



Roll Call Number

Agenda Item Number

29 H

Date April 4, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1659 DES MOINES ST.

WHEREAS, the property located at 1659 Des Moines St., 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 public nuisance; and

WHEREAS, the Titleholder, Sister Brigit Muhammad-Davis, a married woman, 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 1/2 of the North 90 feet of Lot 11 in Block 58 in STEWART'S ADDITION TO THE CITY OF DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1659 Des Moines St., 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,

Seconded by _____

FORM APPROVED:

Maria E. Brownell

Maria E. Brownell, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

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.

Mayor

City Clerk

29H



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

Case Number: NUIS-2021-000062	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/30/2021
	Date of Notice: 01/24/2022
Date of Inspection: 05/05/2021	

FIRST NATIONAL ACCEPTANCE COMPANY
C/O CORPORATION SERVICE CO
505 5TH AVE STE 729
DES MOINES IA 50309

Address of Property: 1659 DES MOINES ST, DES MOINES IA 50316
Parcel Number: 782402134021
Legal Description: E 1/2 N 90 F LOT 11 BLK 58 STEWARTS ADDITION

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.	02/07/2022
60-192(12) - Dangerous Structure or Premise - Abandoned	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022
60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022

60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THROUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	02/07/2022
60-192(3) - Dangerous Structure or Premise - Damaged	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022
60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE THROUGHOUT 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.	02/07/2022

60-192(9) - Dangerous Structure or Premise
- Unsanitary, Unfit for Habitation

02/07/2022

MAIN STRUCTURE THROUGHOUT

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.

GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.

HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR

REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

02/07/2022

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,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

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

(515) 283-4122

KEPyles@dmgov.org

29H



29H



2022/02/28

12:42:41

29H



2022/02/28
12:42:47

29H



2022/02/28
12:42:55

29H



2022/02/28
12:43:06

H6e



05/05/2021 09:01

201A

05/05/2021 09:01



H&E

05/05/2021 09:01



294H



05/05/2021 09:02

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	1659 DES MOINES ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/05485-000-000	Geoparcels	7824-02-134-021	Status	Active
School	Des Moines	Nbhd/Pocket	DM15/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

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



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MUHAMMAD-DAVIS, SISTER B	2008-04-21	12623/211

Legal Description and Mailing Address

E 1/2 N 90 F LOT 11 BLK 58 STEWARTS ADDITION

SISTER B MUHAMMAD-DAVIS
1227 14TH ST
DES MOINES, IA 50314-2313

Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$4,200	\$58,000	\$62,200

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
RX1	RX1 Mixed Use District		Residential

