



**Roll Call Number**

**Agenda Item Number**

36 C

Date April 1, 2024

**ABATEMENT OF PUBLIC NUISANCE AT 709 SE 15<sup>TH</sup> CT.**

WHEREAS, the property located at 709 SE 15<sup>th</sup> Ct., 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 Titleholders, Dale H. Jones and Linda Alvarez-Jones, 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 the East 55 feet of Lots 19 and 20, Block 4 in HAWTHORN GROVE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 709 SE 15<sup>th</sup> Ct., 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				
VOSS				
WESTERGAARD				
SIMONSON				
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

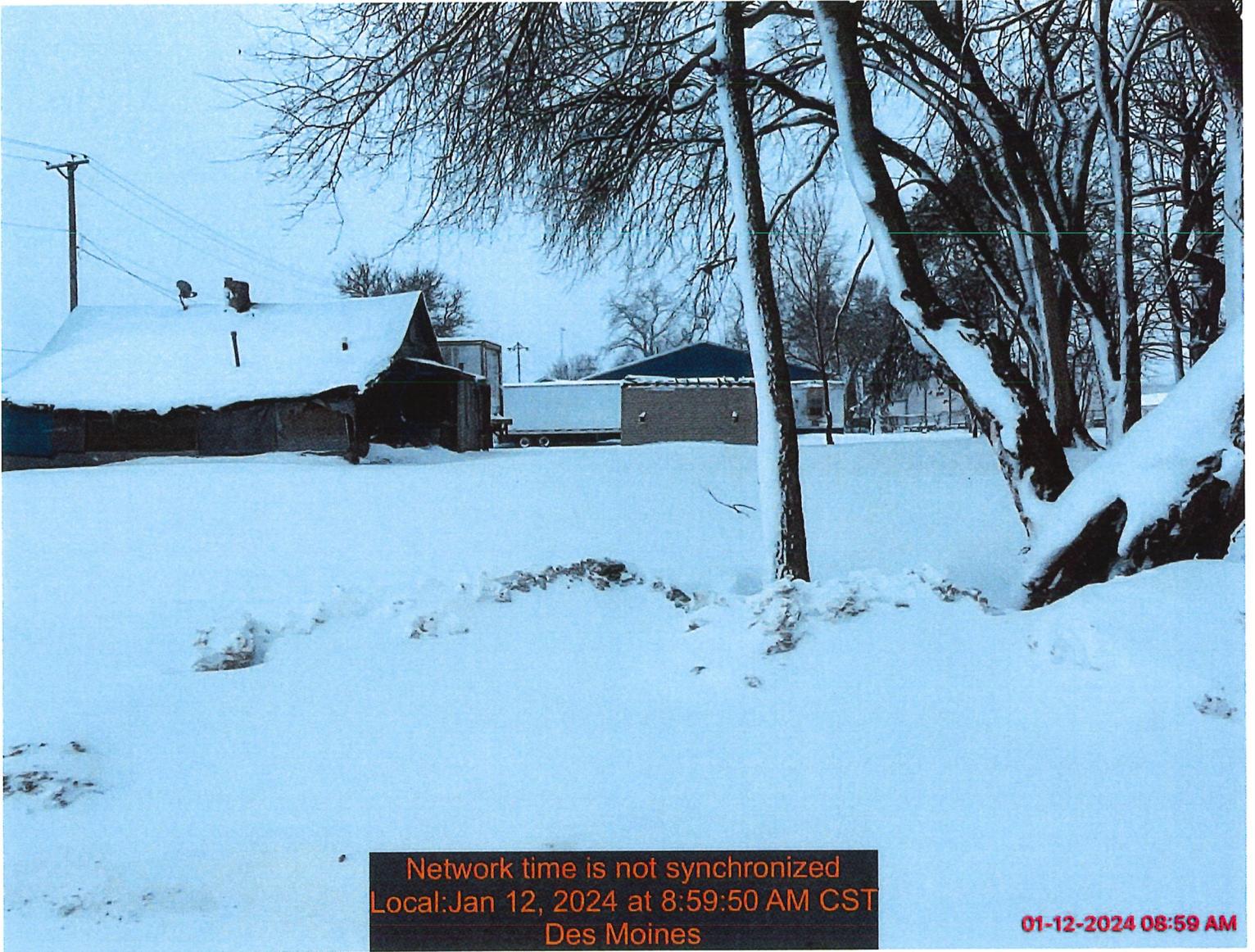
\_\_\_\_\_  
City Clerk

36C



Network: Jan 12, 2024 at 8:59:22 AM CST  
Local: Jan 12, 2024 at 8:59:22 AM CST  
Des Moines

01-12-2024 08:59 AM



Network time is not synchronized  
Local: Jan 12, 2024 at 8:59:50 AM CST  
Des Moines

01-12-2024 08:59 AM



Network: Jan 12, 2024 at 8:59:10 AM CST  
Local: Jan 12, 2024 at 8:59:10 AM CST  
Des Moines

