



Roll Call Number

Agenda Item Number

46C

Date August 8, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 2617 SW 9th STREET
APARTMENTS 1, 2 and 3**

WHEREAS, the property located at 2617 SW 9th Street, Apartments 1, 2 and 3, Des Moines, Iowa, were 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 Titleholders, Henry Cifuentes and Tricia Booth, were 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 Lot 4 in HATTON ACRES PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2617 SW 9th Street, Apartments 1, 2 and 3, have previously been declared a public nuisance;

The City Legal Department 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.
Second by _____

FORM APPROVED:

Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

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

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, 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



46C

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

Case Number: NUIS-2022-000113

Case Type: Public Nuisance

Case Opened: 05/09/2022

Date of Notice: 05/11/2022

Date of Inspection: 05/10/2022

**Notice of
Violation**

HENRY CIFUENTES
6498 SE VANDALIA DR
PLEASANT HILL IA 50327

Address of Property: 2617 SW 9TH ST, DES MOINES IA 50315
Parcel Number: 782416404004
Legal Description: LT 4 HATTON ACRES PLAT 2

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
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	APARTMENTS 1, 2, AND 3 MAIN STRUCTURE THROUGHOUT Vacate and secure the structure or premises, OR, demolish the structure after obtaining the 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. *ELECTRICAL THROUGHOUT APARTMENTS NEEDS TO BE INSPECTED BY A LICENSED ELECTRICAL CONTRACTOR AS MAIN ELECTRICAL IS OFF TO APARTMENTS, OPEN PANELS, HANGING WIRES, OPEN JUNCTION BOXES, HANGING LIGHT FIXTURES, OPEN	06/23/2022

SWITCHES

*MECHANICALS FOR ALL 3 UNITS NEED TO BE INSPECTED BY A LICENSED HVAC CONTRACTOR AS GAS HAS BEEN TURNED OFF TO APARTMENTS.

*ALL PLUMBING NEEDS INSPECTED BY A LICENSED CONTRACTOR AND REPAIRS OR REPLACE AS NEEDED.

*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH OBTAINING AND FINALIZING NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

60-192(13) - Unsafe or dangerous structure

APARTMENTS 1, 2, AND 3 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.

06/23/2022

*SMOKE DAMAGE AT WEST APARTMENT
*DAMAGED WALL FROM FIRE ON SOUTH WALL, SIDING, SHEATHING
*MISSING DRYWALL THROUGHOUT BASEMENT WILL NEED TO BE REPAIRED/REPLACED

60-192(2) - Dangerous Structure or Premise
- Walking Surface

APARTMENTS 1, 2, AND 3, THROUGHOUT
Repair or replace the walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.

06/23/2022

*SOUTH DECK IS DAMAGED TO SOUTH ENTRY DOOR

*WEST MAIN ENTRY DOOR IS DAMAGED

*ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS MUST BE IN GOOD WORKING ORDER. IF CHANGING DOOR SIZE A PERMIT MUST BE OBTAINED AND FINALIZED

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

APARTMENTS 1, 2, AND 3, 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.

06/23/2022

*DAMAGED SOFFIT SOUTHSIDE NEEDS TO BE REPLACED OR REPAIRED
 *DAMAGED FASCIA AND GUTTER ON SOUTH SIDE NEED TO BE REPAIRED OR REPLACED
 *DAMAGED SHINGLES, ROOF, FRAMING, HOLES IN ROOF, ALL WILL NEED TO BE REPAIRED OR REPLACED
 *DECK IS DAMAGED AND NEEDS TO BE REPAIRED OR REPLACED
 *REPAIR OR REPLACE DAMAGED FLOOR JOISTS
 *ALL WORK ABOVE IS FROM FIRE DAMAGE AND WILL NEED PERMITS OBTAINED AND FINALIZED
 *UNABLE TO GAIN ACCESS INTO ALL AREAS OF THE STRUCTURE, IT IS POSSIBLE THAT MORE VIOLATIONS EXIST.
 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 OR REPLACE DAMAGED DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS.
 OBTAINING AND FINALIZING OF PERMIT REQUIRED FOR THE REPLACEMENT OF ALL STRUCTURAL COMPONENTS.
 *SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.
 *POSSIBLE WATER DAMAGE DUE TO FIRE, SUGGEST REPAIRS BE MADE AND OBTAINING AND FINALIZING OF PERMIT
 *DAMAGED CEILINGS THROUGHOUT, WILL NEED REPAIRS OR REPLACING

