



**Roll Call Number**

**Agenda Item Number**

41D

**Date** July 18, 2022

**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:**

*Kristine Stone*

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

**CERTIFICATE**

I, *Laura Baumgartner Aeling* 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

41D



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

Case Number: NUIS-2022-000094	
<b>Notice of Violation</b>	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 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	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	<p>MAIN STRUCTURE THROUGH OUT</p> <p>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.</p> <p>* ELECTRICAL WIRING COMPROMISED FROM CEILING LEAKING</p> <p>* FLOORING LOOSE TRIPPING HAZARD</p>	05/27/2022
60-192(3) - Dangerous Structure or Premise - Damaged	<p>MAIN STRUCTURE THROUGH OUT</p> <p>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.</p> <p>* ROOF LEAKING CAUSING DETERIORATION OF CEILING (WOOD)</p>	05/27/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	<p>MAIN STRUCTURE THROUGH OUT</p> <p>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.</p> <p>* ROOF LEAKING</p> <p>* FLASHING NOT MOUNTED SECURE. LETTING IN ALL WEATHER ELEMENTS</p> <p>* MORTAR MISSING IN BRICKS SEVERAL DIFFERENT AREAS OF EXTERIOR</p>	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  
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](mailto:polkweb@assess.co.polk.ia.us)

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

### Map and Current Photos - 1 Record

**Click on parcel to get a new listing**

FOREST AVE  
21ST ST

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



### [Historical Photos](#)

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CLAYTON, G MICHAEL	1994-04-25	<a href="#">7004/841</a>

### 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
<a href="#">2021 Business Property Tax Credit</a>	G MICHAEL CLAYTON	Application <a href="#">6663</a>

### Zoning - 1 Record

Zoning	Description		SF	Assessor Zoning	
RX1	RX1 Mixed Use District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
Square Feet	2,354	Acres	0.054	Frontage	24.0
Depth	95.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
<b>Commercial Summary</b>					
Occupancy	Retail	Age, Weighted	1928	Total Story Height	1
Land Area	2,354	Gross Area	1,584	Finished Area	1,584
Unfinished Bsmt Area	323	Finished 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/Brick or Masonry	Condition, Weighted	NM/Normal
Ground Floor Area	1,584	Perimeter	180		
<b>Commercial Sections - 1 Record</b>					
<b>Commercial Section #101</b>					
Occupant	PATHFINDER BOOK STORE				
Section Multiplier	1	Occupancy	Retail	Foundation	Concrete
Submerged	No	Exterior Wall	Brick Block Tile	Insulation	Yes
Roof	Flat	Roof Material	Built-up	Wiring	Adequate
Plumbing	Adequate	Total Story Height	1	Frame Type	Frame
Fireproof Construction	No	Bldg Class	Brick or Masonry	Total Section Area	1,907
Ground Floor Area	1,584	Perimeter	180	Grade	5+00
Year Built	1928	Condition	Normal		
Comment	CERAMIC TILE ON FRONT				



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

  

24

A-1s  
E-20%  
1584

24

**Sales - 2 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
COPPOLA, MARY A	CLAYTON, G MICHAEL	<a href="#">1994-04-21</a>	\$9,000	Deed	<a href="#">7004/841</a>



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
GERALDINE LOUISE HIGGINS COPPOLA	MARY A. COPPOLA	<a href="#">1989-05-15</a>	\$10,500	Deed	<a href="#">6104/424</a>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Reason	Reason1
1995	Pickup	Complete	1994-06-14		Check value due to Sale

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Commercial	Full	\$8,300	\$6,900	\$15,200
2019	<a href="#">Assessment Roll</a>	Commercial	Full	\$7,600	\$7,200	\$14,800
2017	<a href="#">Assessment Roll</a>	Commercial	Full	\$7,600	\$6,300	\$13,900
2015	<a href="#">Assessment Roll</a>	Commercial	Full	\$6,300	\$6,500	\$12,800
2013	<a href="#">Assessment Roll</a>	Commercial	Full	\$6,300	\$5,700	\$12,000
2011	<a href="#">Assessment Roll</a>	Commercial	Full	\$6,300	\$5,700	\$12,000
2009	<a href="#">Assessment Roll</a>	Commercial	Full	\$6,300	\$5,700	\$12,000
2007	<a href="#">Assessment Roll</a>	Commercial	Full	\$6,300	\$6,900	\$13,200
2005	<a href="#">Assessment Roll</a>	Commercial	Full	\$5,800	\$6,700	\$12,500
2003	<a href="#">Assessment Roll</a>	Commercial	Full	\$5,000	\$6,300	\$11,300
2001	<a href="#">Assessment Roll</a>	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

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**Barka Grocery**  
Foods  
- Pay Bills  
- Ria  
- Juba Express  
New Sim  
8458 515-601-0578

**FOREST MART**  
CONVENIENCE STORE  
TOBACCO FOOD SNACKS

SHISHA

2109

Network: Jul 6, 2022 at 9:49:03 AM CDT  
Des Moines

07-06-2022 09:49 AM





Network: Jul 6, 2022 at 9:49:14 AM CDT

Des Moines

07-06-2022 09:49 AM



41D

Timestamp  
Camera ENT



Network: Jul 6, 2022 at 9:50:59 AM CDT  
Des Moines

07-06-2022 09:50 AM