



Roll Call Number

Agenda Item Number

29

Date January 12, 2026

ABATEMENT OF PUBLIC NUISANCE AT 3244 E. UNIVERSITY AVE.

WHEREAS, the property located at 3244 E. University 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, Jose C. Lara Cervantes, 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 the East 40 feet of Lot 21 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, also that part of the South ½ of alley lying North of and adjacent to the East 40 feet of said Lot 21, and locally known as 3244 E. University 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, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BARRON				
BOESEN				
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.

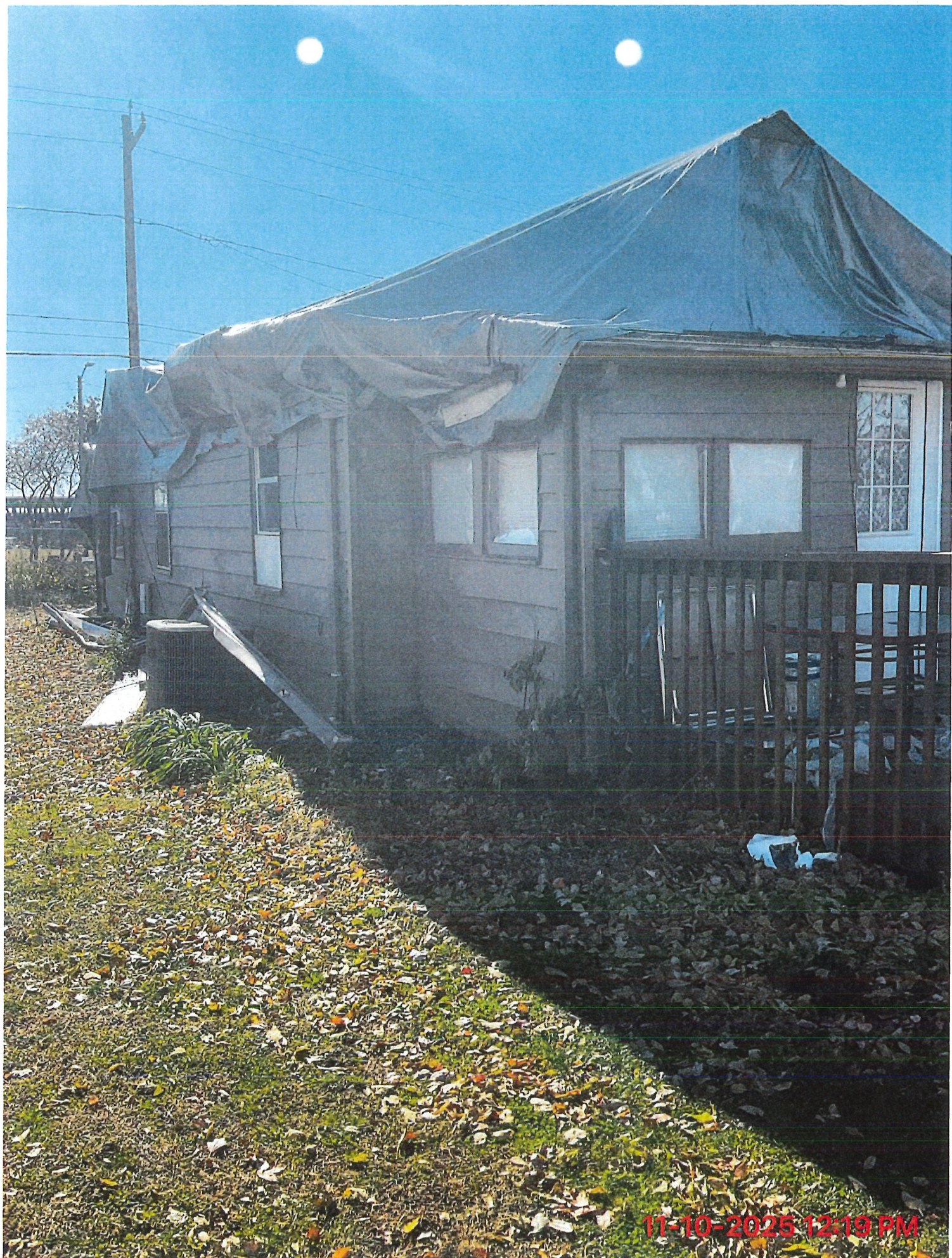
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk



