



Date July 15, 2024

ABATEMENT OF PUBLIC NUISANCE AT 3225 STATE AVE.

WHEREAS, the property located at 3225 State Ave., 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, Alpha Properties, LLC, and the Mortgage Holder, Maurice Mitchell Grandchildren Trust, 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 9 and 10 and the North 7 feet vacated alley lying South of and adjacent to said Lots 9 and 10 in Block E in GRAY HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa., and locally known as 3225 State Ave., 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.

Seconded by _____

FORM APPROVED:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

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

MOTION CARRIED

APPROVED

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.

Mayor

City Clerk



Network: May 21, 2024 at 10:34:10 AM CDT
Local: May 21, 2024 at 10:34:10 AM CDT
Des Moines

05-21-2024 10:34 AM

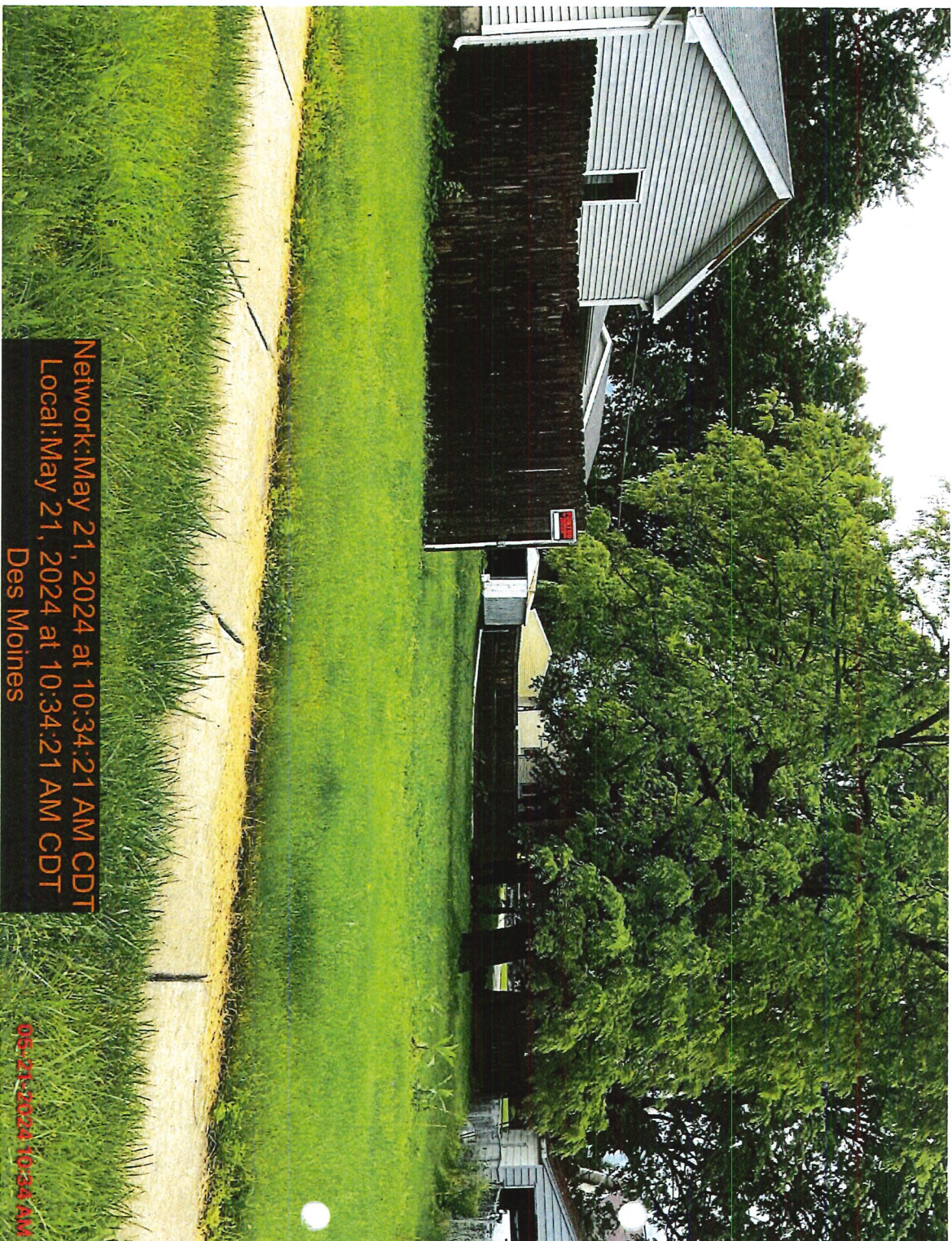
53A



Network: May 21, 2024 at 10:34:15 AM CDT
Local: May 21, 2024 at 10:34:15 AM CDT
Des Moines

05-21-2024 10:34 AM

534



Network: May 21, 2024 at 10:34:21 AM CDT
Local: May 21, 2024 at 10:34:21 AM CDT
Des Moines

05-21-2024 10:34 AM

Polk County Assessor

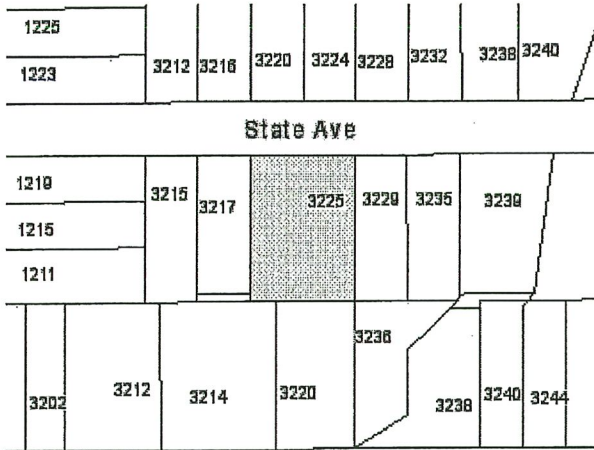
111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	3225 STATE AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/05533-001-000	Geoparcel	7923-32-379-007	Status	Active
School	Des Moines	Nbhd/Pocket	DM14/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Paul OConnell 515-286-2240		

Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

Photo Processed on 2013-09-20 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ALPHA PROPERTIES LLC	2023-10-27	19639/321

