



Roll Call Number

Agenda Item Number

37C

Date June 17, 2024

ABATEMENT OF PUBLIC NUISANCE AT 3105 6th AVENUE

WHEREAS, the property located at 3105 6th 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 Titleholders, Alexander Segura and Ricardo Segura, 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 2 in TREMONT PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3105 6th 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:

Molly E. Tracy, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, TOTAL, MOTION CARRIED, APPROVED, Mayor.

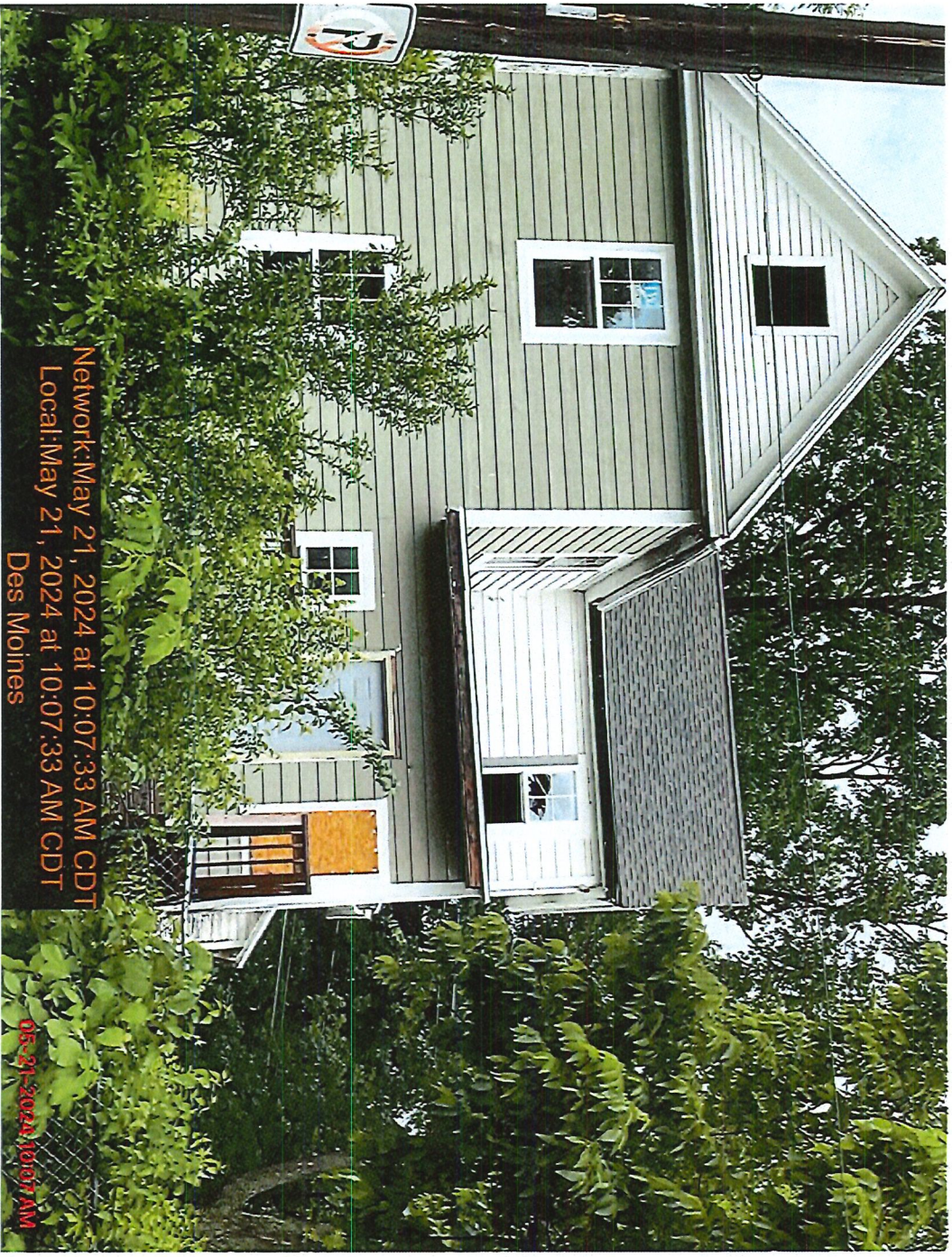
CERTIFICATE
I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
City Clerk

37C



Network: May 21, 2024 at 10:06:04 AM CDT
Local: May 21, 2024 at 10:06:04 AM CDT
Des Moines

