

Date December 23, 2024

**ABATEMENT OF PUBLIC NUISANCE AT 1318 9<sup>th</sup> ST.**

WHEREAS, the property located at 1318 9<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 Titleholder, C-Build, LLC, and Mortgage Holder, Sheffield Investments LLC, 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 (except the North 54 feet of the West 60 feet and except the East 3 feet) of Official Plat of Lot 17 in the Official Plat of the Southwest ¼ of Section 34, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1318 9<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
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.

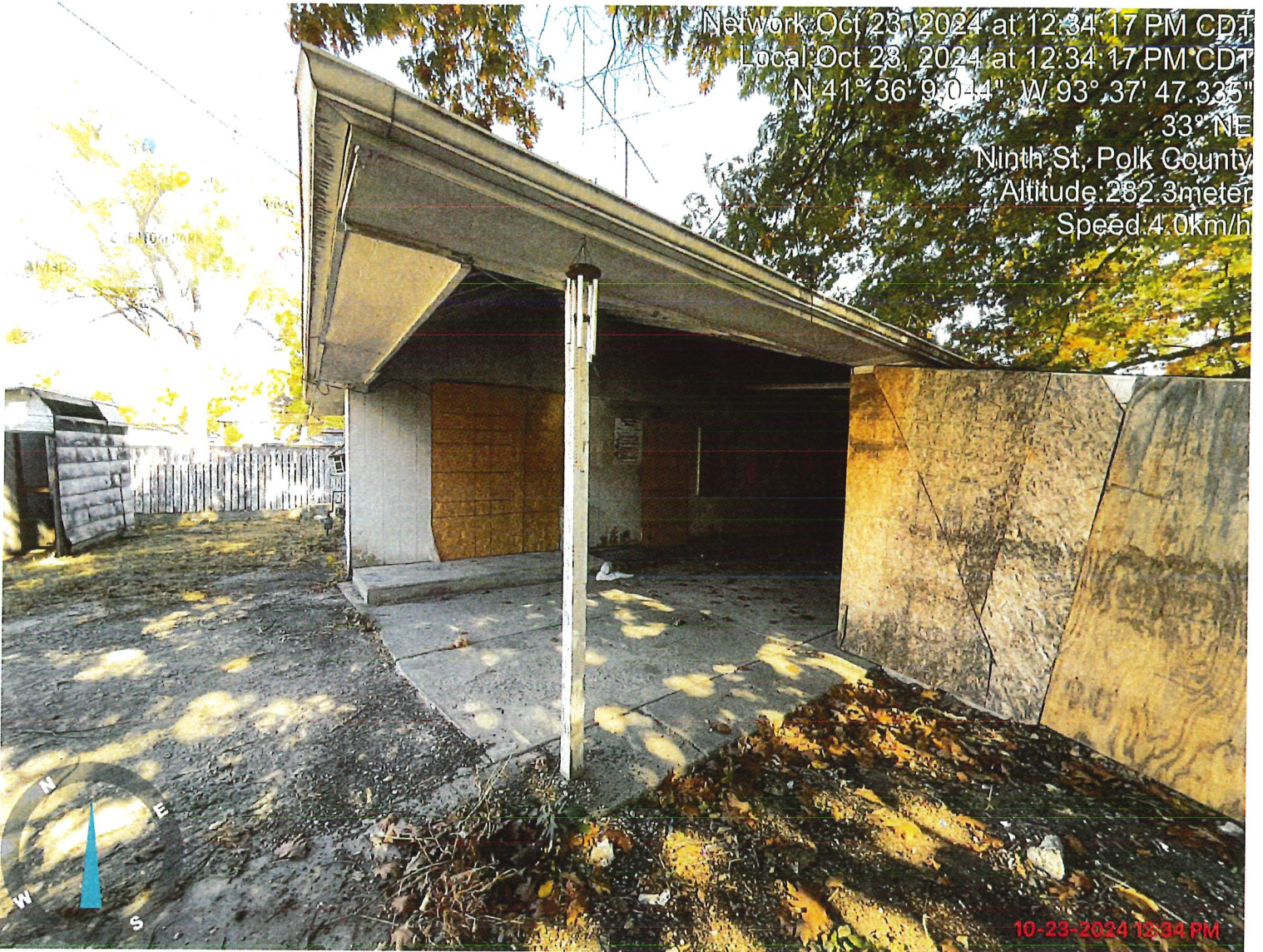
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

