



## 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	

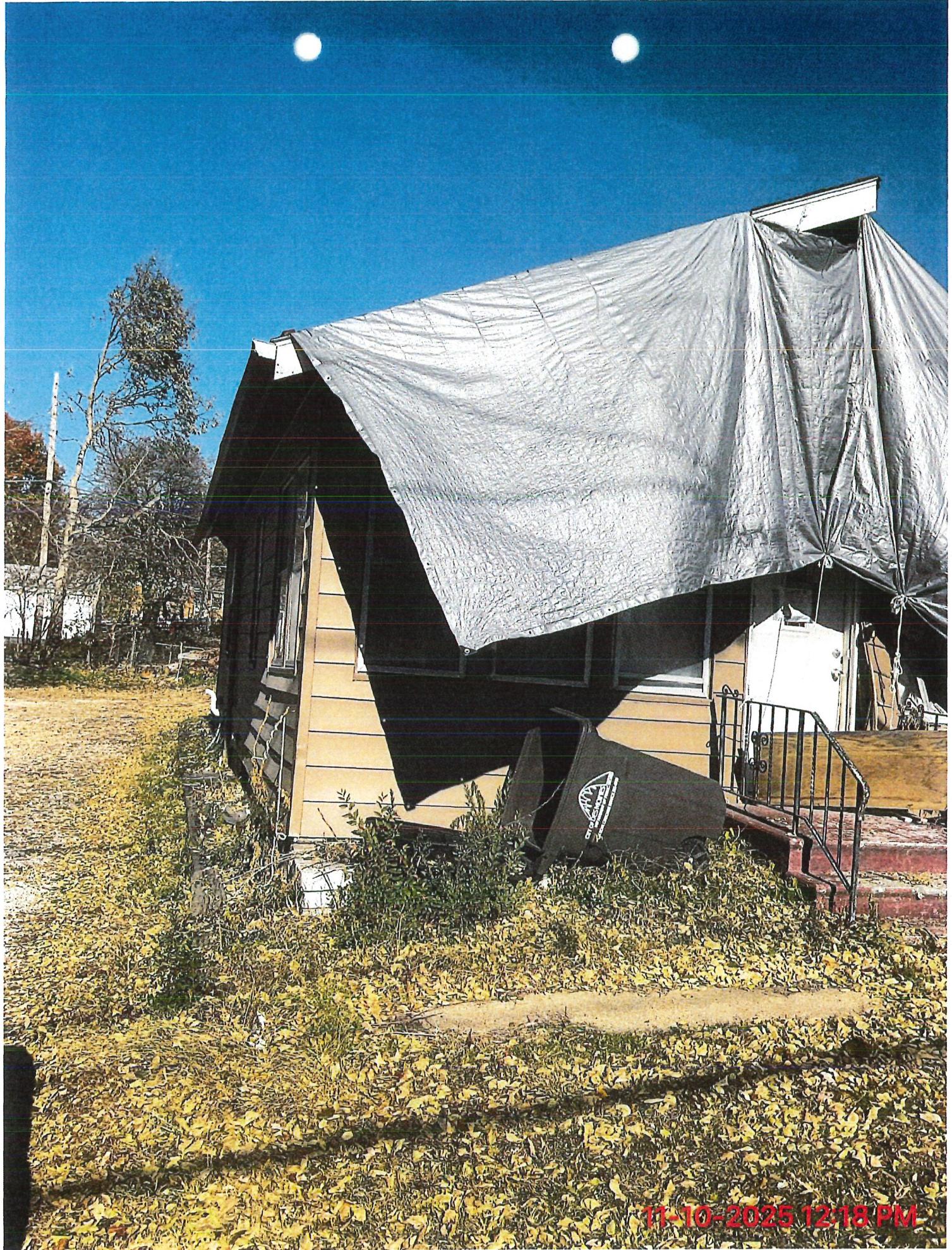