Legal Description and Mailing Address

7F S & ADJ & ALL LTS 9 & 10 BLK E GRAY HEIGHTS

ALPHA PROPERTIES LLC
1052 JASPER DR
WEST DES MOINES, IA 50266-3312

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$31,000	\$73,000	\$104,000

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

Zoning - 1 Record

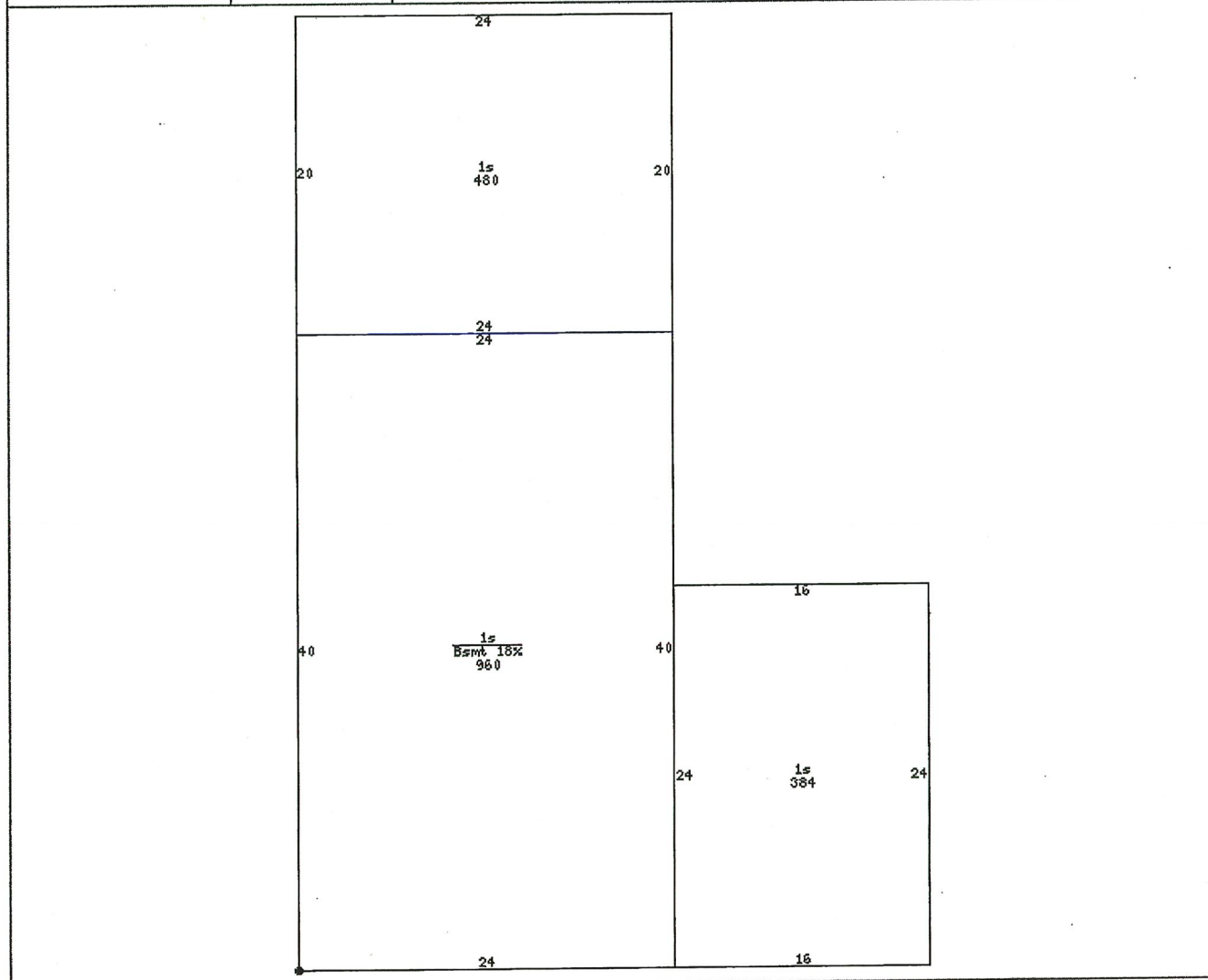
Zoning	Description	SF	Assessor Zoning
N3B	N3b Neighborhood District		Residential

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

Land					
Square Feet	13,900	Acres	0.319	Frontage	100.0
Depth	139.0	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	1949	Number Families	1	Grade	4+00
Condition	Poor	Total Square Foot Living Area	1824	Main Living Area	1824
Basement Area	173	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Detached Structures - 1 Record					
Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	30	Measure 2	24	Story Height	1
Grade	4	Year Built	1982	Condition	Below Normal

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
JOHNSON, EDNA	ALPHA PROPERTIES LLC	<u>2023-07-28</u>	\$60,000	Deed	<u>19639/321</u>
DEUTSCHE BNK NTL TRST CO TRUSTEE	JOHNSON, EDNA	<u>2011-05-24</u>	\$65,000	Deed	<u>13864/513</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
JOHNSON, EDNA	ALPHA PROPERTIES LLC	2023-07-28	2023-10-27	Warranty Deed	<u>19639/321</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2002	Permit	Complete	2001-03-21	Addition	BEDROOM