60-192(5) - Dangerous Structure or Premise
 - Dilapidated or Deteriorated

APARTMENTS 1, 2, AND 3, THROUGHOUT
 Repair or replace the building or structure, or part of a structure that 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.
 *FOUNDATION WALL ON THE NORTHSIDE IS BOWING, AND CAVING IN, YOU WILL NEED TO PROVIDE AN ENGINEER'S REPORT FOR THE FOUNDATION WALL AND REPAIR

06/23/2022

46C

OR REPLACE PER REPORT WITH A
NESSACARY PERMIT

60-192(6) - Dangerous Structure or Premise
- Unsafe

APARTMENTS 1, 2, AND 3, THROUGHOUT
Vacate and secure any structure that is
clearly unsafe for its use and occupancy,
OR,
demolishes the structure after obtaining
the required permit, OR
repair or replace the building or structure,
or any portion thereof, that is clearly
unsafe for its use and occupancy.
*REPAIR OR REPLACE ANY DAMAGED
WINDOWS THROUGHOUT
*REPAIR OR REPLACE ANY DAMAGED
FLOORING THROUGHOUT

06/23/2022

60-192(8) - Dangerous Structure or Premise
- Substantial Risk

APARTMENTS 1, 2, AND 3 THROUGHOUT
Repair or replace any portion of 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.

06/23/2022

60-194 - Defacing and Removing Placard

APARTMENTS 1, 2 AND 3 THROUGHOUT
Replace or restore defaced or removed
placard.

06/24/2022

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,



Keith Brincks
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4245
kmbrincks@dmgov.org



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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,



Keith Brincks
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4245
kmbrincks@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	2617 SW 9TH ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	010/02695-004-000	Geoparcel	7824-16-404-004	Status	Active
School	Des Moines	Nbhd/Pocket	DM27/A	Tax Authority Group	DEM-C-DEM-77146
Bond	Des Moines SSMID 7 SW 9th Corridor	Submarket	South Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279

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 2017-06-28 a

[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CIFUENTES, HENRY	2021-10-28	18831/885
Title Holder	2	BOOTH, TRICIA	2021-10-28	18831/885

Legal Description and Mailing Address

LOT 4 HATTON ACRES PLAT 2	HENRY CIFUENTES 2617 SW 9TH ST DES MOINES, IA 50315-1920
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Current Values