### CERTIFICATE

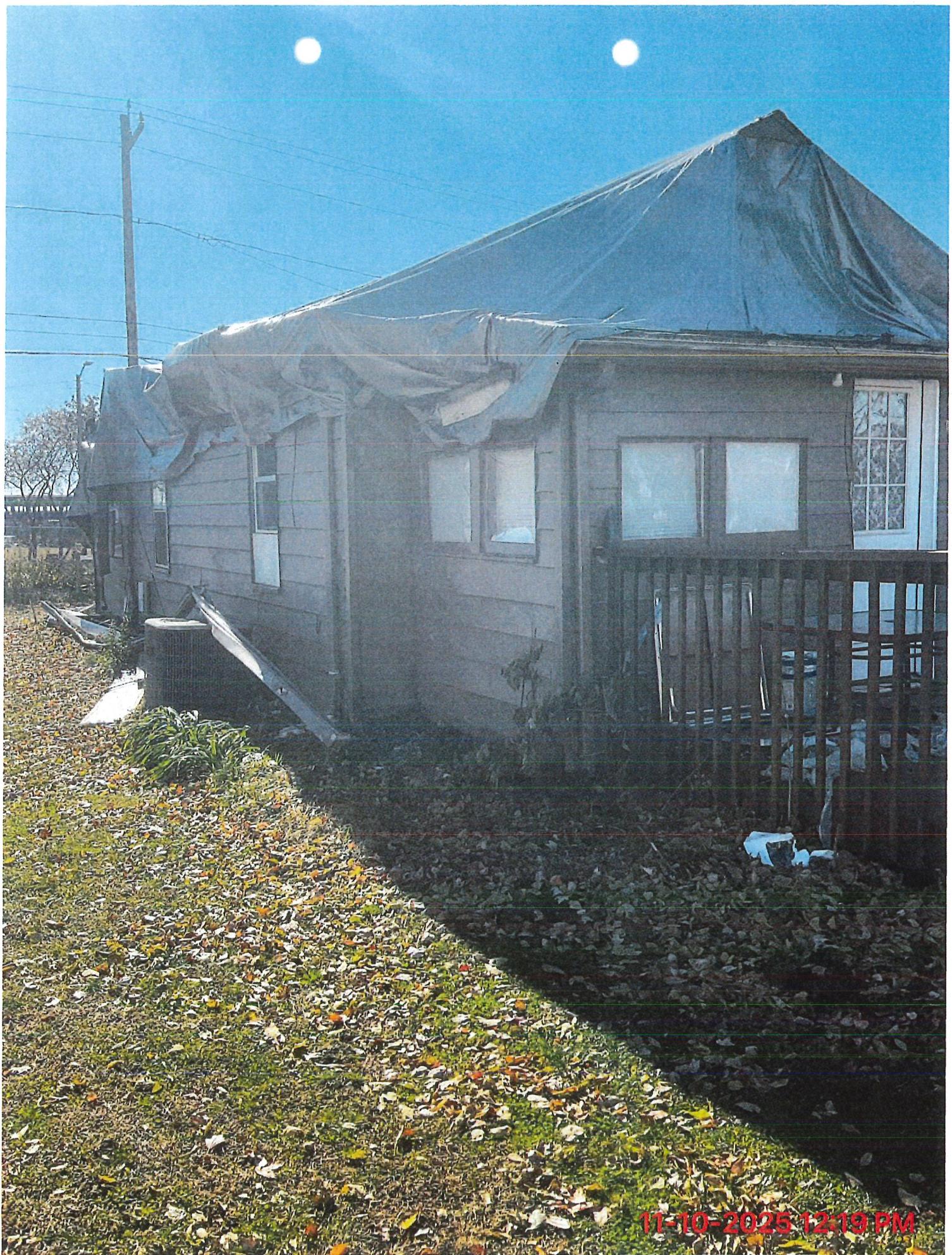
I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

