



Roll Call Number

Agenda Item Number

36 A

Date February 7, 2022

ABATEMENT OF PUBLIC NUISANCES AT 908 E. 22nd STREET

WHEREAS, the property located at 908 E. 22nd Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Michael D. Beaty Villa, was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and garage structure on the real estate legally described as Lot 10 in Block 2 in EASDALE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, locally known as 908 E. 22nd Street, have previously been declared public nuisances;

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 nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by _____ to adopt.

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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



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

Case Number: NUIS-2021-000043	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/29/2021
	Date of Notice: 11/29/2021
Date of Inspection: 02/25/2021	

MICHAEL D BEATY VILLA
 416 N CITRUS RD
 GOODYEAR AZ 853385896

Address of Property: **908 E 22ND ST, DES MOINES IA 50317**
 Parcel Number: **782402231011**
 Legal Description: **LOT 10 BLK 2 EASDALE**

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	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	12/17/2021
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.	12/17/2021
60-192(12) - Dangerous Structure or Premise - Abandoned	Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.	12/17/2021

60-192(13) - Unsafe or dangerous structure	Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	12/17/2021
60-192(15) - Unsafe or dangerous structure	Repair or replace the unsafe or unlawful structure OR demolish the structure.	12/17/2021
60-192(3) - Dangerous Structure or Premise - Damaged	Repair or replace 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.	12/17/2021
	DUE TO UNKNOWN SEVERITY OF DAMAGE PLEASE CONTACT THE PERMIT AND DEVELOPMENT CENTER TO PULL THE CORRECT PERMITS AND WORK WITH THE TRADE SPECIFIC INSPECTORS TO ACCURATLEY REPAIR THE STRUCTURE.	
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse 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, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.	12/17/2021
60-192(6) - Dangerous Structure or Premise - Unsafe	Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	12/17/2021

60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, 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.	12/17/2021
60-192(9) - Dangerous Structure or Premise - Unsanitary, Unfit for Habitation	Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.	12/17/2021
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	12/17/2021

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,
NUIS-2021-000043

Respectfully,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org

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

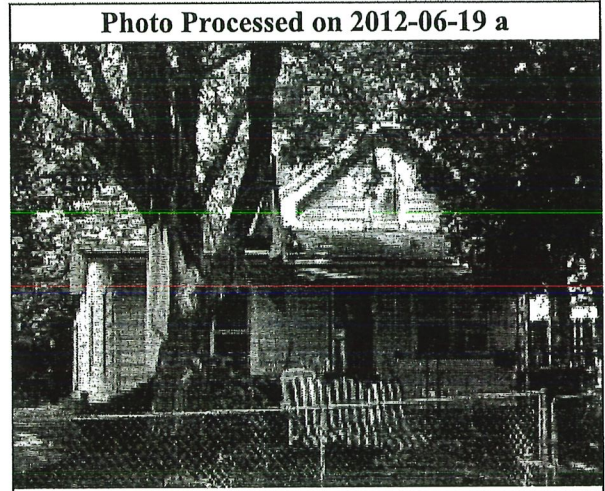
Location					
Address	908 E 22ND ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	040/01740-000-000	Geoparcel	7824-02-231-011	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

		E 22ND ST	921	
			917	
	910		911	
	908		909	
817	908		905	
815	904		827	
811	824		823	
<p>Bigger Map Polk County GIS Google Map Pictometry</p>				

Photo Processed on 2012-06-19 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BEATY VILLA, MICHAEL D	2018-09-26	17090/697

Legal Description and Mailing Address

LOT 10 BLK 2 EASDALE	MICHAEL D BEATY VILLA POB 5491 GOODYEAR, AZ 85338-0609
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$19,900	\$30,400	\$50,300

