

Agenda	Item	Number
8	111	Number
	711	

Date	July 18	2022	
Date	JULY 10	. 4044	

ABATEMENT OF PUBLIC NUISANCE AT 2105 FOREST AVE.

WHEREAS, the property located at 2105 Forest 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 public nuisance; and

WHEREAS, the Titleholder, G. Michael Clayton, was 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 28 feet (except the East 3.6 feet thereof) of the west 60 1/3 feet of the East 104 1/3 feet of Lots 3 and 4 in Block 3 in MARQUARDT'S ADDITION TO NORTH 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 2105 Forest 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,
Seconded by	

FORM APPROVED:

MOTION CARRIED

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

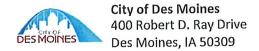
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
voss				
WESTERGAARD				
TOTAL				

I, Lawra Boungal Wicity 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.

CERTIFICATE

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

Mayor	City Clerk



Case Number: NUIS-2022-000094

Notice of Violation

Case Type: Public Nuisance
Case Opened: 04/15/2022
Date of Notice: 04/28/2022
Date of Inspection: 04/15/2022

GEORGE M CLAYTON 14455 UNIVERSITY AVE WAUKEE IA 50263

Address of Property:

2105 FOREST AVE, DES MOINES IA 50311

Parcel Number:

792433407026

Legal Description:

-EX E 3.6F- E 28F W 60.33F E 104.33F LTS 3 & 4 BLK 3 MARQUARDT ADD

Upon inspection of the property located at and locally knows 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	MAIN STRUCTURE THROUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance. * ELECTRICAL COMPROMISED FROM LEAKING CEILING/ROOF	05/27/2022
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	MAIN STRUCTURE THROUGH OUT Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code. * BACK EXIT HAS A PADDLE LOCK ON DOOR	05/27/2022

60-192(13) - Unsafe or dangerous structure

MAIN STRUCTURE THROUGH OUT 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.

- * ELECTRICAL WIRING COMPROMISED FROM CEILING LEAKING
- * FLOORING LOOSE TRIPPING HAZARD

60-192(3) - Dangerous Structure or Premise - Damaged

MAIN STRUCTURE THROUGH OUT
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.

* ROOF LEAKING CAUSING DETERIORATION OF CEILING (WOOD)

60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants

MAIN STRUCTURE THROUGH OUT 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.

- * ROOF LEAKING
- * FLASHING NOT MOUNTED SECURE. LETTING IN ALL WEATHER ELEMENTS
- * MORTAR MISSING IN BRICKS SEVERAL DIFFERENT AREAS OF EXTERIOR

05/27/2022

05/27/2022

05/27/2022

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,

Charles McClaran

Neighborhood Inspector

1 McClaron

Neighborhood Services

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

(515) 283-4143

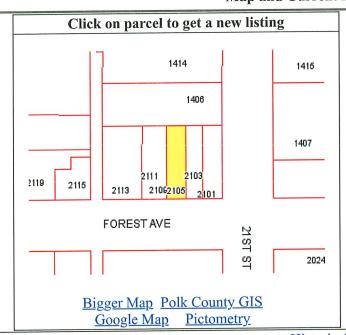
CWMcClaran@dmgov.org

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	Address 2105 FOREST AVE							
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines			
District/Parcel	080/04301-000-000	Geoparcel	7924-33-407-026	Status	<u>Active</u>			
School	Des Moines	Nbhd/Pocket	DM75/Z	Tax Authority Group	DEM-C-DEM- 77131			
Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515- 286-3958					

Map and Current Photos - 1 Record





Historical Photos

		Ownership - 1 Record				
Ownership	Num	Name	Recorded	Book/Page		
Title Holder	1	1994-04-25	7004/841			
Legal Description and Mailing Address						

-EX E 3.6F- E 28F W 60.33F E 104.33F LTS 3 & 4 BLK 3 MARQUARDT ADD G MICHAEL CLAYTON 14455 UNIVERSITY AVE WAUKEE, IA 50263-8100

Current Values

-	Type	Class	Kind	Land	Bldg	Total
	2022 Value	Commercial	Full	\$8,300	\$6,900	\$15,200

Unadjusted Cost Report

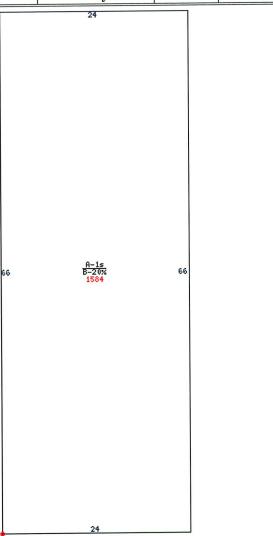
Auditor Adjustments to Value

Category	Name	Information
2021 Business Property Tax Credit	G MICHAEL CLAYTON	Application <u>6663</u>