01-12-2024 08:59 AM

36c

# 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](mailto:polkweb@assess.co.polk.ia.us)

Location					
<b>Address</b>	709 SE 15TH CT				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	040/03181-000-000	<b>Geoparcels</b>	7824-11-108-006	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM20/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>TIF</b>	52/Des Moines SE Agri Business Park UR	<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011

## Map and Current Photos - 1 Record

<p><b>Click on parcel to get a new listing</b></p> <p><a href="#">Bigger Map</a> <a href="#">Polk County GIS</a> <a href="#">Google Map</a> <a href="#">Pictometry</a></p>	<p><b>Photo Processed on 2006-11-29 a</b></p>
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## Historical Photos

## Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	JONES, DALE H	2013-10-04	<a href="#">14983/311</a>
Title Holder	2	ALVAREZ-JONES, LINDA	2013-10-04	<a href="#">14983/311</a>

## Legal Description and Mailing Address

E 55 F LOTS 19 & 20 BLK 4 HAWTHORN GROVE	DALE H JONES 1520 MAURY ST DES MOINES, IA 50317-1056
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## Current Values

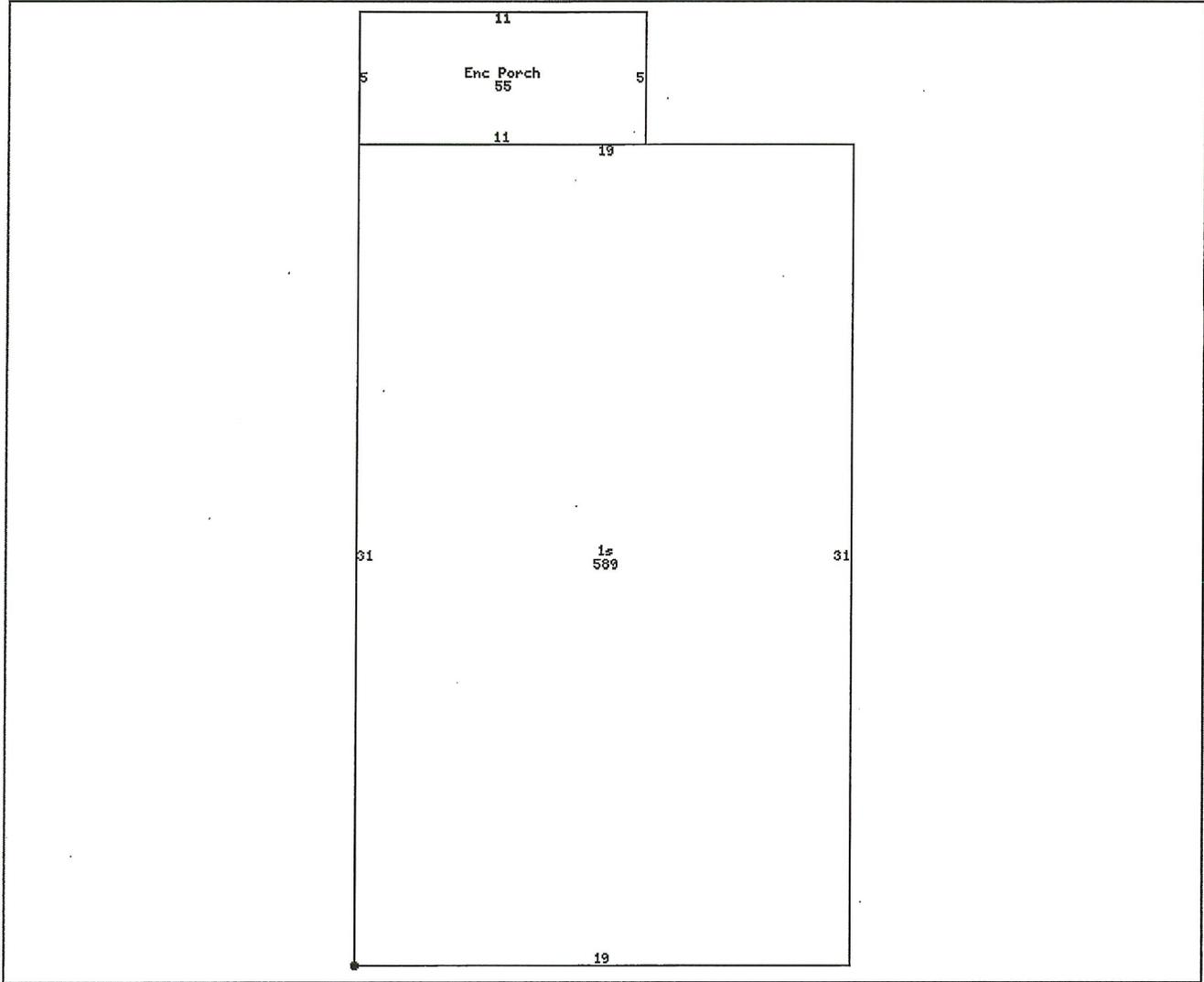
Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$5,700	\$1,000	\$6,700