Mayor

City Clerk

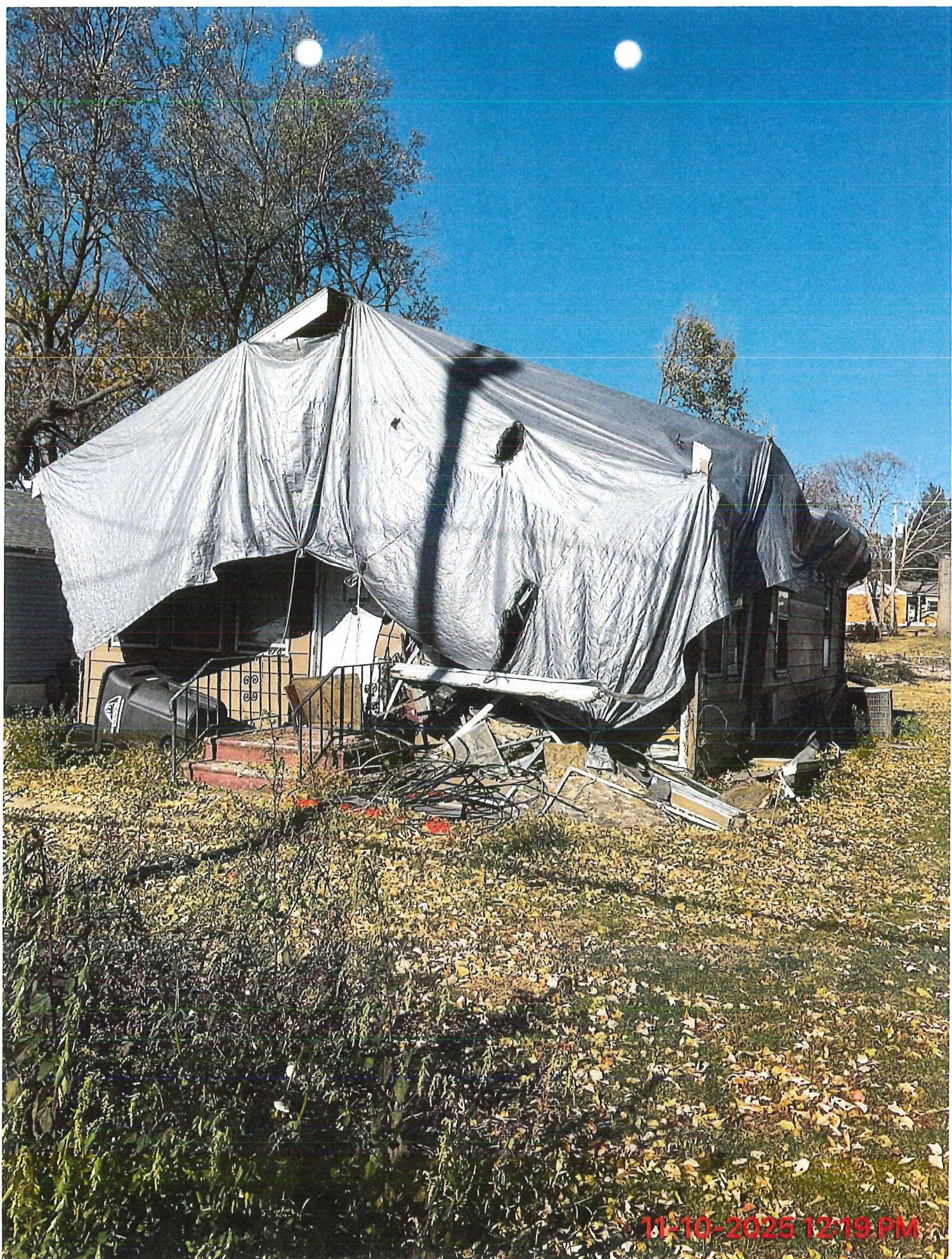




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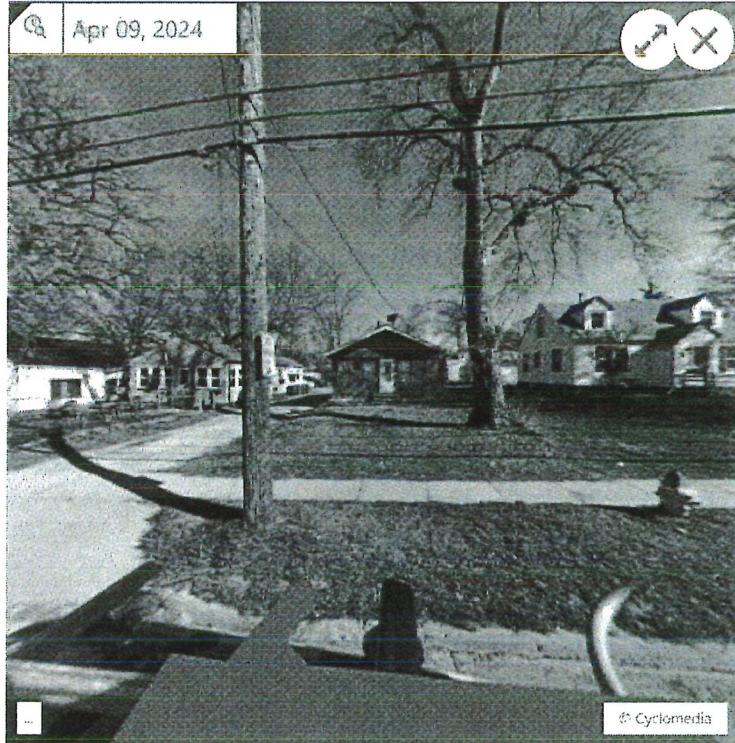
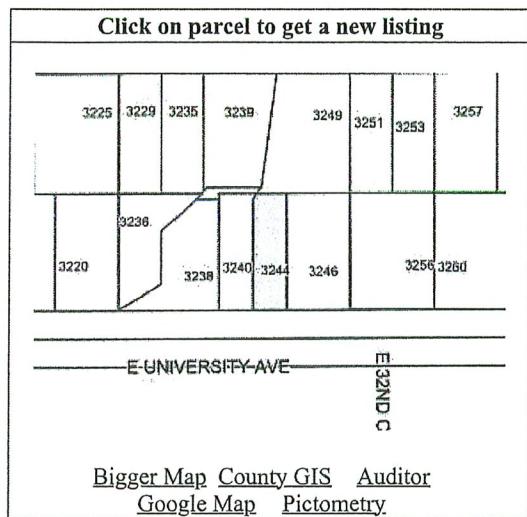


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**Polk County Assessor**111 Court Avenue #195  
Des Moines, IA 50309-0904(515) 286-3014 Fax (515) 286-3386  
polkweb@assess.co.polk.ia.us

Location					
Address	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 O'Connell, 515-286-2240

## Map and Current Photos - 1 Record

Use 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
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## 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

## Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BARRETT, REES E II	LARA CERVANTES, JOSE C	2020-08-11	\$45,000	Deed	<u>18007/942</u>
NINETY ONE CVJC, LLC	BARRETT, REES EARL	2003-04-02	\$45,000	Contract	<u>9739/81</u>
JANES, WILLIAM P	NINETY ONE CVJC, LLC	2002-07-10	\$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	LARA CERVANTES, JOSE C	2020-08-11	2020-08-14	Warranty Deed	<u>18007/942</u>
GRAZIANO, DELANEY ANNE					

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

## 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
<b>60-191 - Vacation and Abatement</b> 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
<b>60-192(4) - Unsafe and Dangerous Structure or Premise</b>	<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 affects.</p>	11/03/2025
<b>60-192(5) - Unsafe and Dangerous Structure or Premise</b>	<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>	11/03/2025
<b>60-192(6) - Unsafe and Dangerous Structure or Premise</b>	<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>	11/03/2025

Violation	Corrective Action	Compliance Due Date
<b>60-192(12) - Unsafe and Dangerous Structure or Premise</b>	<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>(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.</p>	11/03/2025
<b>60-194 - Defacing and Removing Placard</b>	<p>No person shall deface or remove the placard, except as authorized by the administrator.</p>	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,



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 قادراً على قراءة هذه، توفر 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, ບໍລິຫານແພັນມື້ນີ້ 515-283-4207

Nepali

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

Pashto

که تاسو د دې لوستلو توان نه لري، نو د ڈیارې خدمتونه په 4207-283-515 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

አዲስ አበባ ከተማ አስተዳደር ከስ 515-283-4207 አገልግሎት ቴርጉም ክተት/ከተ ትዕስኬ እና::

Vietnamese

Tiếng Anh

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