



Roll Call Number

Agenda Item Number

37 A

Date May 24, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1619 6th AVE.

WHEREAS, the property located at 1619 6th 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, Lanh Mong Bui, 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 Lot 11 Block 3 (except the North 50 feet thereof) in POLK COUNTY HOMESTEAD & TRUST CO. ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1619 6th Ave., has previously been declared a public nuisance;

The City Legal Department, through special counsel Ahlers & Cooney, PC, 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.

FORM APPROVED:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

Table with columns: COUNCIL ACTION, YEAS, NAVS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, Mayor.

CERTIFICATE
I, P. Kay Cmelik, 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.
City Clerk

37A



**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

DATE OF NOTICE: April 15, 2021

DATE OF INSPECTION:

March 17, 2021

CASE NUMBER: COD2021-01024

PROPERTY ADDRESS: 1619 6TH AVE

LEGAL DESCRIPTION: -EX N 50 F- LOT 11 BLK 3 POLK COUNTY HOMESTEAD & TRUST CO ADD

LANH MONG BUI
Title Holder
1507 E 17TH ST
DES MOINES IA 50316

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling 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 will issue a Municipal Infraction in accordance with Section 60-192 and 60-191 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

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.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have 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 a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Jason Winther
(515) 283-4135

Nid Inspector

DATE MAILED: 4/15/2021

MAILED BY: JLW1

Areas that need attention: 1619 6TH AVE

<u>Component:</u>	Electrical System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with National Electrical Code	<u>Location:</u>	Unknown
<u>Comments:</u>			
<u>Component:</u>	Mechanical System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance, Uniform Mechanics Code	<u>Location:</u>	Unknown
<u>Comments:</u>			
<u>Component:</u>	Plumbing System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Uniform Plumbing Code	<u>Location:</u>	Unknown
<u>Comments:</u>			
<u>Component:</u>	Interior Stairway	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Stairway
<u>Comments:</u>			
<u>Component:</u>	Exterior Walls	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Unknown
<u>Comments:</u>			
<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Unknown
<u>Comments:</u>			
<u>Component:</u>	Roof	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Main Structure
<u>Comments:</u>			
<u>Component:</u>	Accessory Buildings	<u>Defect:</u>	See Comments
<u>Requirement:</u>	Unknown	<u>Location:</u>	
<u>Comments:</u>	<p>The garage or shed in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.</p>		

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	1619 6TH AVE				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/05194-000-000	Geoparcel	7924-34-260-019	Status	Active
School	Des Moines	Nbhd/Pocket	DM78/Z	Tax Authority Group	DEM-C-DEM-77494
TIF	62/Des Moines Metro Center Merged UR	Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515-286-3958

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2013-07-17 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BUI, LANH MONG	2020-02-11	17696/762

Legal Description and Mailing Address

-EX N 50 F- LOT 11 BLK 3 POLK COUNTY HOMESTEAD & TRUST CO ADD	LANH BUI 5510 SE 6TH ST DES MOINES, IA 50315-4712
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Assessment Roll	Multi-Residential	Full	\$32,600	\$290,400	\$323,000
2020 Value	Multi-Residential	Full	\$29,700	\$235,300	\$265,000

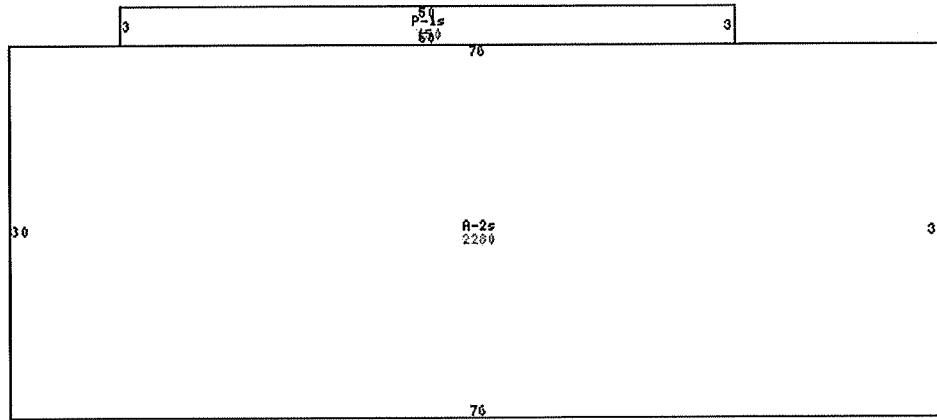
[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
MX1	MX1 Mixed Use District		