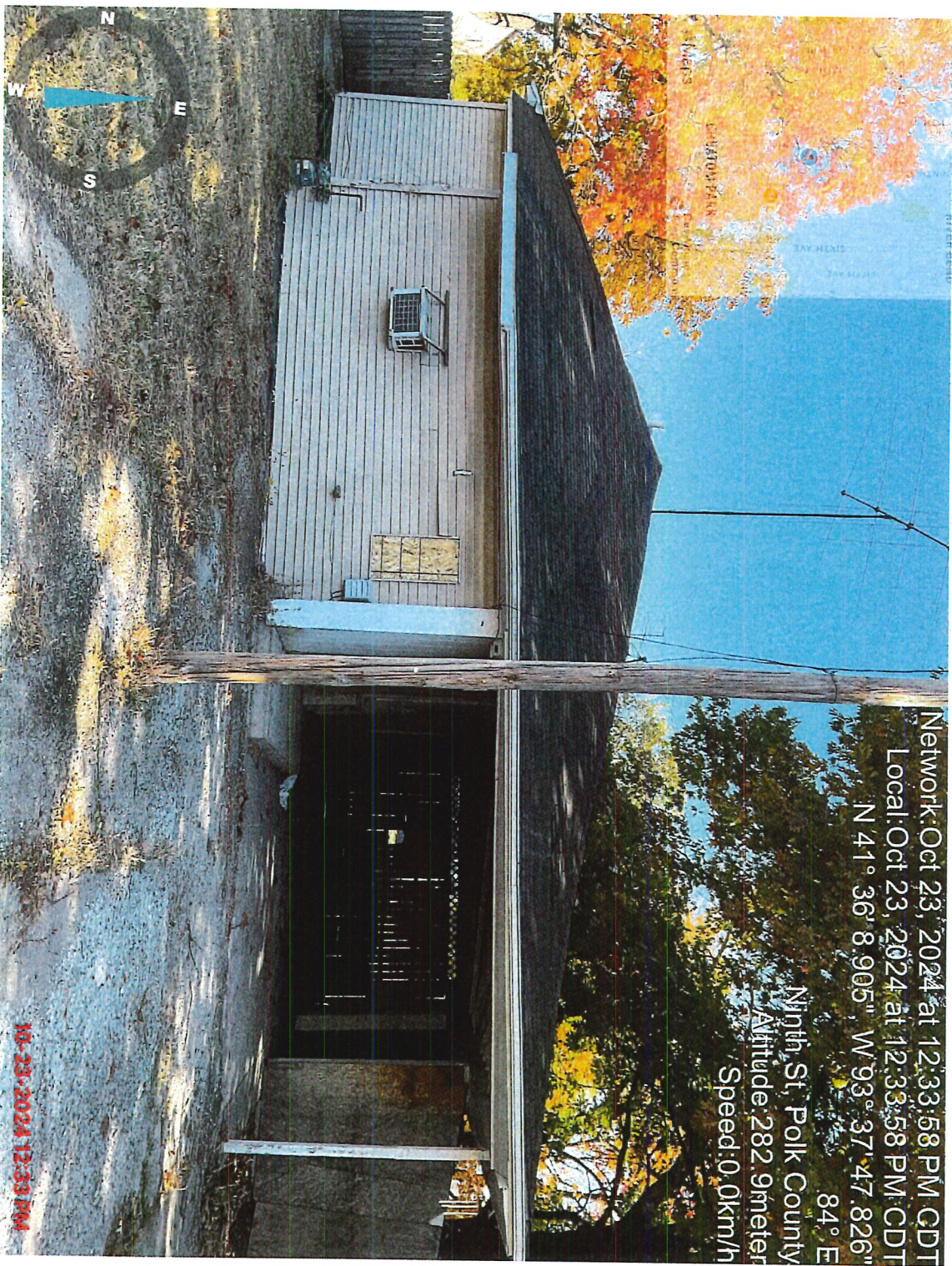
\_\_\_\_\_  
City Clerk



Network: Oct 23, 2024 at 12:34:17 PM CDT  
Local: Oct 23, 2024 at 12:34:17 PM CDT  
N 41° 36' 9.044", W 93° 37' 47.335"  
33° NE  
Ninth St, Polk County  
Altitude: 282.3 meter  
Speed: 4.0 km/h



10-23-2024 12:34 PM



Network: Oct 23, 2024 at 12:33:58 PM CDT  
Local: Oct 23, 2024 at 12:33:58 PM CDT  
N 41° 36' 8.905", W 93° 37' 47.826" 84° E  
Ninth St, Polk County  
Altitude: 282.9meter  
Speed: 0.0km/h

10-23-2024 12:33 PM

**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

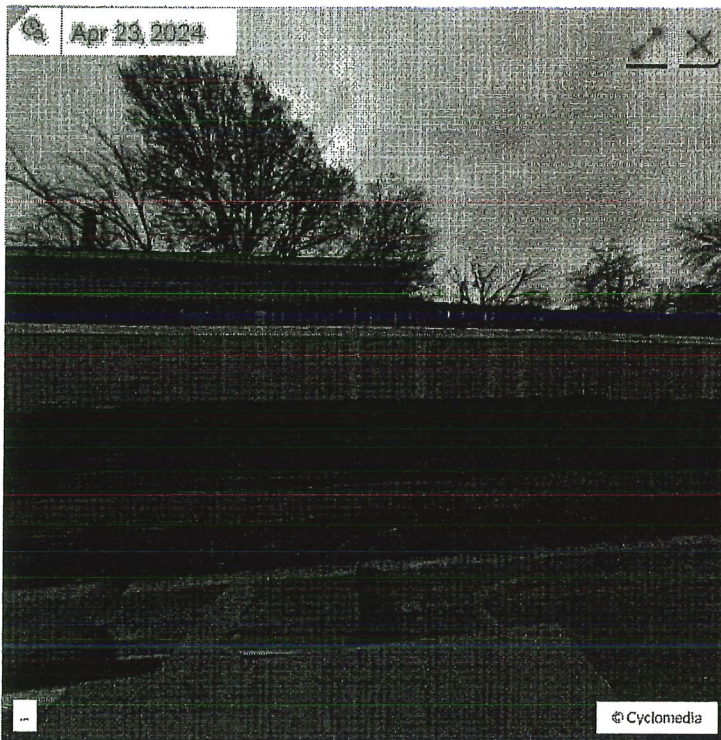
Location					
Address	1318 9TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/07959-001-000	Geoparcel	7924-34-383-015	Status	Active
School	Des Moines	Nbhd/Pocket	DM76/Z	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northwest Des Moines	Appraiser	Joseph Peterson 515-286-3011		

**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



Historical Photos

**Ownership - 1 Record**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	C-BUILD LLC	2024-03-13	19740/488

**Legal Links For Subdivisions, Condominiums, and Plats of Survey**

OFFICIAL PLAT OF LOT NO. 17 OFFICIAL PLAT OF SEC 34

**Legal Description and Mailing Address**

-EX E 3F & W 60F N 54F- LT 2 OP LT 17 OP SW 1/4  
SEC 34-79-24

SELL NOW IOWA  
C BUILD LLC  
5525 MEREDITH DR STE B  
DES MOINES, IA 50310-2334

**Current Values**

Type	Class	Kind	Land	Bldg	Total
2024 Value	Residential	Full	\$12,900	\$49,300	\$62,200