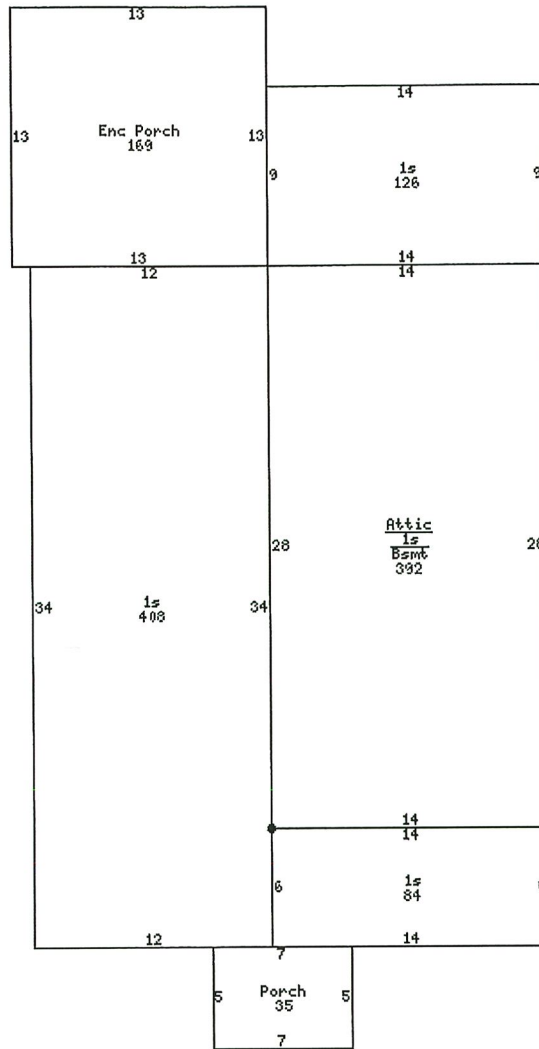
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	BEATY VILLA, MICHAEL D	Application #394288

Zoning - 1 Record

Zoning	Description		SF	Assessor Zoning	
N3C	N3c Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	7,500	Acres	0.172	Frontage	50.0
Depth	150.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Early 20s
Year Built	1907	Number Families	1	Grade	5+00
Condition	Poor	Total Square Foot Living Area	1226	Main Living Area	1010
Attic Finished Area	216	Basement Area	392	Open Porch Area	35
Enclosed Porch Area	169	Foundation	Brick	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	0	Number Bathrooms	1	Bedrooms	3
Rooms	7				



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	27	Story Height	1
Grade	5	Year Built	1958	Condition	Below Normal

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
PAUSCHER, JOHN E ESTATE % WEST BANK	DUELING, JAMES H	<u>1999-05-27</u>	\$52,000	Deed	<u>8227/651</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
DUELING VILLA, CARMEN M ----- BEATY VILLA, MICHAEL (Administrator)	BEATY VILLA, MICHAEL D	2018-09-07	2018-09-26	Court Officer Deed	<u>17090/697</u>
DUELING, DONNA M ----- CORTNER, JOSEPH MAX (Executor)	DUELING VILLA, CARMEN M	2013-01-03	2013-01-16	Court Officer Deed	<u>14616/283</u>