11-10-2025 12:18 PM



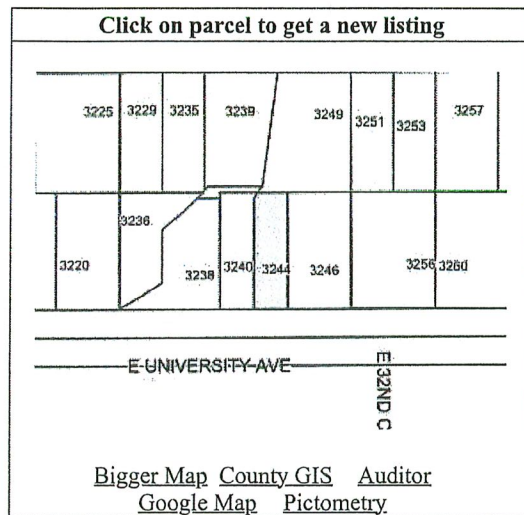
11-10-2025 12:19 PM





Polk County Assessor111 Court Avenue #195
Des Moines, IA 50309-0904(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	3244 E UNIVERSITY AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/05546-000-000	Geoparcel	7923-32-379-027	Status	Active
School	Des Moines	Nbhd/Pocket	DM14/Z	Tax Authority Group	DEM-C-DEM-770131
TIF	3/DES MOINES ACCENT UR	Submarket	Northeast Des Moines	Appraiser	Paul OConnell, 515-286-2240

Map and Current Photos - 1 RecordUse Cyclomedia Panorama - ☒**Historical Photos****Ownership - 1 Record**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	LARA CERVANTES, JOSE C	2020-08-14	18007/942

Legal Links For Subdivisions, Condominiums, and Plats of Survey[GRAY HEIGHTS](#)**Legal Description and Mailing Address**

7F N & ADJ & E 40F LT 21 BLK E GRAY HEIGHTS

JOSE C LARA CERVANTES
3945 14TH ST
DES MOINES, IA 50313-3129**Current Values**

Type	Class	Kind	Land	Bldg	Total
2025 Value	Residential	Full	\$19,300	\$53,700	\$73,000

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

Land					
Square Feet	5,560	Acres	0.128	Frontage	40
Depth	139	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence # id=1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Conventional
Year Built	1909	Number Families	1	Grade	5-05
Condition	Normal	Total Square Foot Living Area	528	Main Living Area	528
Basement Area	296	Enclosed Porch Area	265	Deck Area	152
Foundation	Brick	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	1	Rooms	3

19

8

Deck
152

7

Enc Porch
133

24

1s
Bsmt-56%
528

22

Enc Porch
132

9

Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BARRETT, REES E II	LARA CERVANTES, JOSE C	<u>2020-08-11</u>	\$45,000	Deed	<u>18007/942</u>
NINETY ONE CVJC, LLC	BARRETT, REES EARL	<u>2003-04-02</u>	\$45,000	Contract	<u>9739/81</u>
JANES, WILLIAM P	NINETY ONE CVJC, LLC	<u>2002-07-10</u>	\$39,000	Deed	<u>9227/655</u>

Associated Recorded Documents

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BARRETT II, REES Also Known As BARRETT II, REES E GRAZIANO, DELANEY ANNE	LARA CERVANTES, JOSE C	2020-08-11	2020-08-14	Warranty Deed	<u>18007/942</u>

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BARRETT, REES EARL BARRETT II, REES Also Known As BARRETT II, REES E	BARRETT II, REES E	2020-08-11	2020-08-14	Corrected Affidavit of Surviving Joint Tenant	<u>18007/941</u>
BARRETT II, REES BARRETT, REES EARL	BARRETT II, REES	2013-11-18	2013-11-21	Affidavit of Surviving Tenant	<u>15034/793</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2025	<u>Assessment Roll</u>	Residential	Full	\$19,300	\$53,700	\$73,000
2023	<u>Assessment Roll</u>	Residential	Full	\$17,000	\$47,600	\$64,600
2021	<u>Assessment Roll</u>	Residential	Full	\$14,100	\$39,100	\$53,200
2019	<u>Assessment Roll</u>	Residential	Full	\$12,900	\$40,900	\$53,800
2017	<u>Assessment Roll</u>	Residential	Full	\$11,400	\$36,400	\$47,800
2015	<u>Assessment Roll</u>	Residential	Full	\$10,700	\$34,800	\$45,500
2013	<u>Assessment Roll</u>	Residential	Full	\$10,800	\$35,300	\$46,100
2011	<u>Assessment Roll</u>	Residential	Full	\$10,800	\$34,900	\$45,700
2009	<u>Assessment Roll</u>	Residential	Full	\$10,900	\$35,200	\$46,100
2007	<u>Board Action</u>	Residential	Full	\$10,900	\$35,200	\$46,100
2007	<u>Assessment Roll</u>	Residential	Full	\$10,900	\$35,200	\$46,100
2005	<u>Assessment Roll</u>	Residential	Full	\$8,200	\$30,600	\$38,800
2003	<u>Assessment Roll</u>	Residential	Full	\$6,890	\$25,580	\$32,470
2001	<u>Assessment Roll</u>	Residential	Full	\$6,340	\$22,120	\$28,460
1999	Assessment Roll	Residential	Full	\$5,060	\$26,930	\$31,990
1997	Assessment Roll	Residential	Full	\$4,580	\$24,390	\$28,970
1995	Assessment Roll	Residential	Full	\$4,170	\$22,190	\$26,360
1993	Assessment Roll	Residential	Full	\$3,600	\$19,160	\$22,760
1991	Assessment Roll	Residential	Full	\$3,600	\$13,930	\$17,530
1991	Was Prior Year	Residential	Full	\$3,600	\$12,020	\$15,620