Zoning - 1 Record

8:47 AM			Polk Co	ounty A	ssessor 080/043	301-000	J-000		
Zoning		De	scription		SF	1	Assessor	sessor Zoning	
RX1	RX1 Mix						Resid		
City of Des Moin	es Commun	ity Dev	velopment Plar	ıning	and Urban	Desig	n 515 283-4182	(2012-03-20)	
			L	and					
Square Feet	2,3	54	Acı	res	0.054		Frontage	24.0	
	Depth 95.0			hy	Blank		Shape	Rectangle	
Vacancy		nk	Unbuildal	ble	Blank				
			Commerc	ial Su	ımmary				
Occupancy	Retail	Ag	ge, Weighted		1928		Total Story Height	1	
Land Area	2,354		Gross Area		1,584	F	inished Area	1,584	
Unfinished Bsmt Area	323	Fi	nished Bsmt Area		0		Number of Units	0	
Primary Group	Retail Small		Percent Primary Group		83.06		Percent Secondary Group	0.00	
Grade, Weighted	5/Grade 5		Bldg Class, Weighted	2	2/Brick or Masonry		Condition, Weighted	NM/Normal	
Ground Floor Area	1,584		Perimeter		180				
THE RESIDENCE OF THE PARTY OF T			Commercial S	ectio	ns - 1 Recor	d			
			Commercia	al Sec	tion #101				
Occupar	nt PAT	HFIND	ER BOOK STO	ORE					
Section Multiplic		1	Occupan	cy	Ret	ail	Foundation	Concrete	
Submerge	ed	No	Exterior Wa	Exterior Wall		ile	Insulation	Yes	
Ro	of	Flat	Ro Materi		Built-up		Wiring	Adequate	
Plumbing Adequate		Total Sto Heig			1	1 Frame Type	e Frame		
Firepro Construction		No	Bldg Cla	ıss	Brick Masor		Total Section Area	1 907	
Ground Floo Are	or	1,584	Perimet	er	1	80	Grade	5+00	
Year Bu		1928	Conditie		Norn	nal			
Comme	nt CER	RAMIC	TILE ON FRO	NT					

Commercial Groups - 2 Records										
Commercial Group #101 1										
Use Code	Use Code Retail Small Base Story 1 Number Stories									
Total Group Area	1,584	Base Floor Area	1,584	Heating	Unit					
Air Conditioning	None	Exhaust System	No							
	Com	mercial Group #10	01 2							
Use Code	Basement Entire	Base Story	1	Number Stories	1					
Total Group Area	323	Base Floor Area	323	Heating	None					
Air Conditioning	None	Exhaust System	No							



Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
COPPOLA, MARY A	CLAYTON, G MICHAEL	1994-04-21	\$9,000	Deed	7004/841



Seller		Buyer		Sale Date	Sale Price	Instrument	Book/Page	
GERALDINE LOUISE HIGGINS COPPOLA		MARY A. COPPOLA		<u>1989-05-15</u>	\$10,500	Deed	6104/424	
Permits - 1 Record								
Year	Туре	Per	rmit Status	A	Application	Reason	Reason1	
1995	Pickup	Compl	lete	199	4-06-14		Check value due to Sale	

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Commercial	Full	\$8,300	\$6,900	\$15,200
2019	Assessment Roll	Commercial	Full	\$7,600	\$7,200	\$14,800
2017	Assessment Roll	Commercial	Full	\$7,600	\$6,300	\$13,900
2015	Assessment Roll	Commercial	Full	\$6,300	\$6,500	\$12,800
2013	Assessment Roll	Commercial	Full	\$6,300	\$5,700	\$12,000
2011	Assessment Roll	Commercial	Full	\$6,300	\$5,700	\$12,000
2009	Assessment Roll	Commercial	Full	\$6,300	\$5,700	\$12,000
2007	Assessment Roll	Commercial	Full	\$6,300	\$6,900	\$13,200
2005	Assessment Roll	Commercial	Full	\$5,800	\$6,700	\$12,500
2003	Assessment Roll	Commercial	Full	\$5,000	\$6,300	\$11,300
2001	Assessment Roll	Commercial	Full	\$4,710	\$5,900	\$10,610
1999	Assessment Roll	Commercial	Full	\$6,900	\$5,900	\$12,800
1995	Board Action	Commercial	Full	\$6,700	\$5,700	\$12,400
1995	Assessment Roll	Commercial	Full	\$6,700	\$5,700	\$12,400
1993	Assessment Roll	Commercial	Full	\$6,700	\$16,400	\$23,100
1991	Assessment Roll	Commercial	Full	\$6,470	\$15,730	\$22,200
1991	Was Prior Year	Commercial	Full	\$6,470	\$20,100	\$26,570

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