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

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning

<b>Zoning</b>	<b>Description</b>		<b>SF</b>	<b>Assessor Zoning</b>	
I1	I1 Industrial District			Industrial Light	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	4,400	<b>Acres</b>	0.101	<b>Frontage</b>	55.0
<b>Depth</b>	80.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1918	<b>Number Families</b>	1	<b>Grade</b>	6-05
<b>Condition</b>	Very Poor	<b>Total Square Foot Living Area</b>	589	<b>Main Living Area</b>	589
<b>Enclosed Porch Area</b>	55	<b>Foundation</b>	Masonry	<b>Exterior Wall Type</b>	Wood Siding
<b>Roof Type</b>	Gable	<b>Roof Material</b>	Composition	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning</b>	0				



**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
THORNBURG, CECIL H	JONES, BETTY	<u>2004-08-13</u>	\$10,000	Contract	<u>10721/703</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
JONES, DALE H ----- ALVAREZ-JONES, LINDA ----- JONES, BETTY JANE ----- Also Known As JONES, BETTY J	JONES, DALE H ----- ALVAREZ-JONES, LINDA	2013-10-03	2013-10-04	Affidavit of Surviving Tenant	<u>14983/311</u>

**Historical Values**

<b>Yr</b>	<b>Type</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>Total</b>
2023	<u>Assessment Roll</u>	Residential	Full	\$5,700	\$1,000	\$6,700
2021	<u>Assessment Roll</u>	Residential	Full	\$5,000	\$1,000	\$6,000
2019	<u>Assessment Roll</u>	Residential	Full	\$4,400	\$1,000	\$5,400
2017	<u>Assessment Roll</u>	Residential	Full	\$3,700	\$2,600	\$6,300
2015	<u>Assessment Roll</u>	Residential	Full	\$3,600	\$2,500	\$6,100
2013	<u>Assessment Roll</u>	Residential	Full	\$3,300	\$2,400	\$5,700
2011	<u>Assessment Roll</u>	Residential	Full	\$3,300	\$2,400	\$5,700
2009	<u>Assessment Roll</u>	Residential	Full	\$3,700	\$2,600	\$6,300
2007	<u>Assessment Roll</u>	Residential	Full	\$3,600	\$2,500	\$6,100
2005	<u>Assessment Roll</u>	Residential	Full	\$2,200	\$2,400	\$4,600
2003	<u>Assessment Roll</u>	Residential	Full	\$1,670	\$2,120	\$3,790
2001	<u>Assessment Roll</u>	Residential	Full	\$1,980	\$1,920	\$3,900
1999	Assessment Roll	Residential	Full	\$500	\$4,530	\$5,030
1995	Assessment Roll	Residential	Full	\$430	\$3,930	\$4,360
1993	Assessment Roll	Residential	Full	\$400	\$3,670	\$4,070
1993	Was Prior Year	Residential	Full	\$400	\$3,480	\$3,880

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

36C



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

Case Number: NUIS-2023-000256	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 10/16/2023
	Date of Notice: 12/04/2023
	Date of Inspection: 10/16/2023

DALE JONES  
3700 KINSEY AVE  
DES MOINES IA 50317

Address of Property: 709 SE 15TH CT, DES MOINES IA 50317  
Parcel Number: 782411108006

Legal Description: E 55 F LOTS 19 & 20 BLK 4 HAWTHORN GROVE

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>01/08/2024</p>
<p><b>60-192(2) - Unsafe and Dangerous Structure or Premise</b>            The building or structure, or part of a structure, because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	<p>Repair or replace all building components deteriorated 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>01/08/2024</p>
<p><b>60-192(3) - Unsafe and Dangerous Structure or Premise</b>            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>	<p>01/08/2024</p>

Violation	Corrective Action	Compliance Due Date
<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>01/08/2024</p>
<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>	<p>01/08/2024</p>
<p><b>60-192(22) - Unsafe and Dangerous Structure or Premise</b>            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>	<p>01/08/2024</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>01/08/2024</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,

A handwritten signature in black ink, appearing to read 'Kevin Pyles', written in a cursive style.

Kevin Pyles  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4122  
KEPyles@dmgov.org



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

<b>Case Number: NUIS-2023-000256</b>	
<b>Notice of Violation</b>	<b>Case Type: Public Nuisance</b>
	<b>Case Opened: 10/16/2023</b>
	<b>Date of Notice: 12/04/2023</b>
	<b>Date of Inspection: 10/16/2023</b>

LINDA ALVAREZ-JONES  
 3700 KINSEY AVE  
 DES MOINES IA 50317

Address of Property: **709 SE 15TH CT, DES MOINES IA 50317**  
 Parcel Number: **782411108006**

Legal Description: **E 55 F LOTS 19 & 20 BLK 4 HAWTHORN GROVE**

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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 'Kevin Pyles', written in a cursive style.

Kevin Pyles  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 283-4122  
KEPyles@dmgov.org