



63A

Date September 16, 2024

ABATEMENT OF PUBLIC NUISANCE AT 3905 E. OVID AVE.

WHEREAS, the property located at 3905 E. Ovid 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, BTB Investments 2, LLC, and the Mortgage Holder, Raccoon Valley 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 23 in SHERIDAN PARK, PLAT No. 4, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3905 E. Ovid 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.

Second by _____

FORM APPROVED:

Kristine Stone

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

06-20-2024 10:42 AM

Network: Jun 20, 2024 at 10:42:24 AM CDT
Local: Jun 20, 2024 at 10:42:24 AM CDT
Des Moines

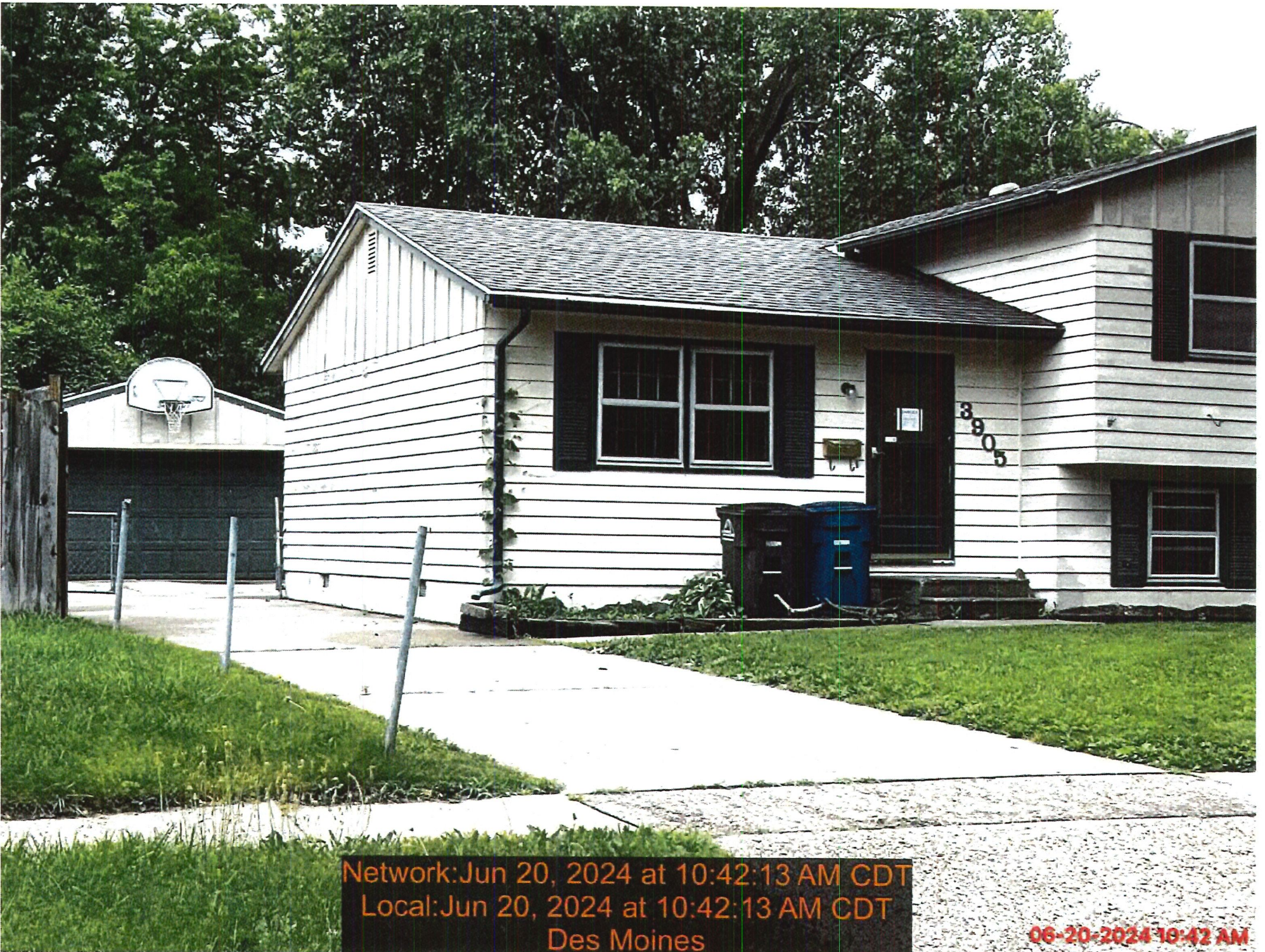


687



Network: Jun 20, 2024 at 10:42:15 AM CDT
Local: Jun 20, 2024 at 10:42:15 AM CDT
Des Moines

