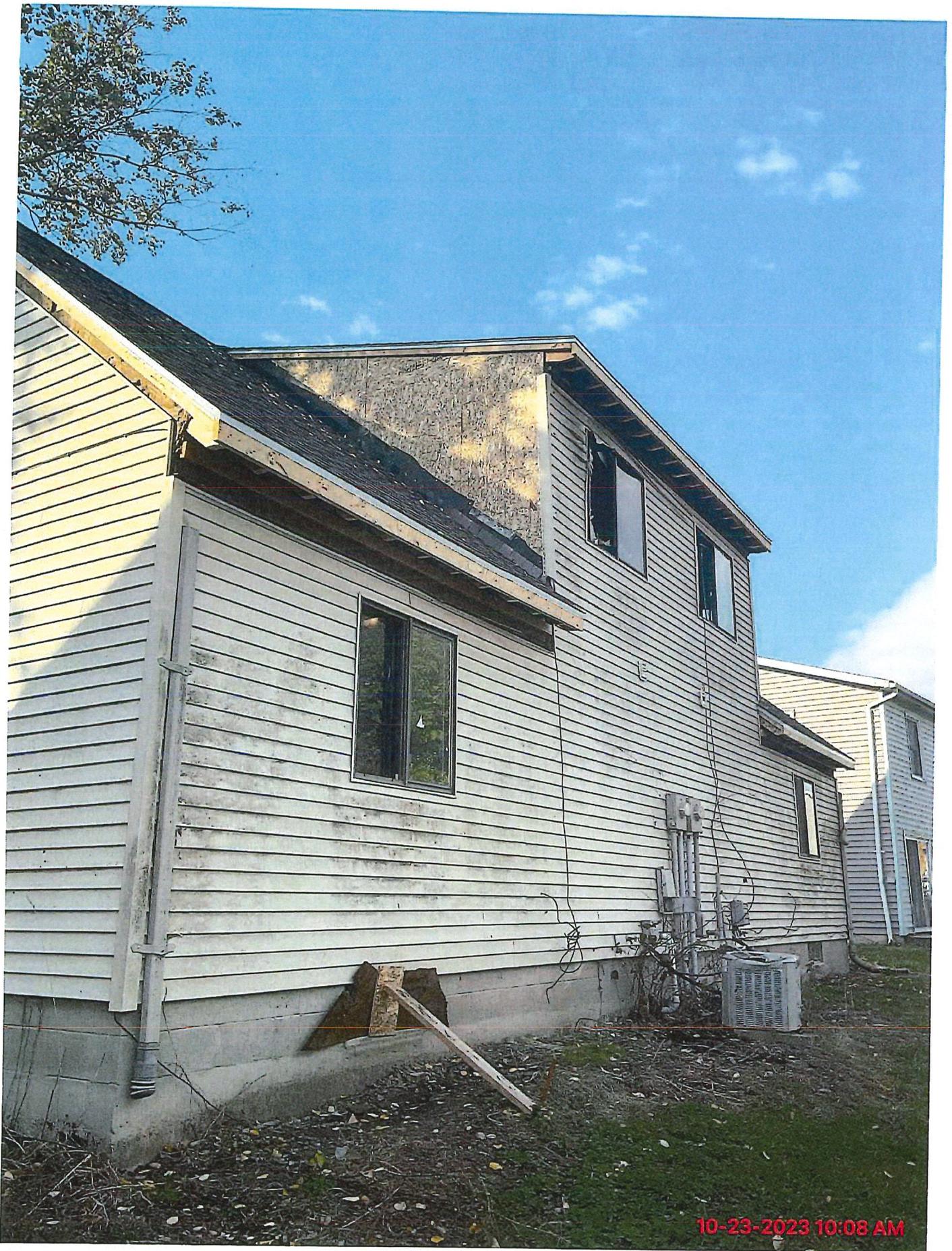
City Clerk



10-25-2023 10:07 AM



10-23-2023 10:07 AM



10-23-2023 10:08 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

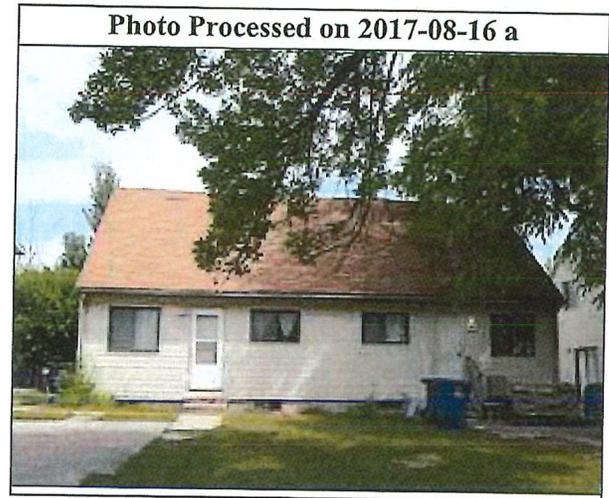
Location					
Address	2124 E CAULDER AVE				
City	DES MOINES	Zip	50320	Jurisdiction	Des Moines
District/Parcel	010/01940-060-000	Geoparcels	7824-23-227-025	Status	Active
School	Des Moines	Nbhd/Pocket	DM22/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

E Caulder Ave