<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	14,750	Acres	0.339	Frontage	50.0
Depth	295.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
Commercial Summary					
Occupancy	Retail	Age, Weighted	1954	Total Story Height	2
Land Area	14,750	Gross Area	4,560	Finished Area	4,560
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	4
Primary Group	Retail Small	Percent Primary Group	50.00	Secondary Group	Apartment
Percent Secondary Group	50.00	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up
Condition, Weighted	NM/Normal	Ground Floor Area	2,280	Perimeter	212
Commercial Sections - 1 Record					
Commercial Section #101					
Section Multiplier	1	Occupancy	Retail	Foundation	Concrete
Submerged	No	Exterior Wall	Concrete Block or Tile	Insulation	Yes
Roof	Flat	Roof Material	Built-up	Landings Square Foot	150
Landing Quality	Normal	Wiring	Adequate	Plumbing	Adequate
Extra Toilet Room	1	Total Story Height	2	Frame Type	Frame
Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	4,560	Ground Floor Area	2,280
Perimeter	212	Total Number Units	2	Grade	4+00
Year Built	1954	Condition	Normal		

Commercial Groups - 2 Records					
Commercial Group #101 1					
Use Code	Apartment	Base Story	2	Number Stories	1
Total Group Area	2,280	Base Floor Area	2,280	Number Units	4
Heating	Central	Air Conditioning	None	Exhaust System	No
Commercial Group #101 2					
Use Code	Retail Small	Base Story	1	Number Stories	1
Total Group Area	2,280	Base Floor Area	2,280	Heating	Central
Air Conditioning	Yes	Exhaust System	No		



Detached Structures - 4 Records					
Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	25	Grade	4
Year Built	1968	Condition	Poor		

Detached Structure #201					
Occupancy	Fence	Construction Type	Frame	Measurement Code	Dimensions
Lineal Feet	76	Height	8	Grade	4
Year Built	2000	Condition	Normal		
Detached Structure #301					
Occupancy	Fence	Construction Type	Frame	Measurement Code	Dimensions
Lineal Feet	65	Height	3	Grade	4
Year Built	2000	Condition	Normal		
Detached Structure #401					
Occupancy	Fence	Construction Type	Chain Link	Measurement Code	Lineal Feet
Lineal Feet	48	Height	6	Grade	4
Year Built	2006	Condition	Normal		

Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
TO, QUANG D	HUA, Y N	<u>2006-05-02</u>	\$150,000	Deed	<u>11642/324</u>
DAVIDSON, PAUL W & MARILYN J	TO, QUANG D	<u>2001-03-16</u>	\$120,000	Contract	<u>8742/362</u>
DAVIDSON, PAUL W & MARILYN J	SMALL, DANIEL & CAROLYN F	<u>1996-08-01</u>	\$110,000	Contract	<u>7456/244</u>
HAROLD TURNER	PAUL DAVIDSON	<u>1986-11-10</u>	\$26,070	Deed	<u>5768/237</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BUI, CHAP VAN BUI, HOANG L	BUI, LANH MONG	2020-02-08	2020-02-11	Quit Claim Deed	<u>17696/762</u>