Historical Values

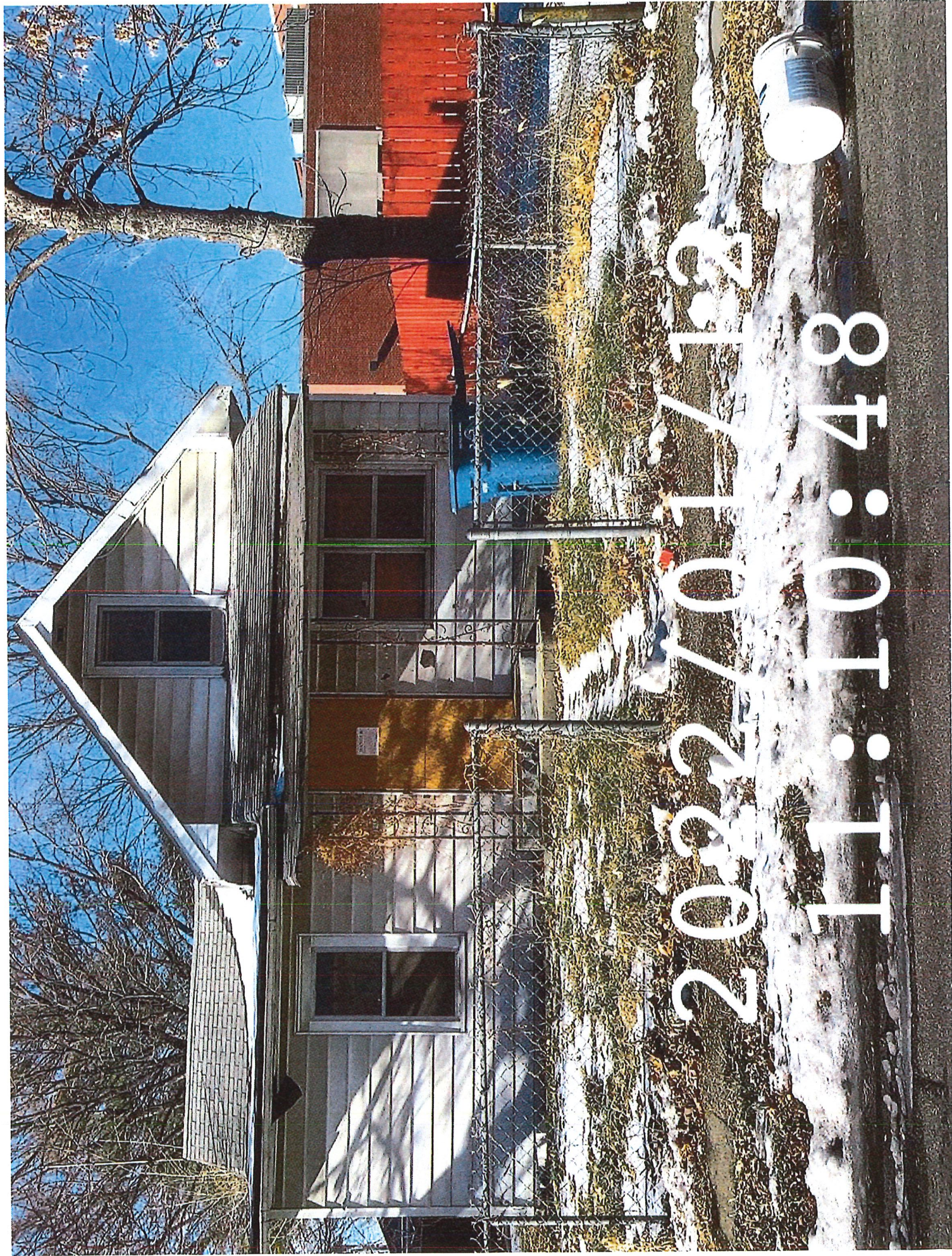
Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Residential	Full	\$19,900	\$30,400	\$50,300
2019	<u>Assessment Roll</u>	Residential	Full	\$17,400	\$26,400	\$43,800
2017	<u>Assessment Roll</u>	Residential	Full	\$15,000	\$39,400	\$54,400
2015	<u>Assessment Roll</u>	Residential	Full	\$14,000	\$36,900	\$50,900
2013	<u>Assessment Roll</u>	Residential	Full	\$13,100	\$34,900	\$48,000
2011	<u>Assessment Roll</u>	Residential	Full	\$14,900	\$39,600	\$54,500
2009	<u>Board Action</u>	Residential	Full	\$16,300	\$42,500	\$58,800
2009	<u>Assessment Roll</u>	Residential	Full	\$16,300	\$46,500	\$62,800
2007	<u>Assessment Roll</u>	Residential	Full	\$16,100	\$45,900	\$62,000
2005	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$45,600	\$61,500
2003	<u>Assessment Roll</u>	Residential	Full	\$14,420	\$40,750	\$55,170
2001	<u>Assessment Roll</u>	Residential	Full	\$10,930	\$36,090	\$47,020
1999	Assessment Roll	Residential	Full	\$7,580	\$31,140	\$38,720
1997	Assessment Roll	Residential	Full	\$6,870	\$28,210	\$35,080
1995	Assessment Roll	Residential	Full	\$5,980	\$24,560	\$30,540
1993	Assessment Roll	Residential	Full	\$5,300	\$21,780	\$27,080
1990	Board Action	Residential	Full	\$5,300	\$18,500	\$23,800
1990	Assessment Roll	Residential	Full	\$5,300	\$20,600	\$25,900

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2022/01/12

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2022/01/12

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