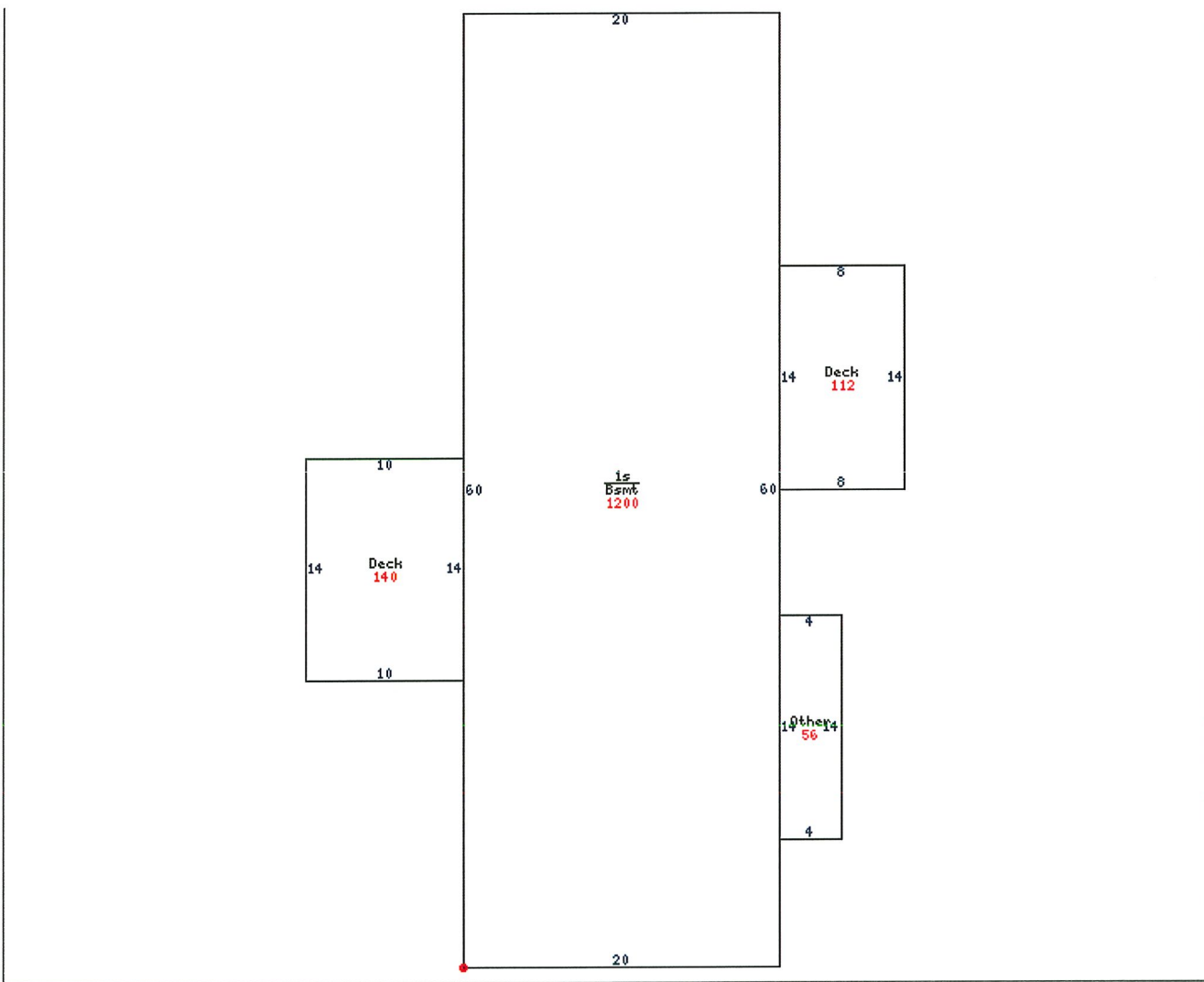
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential 3+	Full	\$24,000	\$87,000	\$111,000

[Unadjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning

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>					
Land					
Square Feet	6,250	Acres	0.143	Topography	Blank
Vacancy	Blank	Unbuildable	Blank		
Residences - 1 Record					
Residence #1					
Occupancy	Conversion	Residence Type	1 Story	Year Built	1921
Year Remodel	1980	Number Families	3	Grade	4+00
Condition	Normal	Total Square Foot Living Area	1200	Main Living Area	1200
Basement Area	1200	Finished Basement Area 1	600	Finished Basement Quality 1	Living Quarters
Total Basement Finish	600	Deck Area	252	Exterior Wall Type	Metal Siding
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	3				



Commercial Summary

Occupancy	Apartment Conversion	Age, Weighted	1950	Total Story Height	1
Land Area	6,250	Gross Area	1,200	Finished Area	1,200
Unfinished Bsmnt Area	1,200	Finished Bsmnt Area	600	Number of Units	3
Primary Group	Residence Conversion	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	4/Grade 4	Bldg Class, Weighted	5/Metal	Condition, Weighted	NM/Normal
Ground Floor Area	1,200				