05-21-2024 10:06 AM



Network: May 21, 2024 at 10:07:33 AM CDT
Local: May 21, 2024 at 10:07:33 AM CDT
Des Moines

05-21-2024 10:07 AM



Network: May 21, 2024 at 10:05:39 AM CDT
Local: May 21, 2024 at 10:05:39 AM CDT
Des Moines

05-21-2024 10:05 AM

37C

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	3105 6TH AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/05069-000-000	Geoparcels	7924-27-278-007	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northwest Des Moines	Appraiser	Brett Tierney 515-286-3019		

Map and Current Photos - 1 Record

Use Cyclomedia Panorama -

Click on parcel to get a new listing

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

Photo Processed on photodate=2004-11-08
label=a

[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	SEGURA, ALEXANDER	2023-11-27	19660/954
Title Holder	2	SEGURA, RICARDO	2023-11-27	19660/954

Legal Links For Subdivisions, Condominiums, and Plats of Survey

[TREMONT PLACE](#)

Legal Description and Mailing Address

LOT 2 TREMONT PLACE	ALEXANDER SEGURA 10168 QUEENSLAND RD WEST DES MOINES, IA 50266-5988
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Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$23,000	\$11,600	\$34,600

Market Adjusted Cost Report

Zoning - 1 Record			
Zoning	Description	SF	Assessor Zoning
NX1	NX1 Neighborhood Mix District		Residential

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

Land

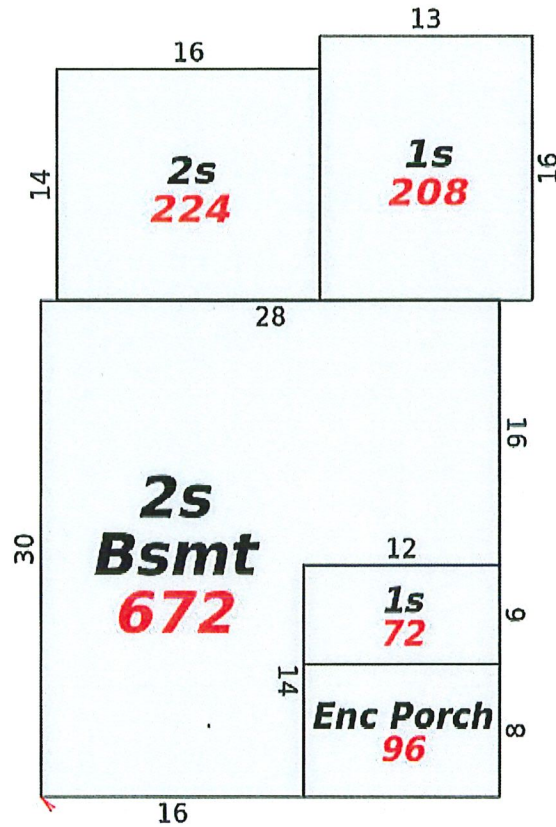
Square Feet	Acres	Frontage
6,850	0.157	50

Depth	137	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #id=1

Occupancy	Conversion	Residence Type	2 Stories Plus	Building Style	Early 20s
Year Built	1909	Number Families	2	Grade	4+00
Condition	Very Poor	Total Square Foot Living Area	2072	Main Living Area	1176
Upper Living Area	896	Attic Floor and Stairs Area	214	Basement Area	672
Enclosed Porch Area	96	Foundation	Brick	Exterior Wall Type	Wood Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	2	Number Extra Fixtures	1
Bedrooms	4	Rooms	10		



Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
IAT 65 LLC	SEGURA, ALEXANDER	2023-11-22	\$20,000	Deed	19660/954
OLINE, MARVIN P	SEGURA, ALEXANDER	2019-09-20	\$17,000	Deed	17510/268

Associated Recorded Documents

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
IAT 65 LLC	SEGURA, ALEXANDER SEGURA, RICARDO	2023-11-22	2023-11-27	Quit Claim Deed	19660/954
BLUE CREEK LLC STEARNS BANK NA (Custodian)	IAT 65 LLC	2023-10-12	2023-10-13	Special Warranty Deed	19626/541
RICE, KYLE (Agent) WELLS, MARY L (Treasurer)	BLUE CREEK LLC STEARNS BANKS NA (Custodian)	2023-09-01	2023-09-01	Tax Sale Deed	19588/931
OLINE, MARVIN P OLINE, DEBBIE L	SEGURA, ALEXANDER SEGURA, RICARDO	2019-09-20	2019-09-24	Warranty Deed	17510/268
OLINE, MARTIN LAWSON	OLINE, MARVIN P OLINE, DEBBIE L	2014-04-02	2014-04-02	Quit Claim Deed	15145/926