Market Adjusted Cost Report

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

**Local Historic District Designation**

More Info	Description	Within District	Municipal Code
Historic Preservation Commission	River Bend Local Historic District	Completely	Ordinance

Before any exterior alteration, demolition or construction can occur within a local historic district, a Certificate of Appropriateness must be obtained from the Historic Preservation Commission.

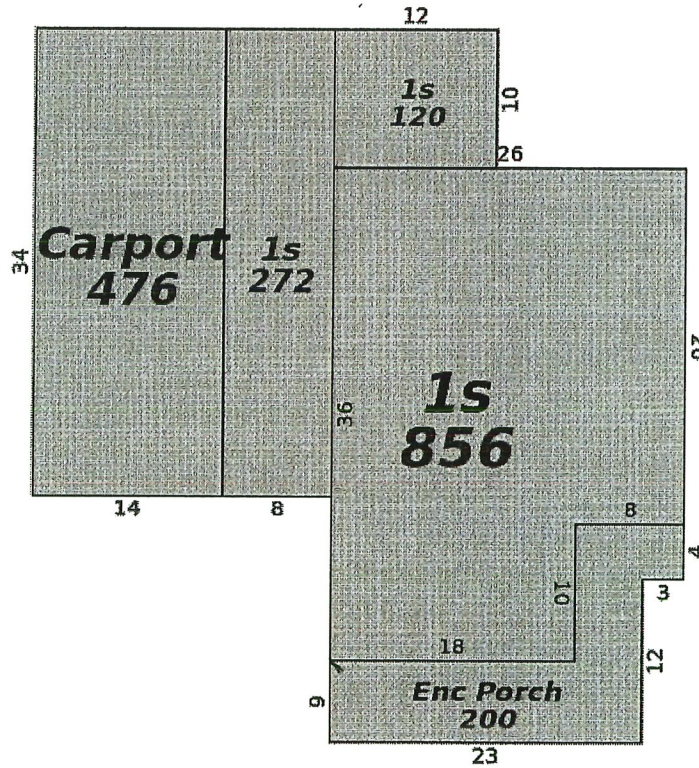
**Land**

Square Feet	8,640	Acres	0.198	Topography	Normal
Shape	Irregular	Vacancy	No	Unbuildable	No

**Residences - 1 Record**

**Residence #id=1**

Occupancy	Single Family	Residence Type	1 Story	Building Style	Conventional
Year Built	1890	Number Families	1	Grade	5+10
Condition	Below Normal	Total Square Foot Living Area	1248	Main Living Area	1248
Enclosed Porch Area	200	Carport Area	476	Foundation	Brick
Exterior Wall Type	Composition	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	3	Rooms	6		



**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DOWNING, JOHN G	C-BUILD LLC	2024-03-11	\$30,400	Deed	19740/488 Multiple Parcels

**Associated Recorded Documents**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
DOWNING, RACQUEL DOWNING, JOHN G	C-BUILD LLC	2024-03-11	2024-03-13	Warranty Deed	19740/488

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
RAPP, CAROL S	DOWNING, JOHN G	2024-03-11	2024-03-13	Quit Claim Deed	19740/486
DOWNING, KENNETH EUGENE RAPP, ALEX R (Executor)	DOWNING, JOHN G	2019-12-23	2019-12-23	Court Officer Deed	17638/840

**Permits - 3 Records**

Year	Type	Permit Status	Application	Reason	Reason1
2001	Permit	No Add	2000-07-18	Addition	CANOPY
2001	Permit	No Add	2000-06-06	Addition	FENCE
2001	Permit	No Add	2000-03-08	Addition	FENCE