Sales - 8 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BING LLC	CIFUENTES, HENRY	2021-10-04	\$155,000	Deed	18831/885
SOLUTIONS NOW LLC	BING LLC	2020-11-11	\$149,900	Deed	18200/278

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KENOYER AND ASSOCIATES, LLC	SOLUTIONS NOW, LLC	2010-04-05	\$72,850	Contract	13405/424
EPPARD INVESTMENT, INC	ASHLEY REAL ESTATE & RENTAL INC	2002-08-10	\$50,000	Contract	9282/122
EPPARD INVESTMENT, INC	LOERA, PEDRO QUINTANA	2000-12-28	\$72,500	Contract	8671/724
WESTERN UNITED LIFE ASSURANCE CO	EPPARD INVESTMENT, INC	2000-06-22	\$10,000	Deed	8534/797
BIERMA, LARRY	CARNES, MICHAEL	1996-01-05	\$83,000	Contract	7324/247
ALICE J WING	LARRY BIERMA	1988-05-27	\$40,000	Contract	5872/681

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BING LLC	CIFUENTES, HENRY BOOTH, TRICIA	2021-10-04	2021-10-28	Warranty Deed	18831/885
SOLUTIONS NOW LLC	BING LLC	2020-11-11	2020-11-18	Warranty Deed	18200/278
KENOYER & ASSOCIATES LLC	SOLUTIONS NOW LLC	2017-05-09	2017-05-16	Warranty Deed	16480/807

Permits - 6 Records

Year	Type	Permit Status	Application	Reason	Reason1
2018	Permit	No Add	2017-05-31	Alterations	BASEMENT
2011	Pickup	Complete	2007-10-03	Review Value	PER OWNER
2010	Pickup	Pass	2007-10-03	Review Value	PER OWNER
2009	Pickup	Pass	2007-10-03	Review Value	PER OWNER
2008	Pickup	Partial	2007-10-03	Review Value	PER OWNER
1997	Pickup	Complete		Review Value	REVAL