Permits - 7 Records

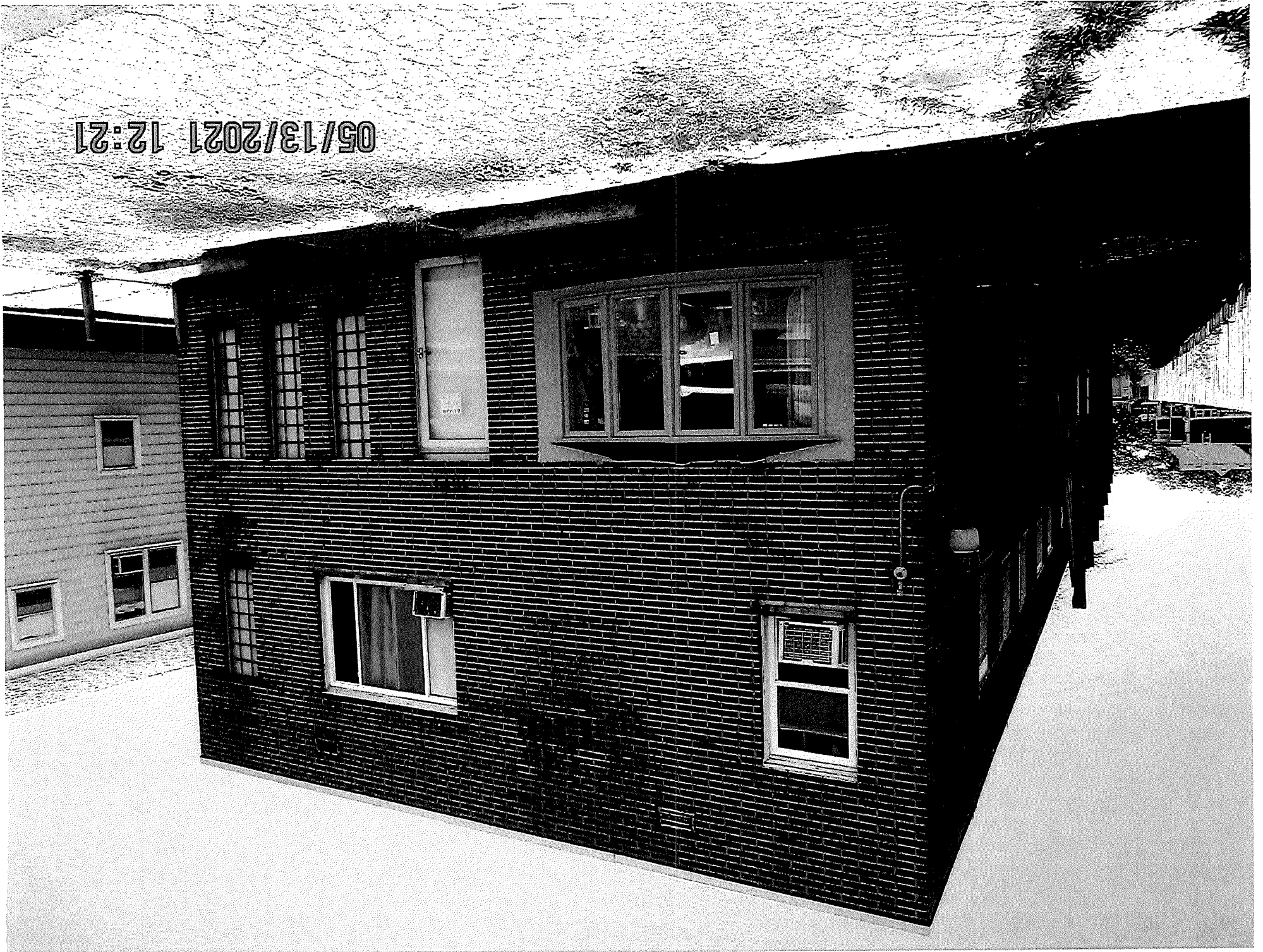
Year	Type	Permit Status	Application	Reason	Reason 1
2008	Permit	No Add	2006-08-10	Addition	FENCE
2007	Permit	Pass	2006-08-10	Addition	FENCE
2003	Permit	No Add	2002-10-31	Alterations	WINDOWS
2002	Permit	No Add	2001-08-29	Alterations	WINDOWS
2001	Permit	Complete	2000-08-29	Addition	FENCE
1997	Pickup	Complete		Review Value	REVAL
1990	Pickup	Cancel	1989-08-03		Class Chg from B to M