06-20-2024 10:42 AM



Network: Jun 20, 2024 at 10:42:13 AM CDT
Local: Jun 20, 2024 at 10:42:13 AM CDT
Des Moines

06-20-2024 10:42 AM

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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	3905 E OVID AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/07928-124-000	Geoparcel	7923-28-151-015	Status	Active
School	Des Moines	Nbhd/Pocket	DM01/C	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northeast Des Moines	Appraiser	Paul OConnell 515-286-2240		

Map and Current Photos - 1 Record

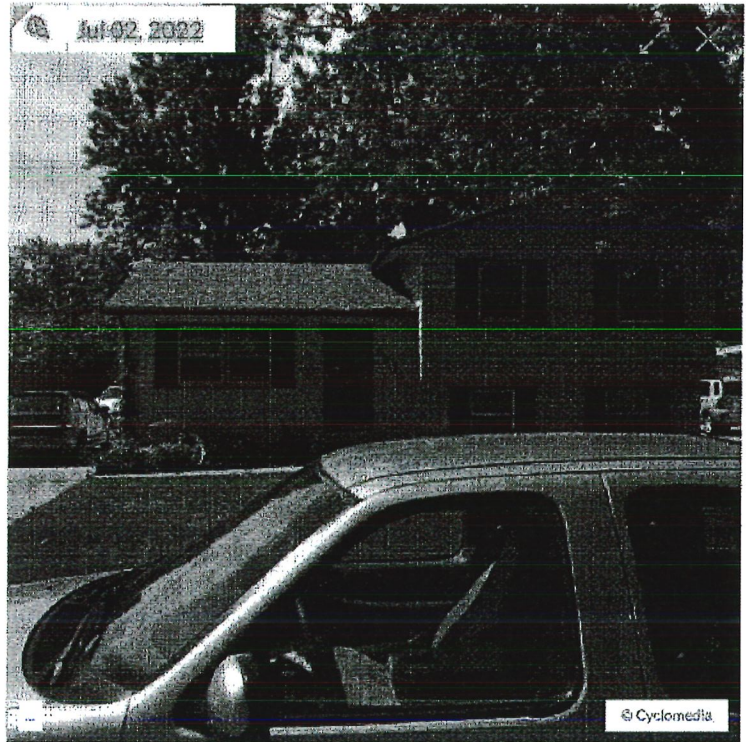
Use Cyclomedia Panorama -

Click on parcel to get a new listing

851 3859 3861 3901 3905 3909 3913 3919 3923

3906 3910 3916 3922 3926 3932 4000 4006

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BTB INVESTMENTS 2 LLC	2023-02-02	19388/641