Historical Values

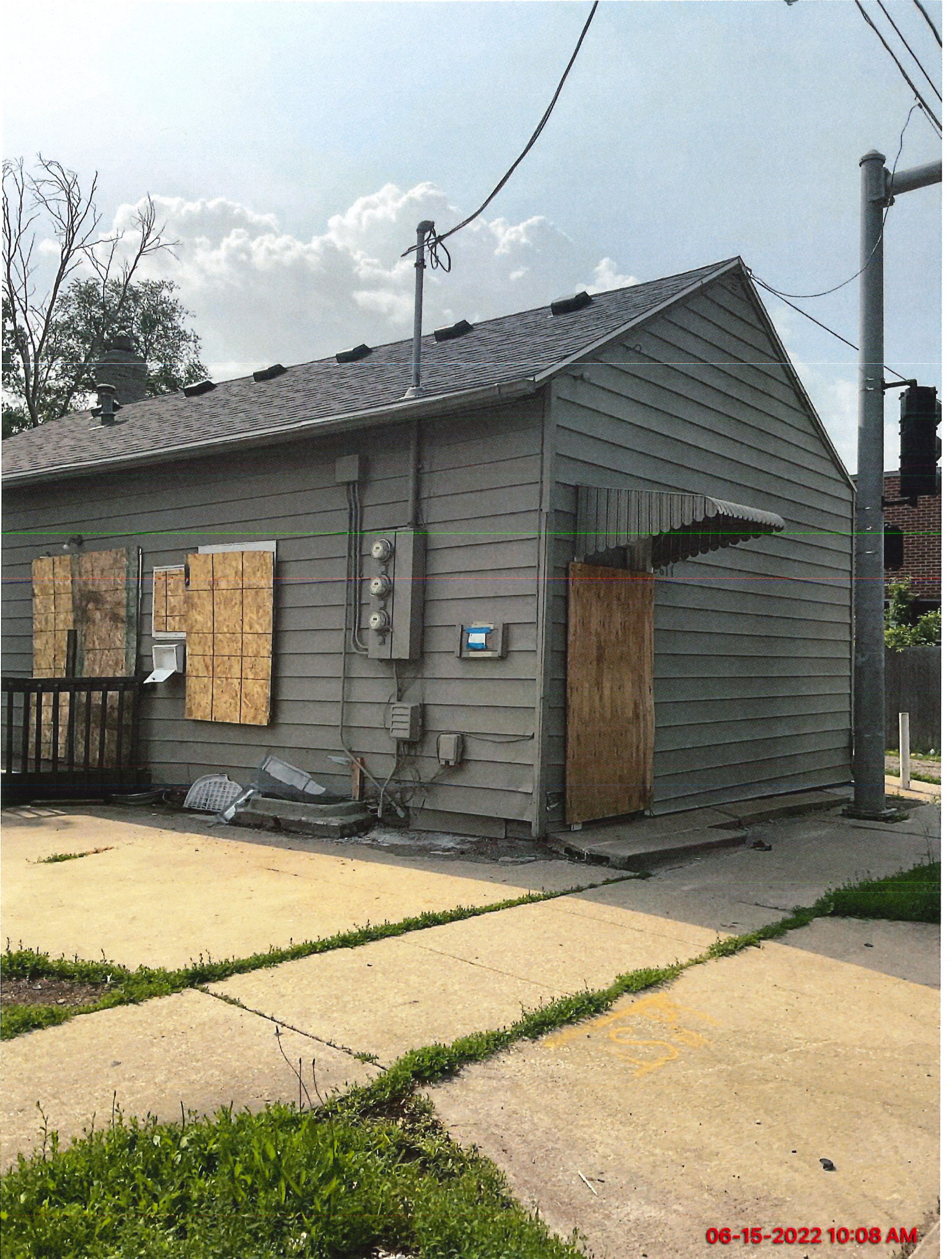
Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Multi-Residential	Full	\$24,000	\$87,000	\$111,000
2019	Assessment Roll	Multi-Residential	Full	\$21,800	\$69,100	\$90,900
2017	Assessment Roll	Multi-Residential	Full	\$21,800	\$53,700	\$75,500
2015	Assessment Roll	Multi-Residential	Full	\$18,000	\$50,000	\$68,000
2013	Assessment Roll	Multi-Residential	Full	\$18,000	\$42,600	\$60,600

Yr	Type	Class	Kind	Land	Bldg	Total
2011	Assessment Roll	Multi-Residential	Full	\$18,000	\$42,600	\$60,600
2009	Assessment Roll	Multi-Residential	Full	\$18,200	\$42,400	\$60,600
2008	Assessment Roll	Multi-Residential	Full	\$18,200	\$42,400	\$60,600
2007	Assessment Roll	Multi-Residential	Full	\$18,200	\$74,200	\$92,400
2006	Assessment Roll	Multi-Residential	Full	\$16,600	\$75,800	\$92,400
2005	Assessment Roll	Multi-Residential	Full	\$16,600	\$57,300	\$73,900
2003	Board Action	Multi-Residential	Full	\$14,400	\$54,000	\$68,400
2003	Assessment Roll	Multi-Residential	Full	\$14,400	\$80,200	\$94,600
2001	Assessment Roll	Multi-Residential	Full	\$13,560	\$54,000	\$67,560
1999	Assessment Roll	Multi-Residential	Full	\$13,500	\$54,000	\$67,500
1997	Assessment Roll	Multi-Residential	Full	\$13,100	\$50,000	\$63,100
1995	Assessment Roll	Multi-Residential	Full	\$13,100	\$27,400	\$40,500
1993	Assessment Roll	Multi-Residential	Full	\$12,500	\$26,100	\$38,600
1993	Was Prior Year	Multi-Residential	Full	\$12,500	\$18,130	\$30,630