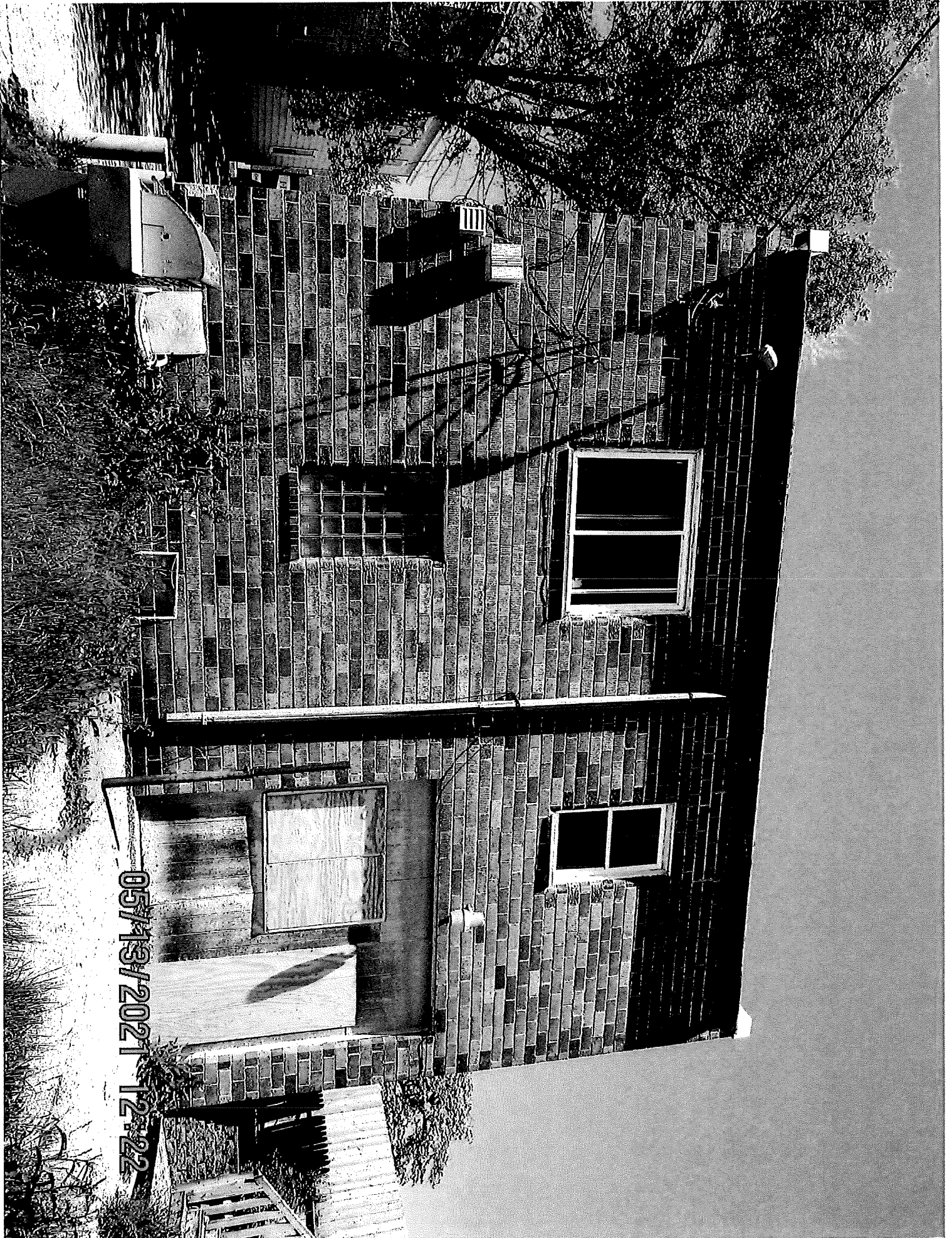
Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Multi-Residential	Full	\$29,700	\$235,300	\$265,000
2017	<u>Assessment Roll</u>	Multi-Residential	Full	\$29,700	\$190,300	\$220,000
2015	<u>Assessment Roll</u>	Multi-Residential	Full	\$24,500	\$174,500	\$199,000
2013	<u>Assessment Roll</u>	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2011	<u>Assessment Roll</u>	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2009	<u>Assessment Roll</u>	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2007	<u>Assessment Roll</u>	Commercial Multiple	Full	\$24,500	\$152,500	\$177,000
2006	<u>Assessment Roll</u>	Commercial Multiple	Full	\$22,500	\$154,500	\$177,000
2005	<u>Assessment Roll</u>	Commercial	Full	\$22,500	\$131,500	\$154,000
2003	<u>Assessment Roll</u>	Commercial	Full	\$19,500	\$118,000	\$137,500
2001	<u>Assessment Roll</u>	Commercial	Full	\$18,500	\$91,500	\$110,000
1999	Board Action	Commercial	Full	\$20,500	\$74,500	\$95,000
1999	Assessment Roll	Commercial	Full	\$20,500	\$96,500	\$117,000
1997	Assessment Roll	Commercial	Full	\$20,100	\$93,900	\$114,000
1993	Assessment Roll	Commercial	Full	\$20,100	\$52,400	\$72,500
1991	Assessment Roll	Commercial	Full	\$19,360	\$50,340	\$69,700
1991	Was Prior Year	Commercial	Full	\$19,360	\$39,640	\$59,000