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ARAFAT, NABEEL W	2011-10-25	14022/15

Legal Description and Mailing Address

LOT 60 EVERGREEN PARK	NABEEL W ARAFAT 933 W VAN BUREN ST APT 505 CHICAGO, IL 60607-3584
-----------------------	---

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$37,800	\$197,000	\$234,800

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

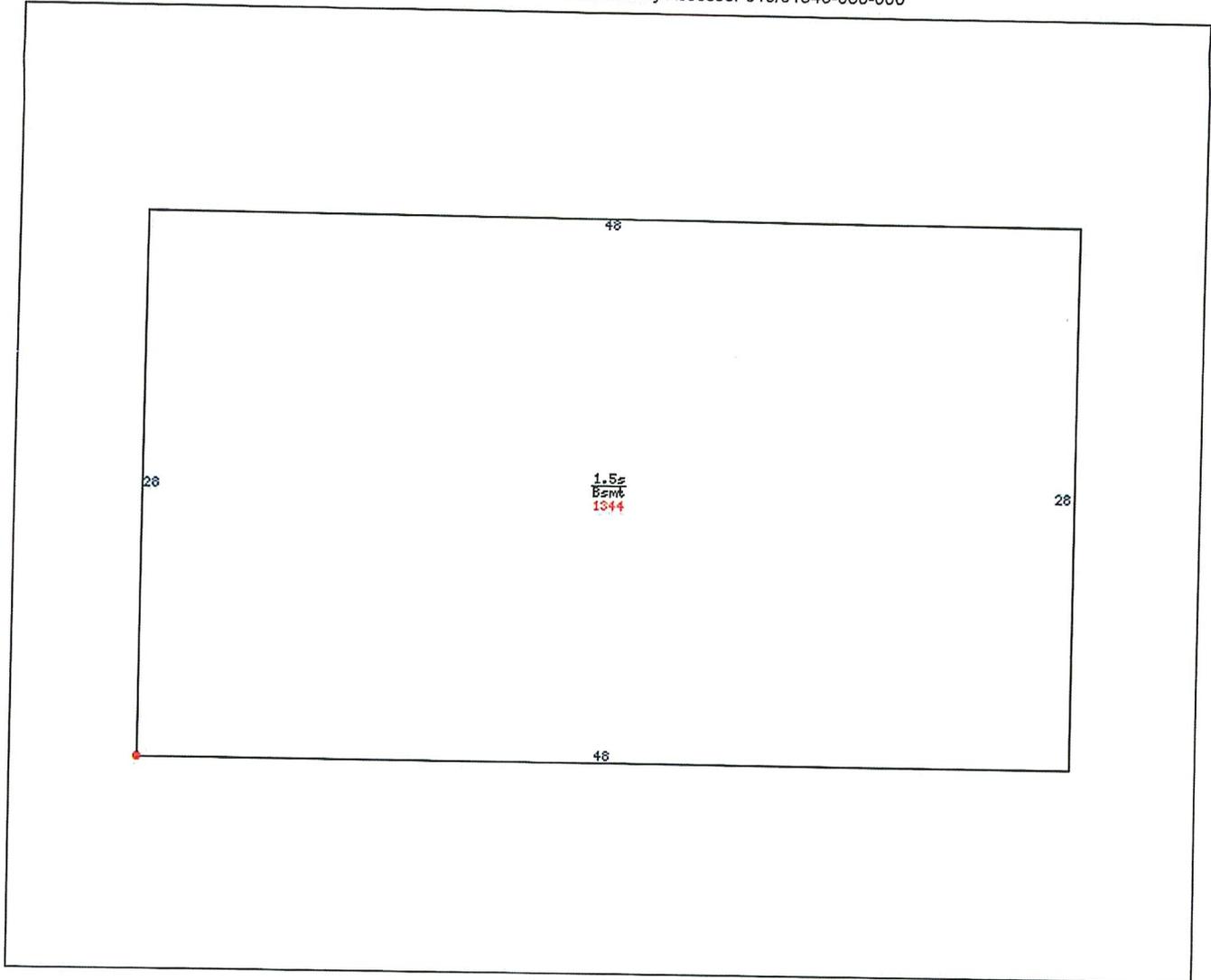
Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N2B	N2b Neighborhood District		Residential