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

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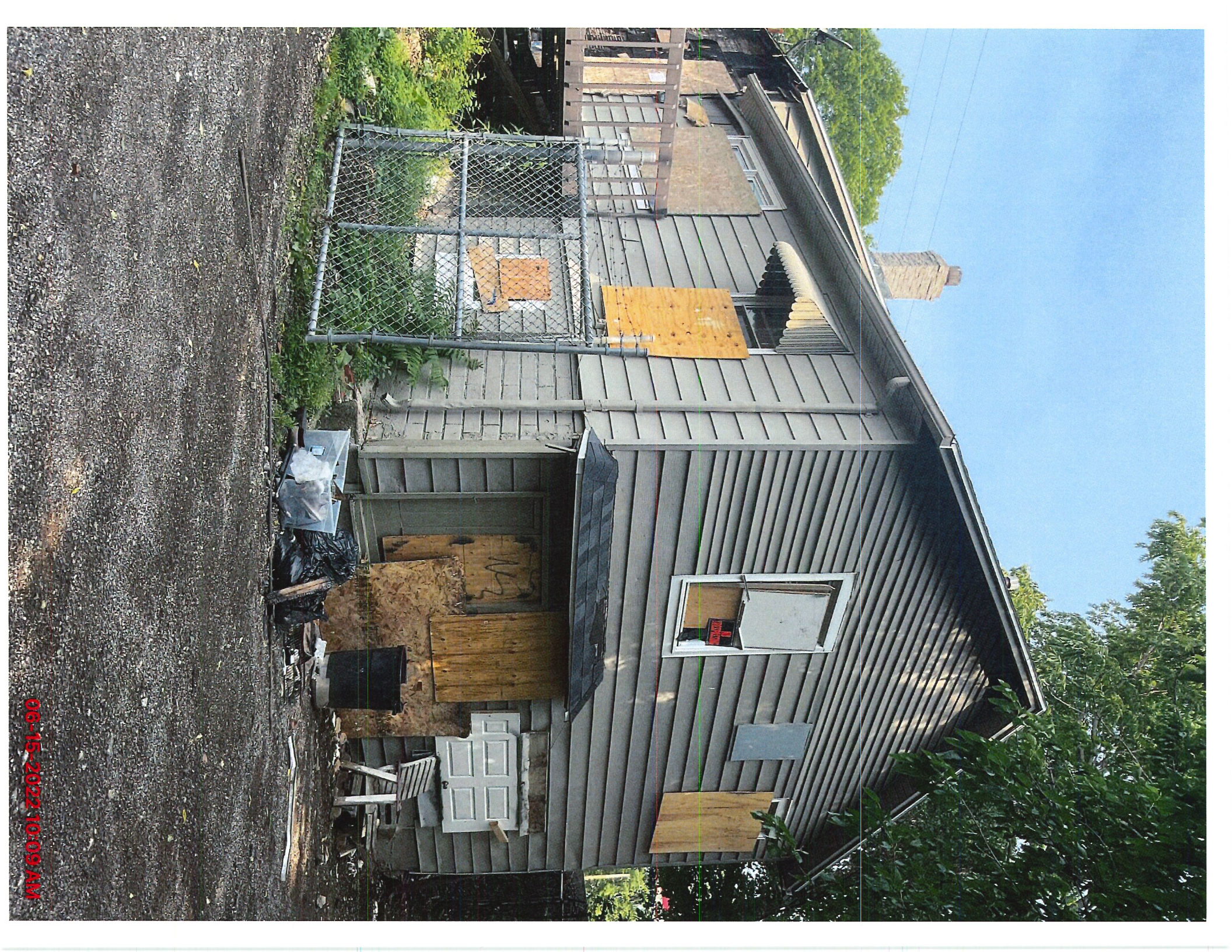
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06-15-2022 10:08 AM



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06-15-2022 10:10 AM