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$12,900	\$49,300	\$62,200
2021	<u>Assessment Roll</u>	Residential	Full	\$9,800	\$35,800	\$45,600
2019	<u>Assessment Roll</u>	Residential	Full	\$8,800	\$31,500	\$40,300
2017	<u>Assessment Roll</u>	Residential	Full	\$7,800	\$28,800	\$36,600
2015	<u>Assessment Roll</u>	Residential	Full	\$7,800	\$28,900	\$36,700
2013	<u>Assessment Roll</u>	Residential	Full	\$7,700	\$25,600	\$33,300
2011	<u>Assessment Roll</u>	Residential	Full	\$8,200	\$30,700	\$38,900
2009	<u>Assessment Roll</u>	Residential	Full	\$6,500	\$32,800	\$39,300
2007	<u>Assessment Roll</u>	Residential	Full	\$6,200	\$31,500	\$37,700
2005	<u>Assessment Roll</u>	Residential	Full	\$7,300	\$33,500	\$40,800
2003	<u>Assessment Roll</u>	Residential	Full	\$6,450	\$29,720	\$36,170
2001	<u>Assessment Roll</u>	Residential	Full	\$6,520	\$22,410	\$28,930
1999	Assessment Roll	Residential	Full	\$5,250	\$18,180	\$23,430
1997	Assessment Roll	Residential	Full	\$4,300	\$14,880	\$19,180
1995	Assessment Roll	Residential	Full	\$4,010	\$13,870	\$17,880
1993	Assessment Roll	Residential	Full	\$3,470	\$12,000	\$15,470

43A



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

<b>Case Number: NUIS-2024-000154</b>	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 06/05/2024
	Date of Notice: 09/06/2024
	Date of Inspection: 06/05/2024

SHEFFIELD INVESTMENTS LLC  
C/O MITCH COLUZZI  
5525 MEREDITH DR SUITE B  
DES MOINES IA 50310

Address of Property: 1318 9TH ST, DES MOINES IA 50314  
Parcel Number: 792434383015

Legal Description: -EX E 3F & W 60F N 54F- LT 2 OP LT 17 OP SW 1/4 SEC 34-79-24

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>	<p>Vacate the structure.</p>	<p>10/07/2024</p>
<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>	<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>10/07/2024</p>
<p><b>60-192(4) - Unsafe and Dangerous Structure or Premise</b>  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>	<p>10/07/2024</p>

Violation	Corrective Action	Compliance Due Date
<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>	<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>	10/07/2024
<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>	<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>	10/07/2024
<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>	10/07/2024
<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>	10/07/2024

Violation	Corrective Action	Compliance Due Date
<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>	10/07/2024
<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>	10/07/2024

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,

A handwritten signature in black ink, appearing to read "C. McClaran", is placed over a rectangular area with a light gray dot grid background.

Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
Desk 515-283-4143 / Mobile 515-577-3879  
CWMcClaran@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, ບໍລິການແປພາສາມີເລື່ອງທີ່ 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 ሽተንብቦ እንተ ዘይክእልካ 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-2024-000154	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 06/05/2024
	Date of Notice: 07/09/2024
Date of Inspection: 06/05/2024	

C-BUILD LLC  
CAPITOL CORPORATE SERVICES INC, REG AGENT  
1503 42ND ST STE 210  
WEST DES MOINES IA 50266

Address of Property: 1318 9TH ST, DES MOINES IA 50314  
Parcel Number: 792434383015

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<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>	<p>08/19/2024</p>
<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>	<p>08/19/2024</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.

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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 that reads "C McClaran". The signature is written in a cursive style with a large, stylized "C" at the beginning.

Charles McClaran  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
Desk 515-283-4143 / Mobile 515-577-3879  
CWMcClaran@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 prevođenja 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, ບໍລິການແປແລ່ນມີເລື່ອງທີ່ 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 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.