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

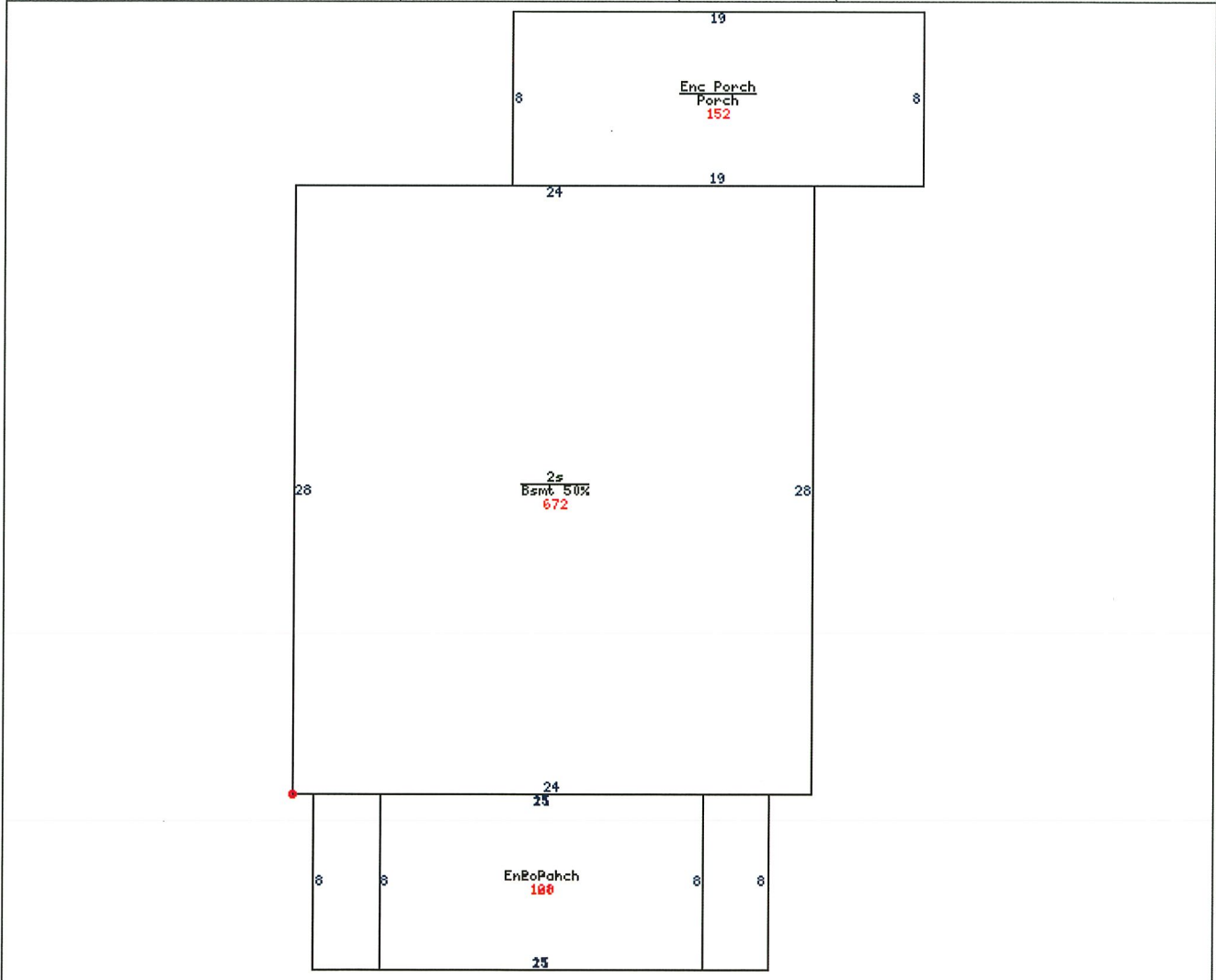
Land

Square Feet	3,150	Acres	0.072	Frontage	35.0
Depth	90.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Conversion	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1902	Number Families	2	Grade	4-05
Condition	Below Normal	Total Square Foot Living Area	1344	Main Living Area	672
Upper Living Area	672	Basement Area	336	Open Porch Area	272
Enclosed Porch Area	320	Foundation	Brick	Exterior Wall Type	Mixed Frame
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	2	Number Extra Fixtures	1
Bedrooms	2	Rooms	7		



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ROSE LAND & FINANCE	SISTER BRIGIT MUHAMMAD-DAVIS	2008-03-26	\$35,000	Deed	12623/211
NELSON, RACHEL (TRUSTEE)	WHITE, CURTIS	1997-12-01	\$54,900	Contract	7999/778
BUBON, MARY	THE WOLFORD CORPORATION	1997-12-05	\$31,000	Deed	7797/504

Permits - 3 Records

Year	Type	Permit Status	Application	Reason	Reason1
2010	Permit	Cancel	2007-07-31	Addition	FENCE
2009	Permit	Pass	2007-07-31	Addition	FENCE
2008	Permit	Pass	2007-07-31	Addition	FENCE

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$4,200	\$58,000	\$62,200
2019	Assessment Roll	Residential	Full	\$3,700	\$50,900	\$54,600
2017	Assessment Roll	Residential	Full	\$3,100	\$42,600	\$45,700
2015	Assessment Roll	Residential	Full	\$2,900	\$39,700	\$42,600
2013	Assessment Roll	Residential	Full	\$2,900	\$38,300	\$41,200
2011	Assessment Roll	Residential	Full	\$3,200	\$45,100	\$48,300
2009	Assessment Roll	Residential	Full	\$3,300	\$44,500	\$47,800
2007	Assessment Roll	Residential	Full	\$3,400	\$47,900	\$51,300
2005	Assessment Roll	Residential	Full	\$3,300	\$44,600	\$47,900
2003	Assessment Roll	Residential	Full	\$2,930	\$39,820	\$42,750
2001	Assessment Roll	Residential	Full	\$3,150	\$34,090	\$37,240
1999	Assessment Roll	Residential	Full	\$3,690	\$24,440	\$28,130
1997	Assessment Roll	Residential	Full	\$3,180	\$24,440	\$27,620
1995	Assessment Roll	Residential	Full	\$2,890	\$21,180	\$24,070
1989	Assessment Roll	Residential	Full	\$2,550	\$19,250	\$21,800

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