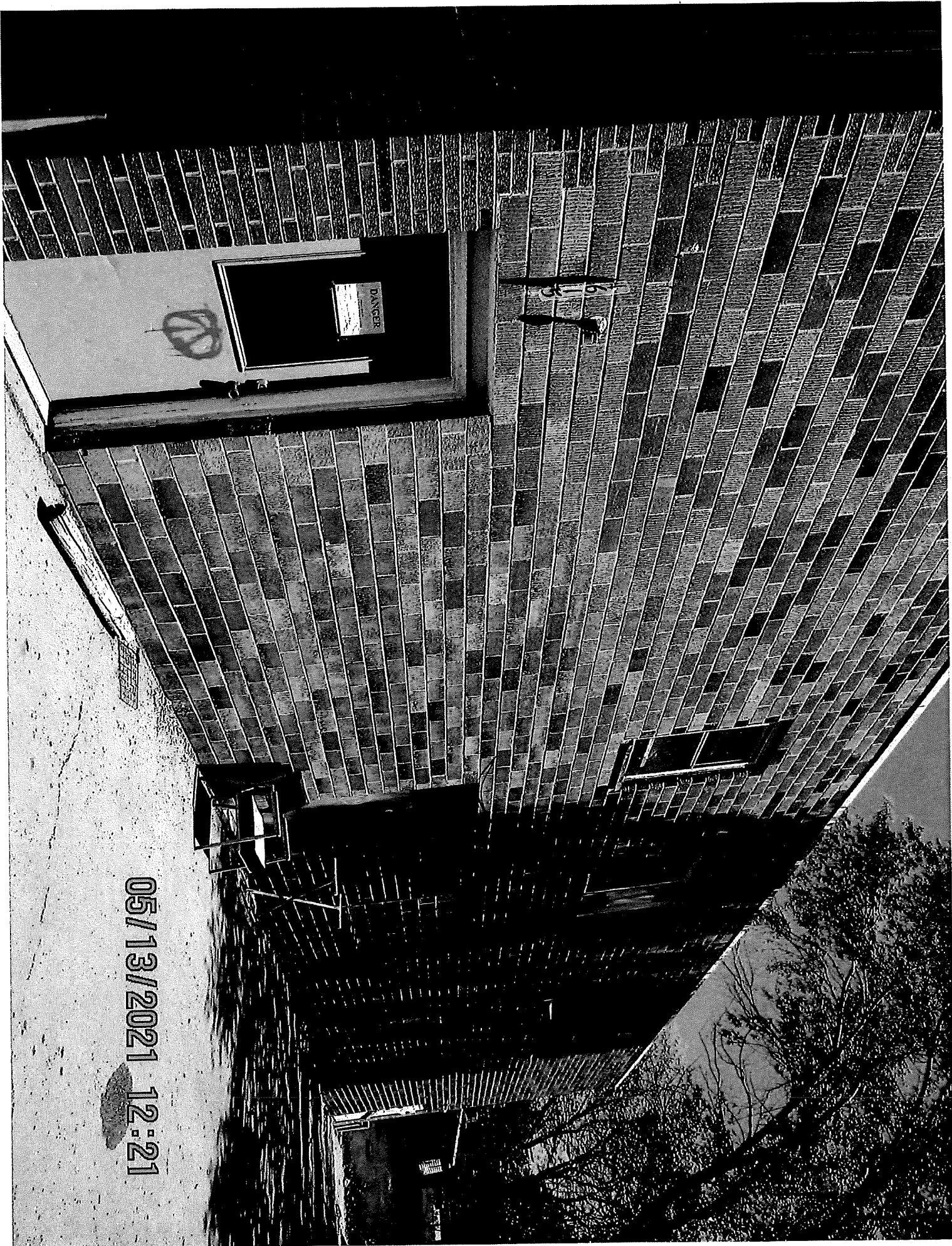
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