Permits - 26 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2024-04-18	Alterations	REMODEL
2023	Permit	Cancel	2020-05-29	Alterations	REMODEL
2022	Permit	Pass	2020-05-29	Alterations	REMODEL
2022	Permit	Cancel	2018-05-10	Fix Damage	FIRE
2021	Permit	Pass	2020-05-29	Alterations	REMODEL
2021	Permit	Pass	2018-05-10	Fix Damage	FIRE
2020	Permit	Pass	2018-05-10	Fix Damage	FIRE
2019	Permit	Pass	2018-05-10	Fix Damage	FIRE
2018	Pickup	Cancel	2006-10-26	Review Value	REVIEW PROPERTY
2017	Pickup	Pass/Partial	2006-10-26	Review Value	REVIEW PROPERTY
2016	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2015	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2014	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2013	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2012	Pickup	Pass/Partial	2006-10-26	Review Value	REVIEW PROPERTY
2011	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2010	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2009	Pickup	Pass/Partial	2006-10-26	Review Value	REVIEW PROPERTY
2008	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2007	Pickup	Pass	2006-10-26	Review Value	REVIEW PROPERTY
2007	Pickup	Complete	2003-01-30	Review Value	REINSPECT
2006	Pickup	Pass	2003-01-30	Review Value	REINSPECT
2005	Pickup	Pass	2003-01-30	Review Value	REINSPECT
2004	Pickup	Partial	2003-01-30	Review Value	REINSPECT
2003	Pickup	Pass	2003-01-30	Review Value	REINSPECT
1998	Permit	No Add	1997-03-26	Alterations	FOUNDATION (Cost \$2,500)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$23,000	\$11,600	\$34,600
2021	Assessment Roll	Residential	Full	\$19,500	\$9,300	\$28,800
2019	Assessment Roll	Residential	Full	\$17,400	\$8,300	\$25,700
2017	Assessment Roll	Residential	Full	\$15,800	\$7,500	\$23,300
2015	Assessment Roll	Residential	Full	\$14,200	\$6,800	\$21,000
2013	Assessment Roll	Residential	Full	\$12,900	\$6,200	\$19,100
2011	Assessment Roll	Residential	Full	\$12,900	\$6,200	\$19,100
2009	Assessment Roll	Residential	Full	\$14,200	\$6,400	\$20,600
2007	Assessment Roll	Residential	Full	\$14,000	\$6,200	\$20,200
2005	Assessment Roll	Residential	Full	\$14,300	\$5,900	\$20,200
2004	Board Action	Residential	Full	\$12,400	\$5,060	\$17,460
2004	Assessment Roll	Residential	Full	\$12,400	\$43,960	\$56,360
2003	Assessment Roll	Residential	Full	\$12,400	\$25,000	\$37,400
2001	Board Action	Residential	Full	\$11,580	\$25,000	\$36,580
2001	Assessment Roll	Residential	Full	\$11,580	\$39,590	\$51,170
1999	Assessment Roll	Residential	Full	\$8,520	\$25,360	\$33,880
1997	Board Action	Residential	Full	\$7,980	\$25,360	\$33,340
1997	Assessment Roll	Residential	Full	\$7,980	\$29,670	\$37,650
1995	Assessment Roll	Residential	Full	\$7,050	\$26,290	\$33,340
1990	Assessment Roll	Residential	Full	\$6,100	\$23,900	\$30,000

31C



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

Case Number: NUIS-2023-000099	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/13/2023
	Date of Notice: 04/01/2024
	Date of Inspection: 03/27/2024

RICARDO SEGURA
1430 MARTIN LUTHER KING JR PKWY
DES MOINES IA 50314

Address of Property: 3105 6TH AVE, DES MOINES IA 50313
Parcel Number: 792427278007

Legal Description: LOT 2 TREMONT 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.</p>	<p>05/13/2024</p>
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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.</p>	<p>05/13/2024</p>
<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>05/13/2024</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(22) - Unsafe and Dangerous Structure or Premise Surfaces, including windows and doors, shall be maintained in good clean and sanitary conditions. Peeling chipping flaking or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood or other defective surface conditions shall be corrected.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	05/13/2024
<p>60-192(23) - Unsafe and Dangerous Structure or Premise Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or incapable of supports all nominal loads and resisting all load effects.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	05/13/2024
<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>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	05/13/2024
<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>	05/13/2024

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise 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>	<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.</p>	<p>05/13/2024</p>
<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>05/13/2024</p>

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 'Kevin Pyles', written in a cursive style.