45D

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land					
Square Feet	7,812	Acres	0.179	Frontage	62.0
Depth	125.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Duplex	Residence Type	1.5 Stories	Building Style	Conventional
Year Built	1980	Number Families	2	Grade	3-10
Condition	Normal	Total Square Foot Living Area	2244	Main Living Area	1344
Upper Living Area	900	Basement Area	1344	Foundation	Concrete Block
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	2
Number Extra Fixtures	1	Bedrooms	6	Rooms	10



Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
US BANK NA	ARAFAT, NABEEL W.	2011-10-13	\$80,000	Deed	14022/15
WENDL, SCOTT	WELKER, DANIEL	2006-08-28	\$151,530	Deed	11841/754
HUNKE, MARK J	WENDL, SCOTT	1997-03-01	\$86,670	Contract	7584/902
BRAIG INVESTMENTS, INC	HUNKE, MARK J	1995-01-03	\$210,000	Deed	7138/288 Multiple Parcels

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2023-09-21	Fix Damage	FIRE

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Board Action	Residential	Full	\$37,800	\$197,000	\$234,800

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$37,800	\$208,900	\$246,700
2021	Assessment Roll	Residential	Full	\$32,200	\$168,600	\$200,800
2019	Assessment Roll	Residential	Full	\$28,800	\$149,400	\$178,200
2017	Assessment Roll	Residential	Full	\$23,500	\$127,300	\$150,800
2015	Assessment Roll	Residential	Full	\$21,200	\$116,900	\$138,100
2013	Assessment Roll	Residential	Full	\$21,200	\$117,100	\$138,300
2011	Assessment Roll	Residential	Full	\$22,300	\$126,400	\$148,700
2009	Assessment Roll	Residential	Full	\$22,300	\$121,900	\$144,200
2007	Assessment Roll	Residential	Full	\$23,000	\$114,000	\$137,000
2005	Assessment Roll	Residential	Full	\$21,700	\$104,100	\$125,800
2003	Assessment Roll	Residential	Full	\$20,010	\$95,150	\$115,160
2001	Assessment Roll	Residential	Full	\$18,510	\$87,680	\$106,190
1999	Assessment Roll	Residential	Full	\$11,170	\$59,020	\$70,190
1997	Assessment Roll	Residential	Full	\$10,820	\$57,190	\$68,010
1995	Assessment Roll	Residential	Full	\$9,920	\$51,370	\$61,290
1993	Board Action	Residential	Full	\$8,630	\$51,370	\$60,000
1993	Assessment Roll	Residential	Full	\$8,630	\$58,440	\$67,070
1989	Board Action	Residential	Full	\$8,070	\$59,000	\$67,070

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



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

Case Number: NUIS-2023-000171	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 06/20/2023
	Date of Notice: 06/23/2023
Date of Inspection: 06/20/2023	

NABEEL ARAFAT
 4821 86TH ST APT. # 2
 URBANDALE IA 50322

Address of Property: **2124 AND 2126 E CAULDER AVE, DES MOINES IA 50320**
 Parcel Number: **782423227025**

Legal Description: **LOT 60 EVERGREEN PARK**

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
------------------	--------------------------	----------------------------

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. Vacate 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023
<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>Throughout 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023
<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>Throughout 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(18) - Unsafe and Dangerous Structure or Premise 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.</p> <p>Throughout 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023
<p>60-192(19) - Unsafe and Dangerous Structure or Premise 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> <p>Throughout 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023
<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>Throughout 2124 and 2126 E Caulder. Unable to gain access, more violation my exist.</p>	08/02/2023
<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>Throughout 2124 and 2126 E Caulder.</p>	08/02/2023

Violation	Corrective Action	Compliance Due Date
<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>Throughout 2124 and 2126 E Caulder.</p>	08/02/2023
<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 2124 and 2126 E Caulder.</p>	08/02/2023
<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> <p>For both 2124 and 2126 E Caulder.</p>	08/02/2023

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,



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