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$31,000	\$73,000	\$104,000
2021	<u>Assessment Roll</u>	Residential	Full	\$25,800	\$58,000	\$83,800
2019	<u>Assessment Roll</u>	Residential	Full	\$23,600	\$52,900	\$76,500
2017	<u>Assessment Roll</u>	Residential	Full	\$20,800	\$51,600	\$72,400
2015	<u>Assessment Roll</u>	Residential	Full	\$19,600	\$49,200	\$68,800
2013	<u>Board Action</u>	Residential	Full	\$19,800	\$51,600	\$71,400
2013	<u>Assessment Roll</u>	Residential	Full	\$19,800	\$122,600	\$142,400
2012	<u>Assessment Roll</u>	Residential	Full	\$19,800	\$121,800	\$141,600
2011	<u>Assessment Roll</u>	Residential	Full	\$19,800	\$121,800	\$141,600
			Adj	\$19,800	\$98,800	\$118,600
2009	<u>Assessment Roll</u>	Residential	Full	\$20,000	\$119,300	\$139,300
			Adj	\$20,000	\$96,300	\$116,300
2007	<u>Assessment Roll</u>	Residential	Full	\$20,000	\$119,300	\$139,300
			Adj	\$20,000	\$96,300	\$116,300
2005	<u>Assessment Roll</u>	Residential	Full	\$18,400	\$99,300	\$117,700
			Adj	\$18,400	\$76,300	\$94,700
2003	<u>Assessment Roll</u>	Residential	Full	\$15,490	\$82,220	\$97,710
			Adj	\$15,490	\$59,220	\$74,710

Yr	Type	Class	Kind	Land	Bldg	Total
2002	<u>Assessment Roll</u>	Residential	Full	\$14,530	\$72,060	\$86,590
			Adj	\$14,530	\$49,060	\$63,590
2001	<u>Assessment Roll</u>	Residential	Full	\$14,530	\$50,030	\$64,560
1999	Assessment Roll	Residential	Full	\$14,850	\$37,980	\$52,830
1997	Assessment Roll	Residential	Full	\$13,450	\$36,000	\$49,450
1995	Board Action	Residential	Full	\$12,240	\$32,760	\$45,000
1995	Assessment Roll	Residential	Full	\$12,240	\$42,150	\$54,390
1995	Was Prior Year	Residential	Full	\$10,570	\$36,390	\$46,960

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

53A



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

Case Number: NUIS-2023-000066	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 03/01/2023
	Date of Notice: 03/06/2024
Date of Inspection: 03/01/2023	

ALPHA PROPERTIES LLC
LAW OFFICE OF CHARLES W HENDRICKS, P.C., REG. AGENT
1454 30TH ST #202
WEST DES MOINES IA 50266

Address of Property: 3225 STATE AVE, DES MOINES IA 50317
Parcel Number: 792332379007

Legal Description: 7F S & ADJ & ALL LTS 9 & 10 BLK E GRAY HEIGHTS

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>04/17/2024</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>04/17/2024</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>04/17/2024</p>

Violation	Corrective Action	Compliance Due Date
<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>	04/17/2024
<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>	04/17/2024
<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>	04/17/2024
<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>	04/17/2024
<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>	04/17/2024

Violation	Corrective Action	Compliance Due Date
<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>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	<p>04/17/2024</p>
<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>04/17/2024</p>
<p>60-192(8) - Unsafe and Dangerous Structure or Premise A building, structure or any portion thereof, because of inadequate maintenance, dilapidation, decay, damage, mold, faulty construction or arrangement, inadequate light, ventilation, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	<p>04/17/2024</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>04/17/2024</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,



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
 400 Robert D. Ray Drive
 Des Moines, IA 50309

Case Number: NUIS-2023-000066	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 03/01/2023
	Date of Notice: 04/10/2024
	Date of Inspection: 04/08/2024

MAURICE MITCHELL GRANDCHILDREN TRUST
 C/O DEBRA MITCHELL, TRUSTEE
 31637 NAPA VALLEY DR
 WAUKEE IA 50263

Address of Property: **3225 STATE AVE, DES MOINES IA 50317**
 Parcel Number: **792332379007**

Legal Description: **7F S & ADJ & ALL LTS 9 & 10 BLK E GRAY HEIGHTS**

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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,



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