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
Desk 515-283-4122 / Mobile 515-681-3129
KEPyles@dmgov.org



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

English

If you are not able to read this, translation services are available at 515-283-4207.

Arabic

إذا لم تكن قادرا على قراءة هذا، تتوفر خدمات الترجمة على الرقم 515-283-4207.

Bosnian

Ukoliko niste u mogućnosti da ovo pročitate, usluge prenoćenja su dostupne na 515-283-4207

Cantonese

英文

如果您無法閱讀此內容，請致電515-283-4207供翻譯服務。

French

Si vous n'êtes pas en mesure de le lire, des services de traduction sont disponibles au 515-283-4207.

Lao

ຖ້າທ່ານບໍ່ສາມາດອ່ານນີ້ໄດ້, ບໍລິການແປແລກລະຫວ່າງພາສາ 515-283-4207

Nepali

तपाईंले यो पढ्न सक्नुभएन भने अनुवाद सेवाहरू 515-283-4207 मा उपलब्ध छन्।

Pashto

که تاسو د دې لوستلو توان نه لرئ، نو د ژباړې خدمتونه په 515-283-4207 کې شتون لری.

Somali

Haddii aadan awoodiin inaad tan akhriso, adeegyada turjumaadda waxaa laga heli karaa 515-283-4207.

Spanish

Si no puede leer esto, los servicios de traducción están disponibles al 515-283-4207.

Swahili

Kiingereza

Ikiwa huwezi kusoma hii, huduma za kutafsiri zinapatikana kwa 515-283-4207.

Tigrinya

ነዚ ኸተንብቦ እንተ ዘይክኢልካ ኣብ 515-283-4207 ኣገልግሎት ትርጉም ክትረክብ ትኽእል ኢኻ።

Vietnamese

Tiếng Anh

Nếu bạn không thể đọc được điều này, các dịch vụ dịch thuật có sẵn theo số 515-283-4207.



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

Case Number: NUIS-2023-000099	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/13/2023
	Date of Notice: 04/01/2024
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ALEXANDER SEGURA
 10168 QUEENSLAND RD
 WEST DES MOINES IA 50266

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 Parcel Number: 792427278007

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Thank you for your help,

Respectfully,

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Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
Desk 515-283-4122 / Mobile 515-681-3129
KEPyles@dmgov.org



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

English

If you are not able to read this, translation services are available at 515-283-4207.

Arabic

إذا لم تكن قادرا على قراءة هذا، تتوفر خدمات الترجمة على الرقم 515-283-4207.

Bosnian

Ukoliko niste u mogućnosti da ovo pročitate, usluge prevođenja su dostupne na 515-283-4207

Cantonese

英文

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French

Si vous n'êtes pas en mesure de le lire, des services de traduction sont disponibles au 515-283-4207.

Lao

ຖ້າທ່ານບໍ່ສາມາດອ່ານນີ້ໄດ້, ບໍລິການແປແລະປາກົດມີຢູ່ທີ່ 515-283-4207

Nepali

तपाईंले यो पढ्न सक्नुभएन भने अनुवाद सेवाहरू 515-283-4207 मा उपलब्ध छन्।

Pashto

که تاسو د دې لوستلو توان نه لرئ، نو د ژباړې خدمتونه په 515-283-4207 کې شتون لري.

Somali

Haddii aadan awoodin inaad tan akhriso, adeegyada turjumaadda waxaa laga heli karaa 515-283-4207.

Spanish

Si no puede leer esto, los servicios de traducción están disponibles al 515-283-4207.

Swahili

Kiingereza

Ikiwa huwezi kusoma hii, huduma za kutafsiri zinapatikana kwa 515-283-4207.

Tigrinya

ነዚ ገጽ ንብብ እንተ ዘይክኢልካ ኣብ 515-283-4207 ኣገልግሎት ትርጉም ክትረክብ ትኽእል ኢኻ።

Vietnamese

Tiếng Anh

Nếu bạn không thể đọc được điều này, các dịch vụ dịch thuật có sẵn theo số 515-283-4207.