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

Case Number: NUIS-2025-000049

**Notice of
Violation**

Case Type: Public Nuisance
Case Opened: 07/30/2025
Date of Notice: 09/16/2025
Date of Inspection: 08/19/2025

JOSE C LARA CERVANTES
3945 14TH ST
DES MOINES IA 50313

Address of Property: 3244 E UNIVERSITY AVE, DES MOINES IA 50317
Parcel Number: 792332379027

Legal Description: 7F N & ADJ & E 40F LT 21 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
60-191 - Vacation and Abatement Any Structure or Premises 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 brought into compliance by such Owner(s), then the nuisance may be abated by the City at the Owner's expense. Both the Owner of a 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.	Vacate the structure and do not re-occupy until the nuisance has been abated and the placard has been removed by City staff.	11/03/2025

Violation	Corrective Action	Compliance Due Date
<p>60-192(4) - Unsafe and Dangerous Structure or Premise</p> <p>For the purpose of this article, any Structure or Premises that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(4) Structural members that have evidence of Deterioration or that are not capable of safely supporting all nominal loads and load effects.</p>	<p>Contractor shall repair or replace all walls damaged by the fallen tree in a workmanlike manner and in accordance with all applicable codes and standards. All work shall be performed using quality materials, properly anchored, and structurally sound. The contractor shall obtain all required permits prior to the commencement of work and shall ensure all permits are properly finalized and closed upon completion.</p>	11/03/2025
<p>60-192(5) - Unsafe and Dangerous Structure or Premise</p> <p>For the purpose of this article, any Structure or Premises that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(5) Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly Anchored or are not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Contractor shall inspect and repair any damage to the foundation resulting from the fallen tree. All necessary repairs shall be performed in a workmanlike manner and in compliance with applicable building codes and standards. This scope of work requires a permit and shall be conducted under the appropriate permit(s) obtained through the City's Permit and Development Center. Contractor is responsible for securing the permit, scheduling all required inspections, and ensuring final approval upon completion.</p>	11/03/2025
<p>60-192(6) - Unsafe and Dangerous Structure or Premise</p> <p>For the purpose of this article, any Structure or Premises that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(6) 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 the roof so that it prevents entry of rain and moisture into the structure, properly drains rain away from the structure, and is capable of supporting all nominal loads and any associated roof loads.</p>	11/03/2025

Violation	Corrective Action	Compliance Due Date
60-192(12) - Unsafe and Dangerous Structure or Premise For the purpose of this article, any Structure or Premises that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (12) 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.	A licensed electrical contractor shall repair or replace all deficient electrical elements and equipment. All work shall be completed in a workman like manner. All required permits shall be issued and finalized. In the event the licensed electrical contractor finds no known issues that require permitted work, a written inspection report from the licensed electrical contractor shall be submitted with the name of the contractor and their professional license number indicating the electrical system has been evaluated and is in good working order.	11/03/2025
60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.	Replace or restore defaced or removed placard.	11/03/2025

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 need additional time to bring the structure into compliance, please reach out to me to discuss a renovation agreement.

If you enter into a renovation agreement with the City regarding the violations noticed herein and fail to satisfy all obligations contained within the renovation agreement before the deadline contained therein or any extension thereof granted by the City, then the City council may authorize legal action in the same manner set forth in the preceding sentence.

The City council may approve legal action at the deadline for abatement of the nuisance if a renovation agreement is not entered into or the nuisance is not otherwise abated prior to the deadline.

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 "Scott Clauson", with a long horizontal flourish extending to the right.

Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
Desk 515-283-4120 / Mobile 515-669-8231
SAClauson@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 قادرًا 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 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 ትተንብቦ 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.