Legal Links For Subdivisions, Condominiums, and Plats of Survey

SHERIDAN PARK PLAT 4

Legal Description and Mailing Address

LOT 23 SHERIDAN PARK PLAT 4

BTB INVESTMENTS 2 LLC
POB 714
JOHNSTON, IA 50131-0714

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$35,500	\$123,100	\$158,600

Market Adjusted Cost Report

Zoning - 1 Record

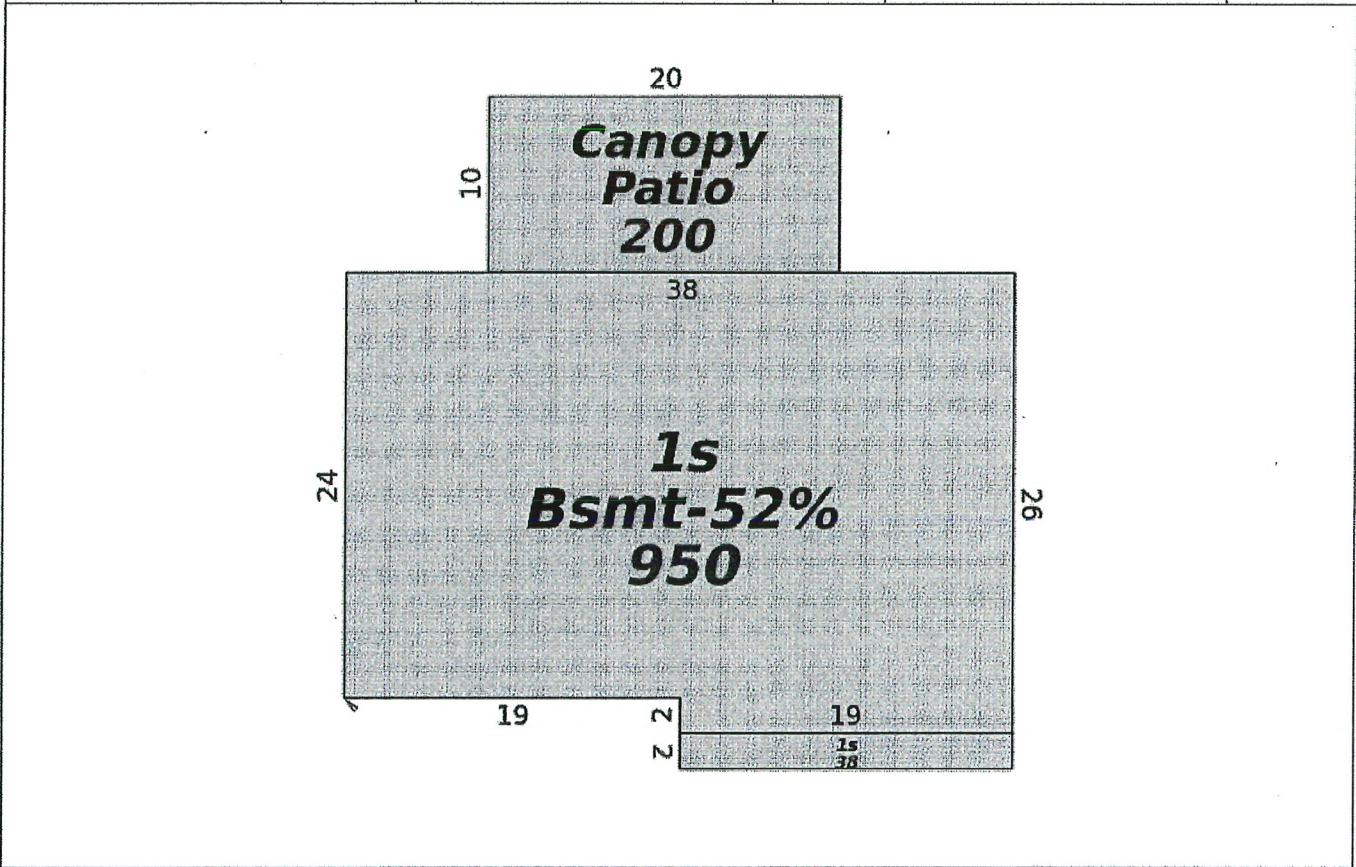
Zoning	Description	SF	Assessor Zoning
N3A	N3a Neighborhood District		Residential

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

Land					
Square Feet	7,500	Acres	0.172	Frontage	60
Depth	125	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #id=1					
Occupancy	Single Family	Residence Type	Split Level	Building Style	3 Split
Year Built	1962	Number Families	1	Grade	4+05
Condition	Below Normal	Total Square Foot Living Area	988	Main Living Area	988
Basement Area	494	Finished Basement Area 1	266	Finished Basement Quality 1	Living Quarters
Total Basement Finish	266	Patio Area	200	Canopy Square Foot	200
Foundation	Poured Concrete	Exterior Wall Type	Wood Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	3	Rooms	5



Detached Structures - 1 Record

Detached Structure #id=101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Square Feet
Measure 1	792	Story Height	1	Grade	4
Year Built	1969	Year Remodel	1981	Condition	Normal
Comment	22 X 24 && 12 X 22				

Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
LEHS, RANDY L	BTB INVESTMENTS 2 LLC	2022-12-28	\$162,174	Deed	19388/641
ANDERSON, BEVERLY K	LEHS, RANDY	2004-07-02	\$105,460	Deed	10628/953

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MARTIN, JOAN K	ANDERSON, LARRY D	<u>1993-06-18</u>	\$64,500	Deed	<u>6808/316</u>
HILLS, ERNEST M	FUNARO, JONI K	<u>1991-12-05</u>	\$52,000	Deed	<u>6471/119</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
LEHS, RANDY L LEHS, ELIZABETH	BTB INVESTMENTS 2 LLC	2022-12-28	2023-02-02	Warranty Deed	<u>19388/641</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$35,500	\$123,100	\$158,600
2021	<u>Assessment Roll</u>	Residential	Full	\$29,700	\$97,600	\$127,300
2019	<u>Assessment Roll</u>	Residential	Full	\$27,500	\$91,000	\$118,500
2017	<u>Assessment Roll</u>	Residential	Full	\$23,700	\$81,100	\$104,800
2015	<u>Assessment Roll</u>	Residential	Full	\$21,800	\$76,000	\$97,800
2013	<u>Assessment Roll</u>	Residential	Full	\$19,500	\$70,400	\$89,900
2011	<u>Board Action</u>	Residential	Full	\$19,500	\$70,800	\$90,300
2011	<u>Assessment Roll</u>	Residential	Full	\$19,500	\$80,500	\$100,000
2009	<u>Assessment Roll</u>	Residential	Full	\$21,700	\$88,300	\$110,000
2007	<u>Board Action</u>	Residential	Full	\$21,100	\$85,700	\$106,800
2007	<u>Assessment Roll</u>	Residential	Full	\$21,100	\$90,800	\$111,900
2005	<u>Assessment Roll</u>	Residential	Full	\$20,000	\$82,900	\$102,900
2003	<u>Assessment Roll</u>	Residential	Full	\$17,890	\$74,820	\$92,710
2002	<u>Board Action</u>	Residential	Full	\$17,100	\$68,200	\$85,300
2001	<u>Assessment Roll</u>	Residential	Full	\$17,100	\$68,200	\$85,300
1999	Assessment Roll	Residential	Full	\$12,510	\$59,310	\$71,820
1997	Assessment Roll	Residential	Full	\$11,700	\$55,480	\$67,180
1995	Assessment Roll	Residential	Full	\$10,630	\$50,410	\$61,040
1993	Assessment Roll	Residential	Full	\$9,260	\$43,930	\$53,190
1991	Board Action	Residential	Full	\$8,700	\$41,300	\$50,000
1991	Assessment Roll	Residential	Full	\$8,700	\$48,210	\$56,910
1991	Was Prior Year	Residential	Full	\$8,700	\$43,700	\$52,400



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

Case Number: NUIS-2023-000263	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/30/2023
	Date of Notice: 04/24/2024
Date of Inspection: 10/30/2023	

BTB INVESTMENTS 2 LLC
 BRAD LOWE, REG. AGENT
 1450 SW VINTAGE PKWY STE 250
 ANKENY IA 50023

Address of Property: **3905 E OVID AVE, DES MOINES IA 50317**
 Parcel Number: **792328151015**

Legal Description: **LOT 23 SHERIDAN PARK PLAT 4**

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>	Vacate the structure.	06/06/2024
<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>	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.	06/06/2024
<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>	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	06/06/2024

Violation	Corrective Action	Compliance Due Date
<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>	06/06/2024
<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>	06/06/2024
<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>	06/06/2024
<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>	06/06/2024
<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>	06/06/2024

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
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 قادراً 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, ບໍລິການແປແລ່ນມີຢູ່ທີ່ 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 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 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-2023-000263	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/30/2023
	Date of Notice: 05/15/2024
Date of Inspection: 10/30/2023	

RACCOON VALLEY BANK
 1202 2ND ST
 PERRY IA 50220

Address of Property: **3905 E OVID AVE, DES MOINES IA 50317**
 Parcel Number: **792328151015**

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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

63A



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

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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

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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 ትክእል ኢኻ።

Vietnamese

Tiếng Anh

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