



Roll Call Number

Agenda Item Number

49E

Date October 3, 2022

ABATEMENT OF PUBLIC NUISANCES AT 210 E KIRKWOOD AVENUE

WHEREAS, the property located at 210 E. Kirkwood Avenue, 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 constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, AMC Real Estate, LLC and Cruz Vilchis Alvarez, were notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date have 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 The West 84.68 feet of Lot 152 in CRAWFORD PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 210 E. Kirkwood Avenue, have previously been declared public nuisances;

The City Legal Department 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.
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

Mavor

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



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

Case Number: NUIS-2022-000147	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 07/19/2022
	Date of Notice: 07/26/2022
	Date of Inspection: 07/20/2022

CRUZ VILCHIS ALVAREZ
111 E GRAY ST
DES MOINES IA 50315

Address of Property: 210 E KIRKWOOD AVE, DES MOINES IA 50315
Parcel Number: 782415151019
Legal Description: W 84.68F LOT 152 CRAWFORD PLACE

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
135-2 C - Outbuilding and Detached Garage	Remove the outbuilding and/or detached garage should the primary structure be removed.	08/31/2022
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	08/31/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

Throughout main structure

08/31/2022

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.

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. OBTAIN FINAL ON ELECTRICAL PERMIT.

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

Throughout main structure and front porch.

08/31/2022

Repair or replace 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.

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

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

Throughout main structure

08/31/2022

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

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

OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

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

Throughout main structure

08/31/2022

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.

HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR. OBTAIN FINAL ON MECHANICAL PERMIT.

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. OBTAIN FINAL ON PLUMBING PERMIT.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

08/31/2022

60-195 - Emergency Measures to Vacate

Immediately vacate the building or structure.

08/31/2022

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,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAclauson@dmgov.org



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

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AMC REAL ESTATE LLC
 ALEX CATALAN, REG. AGENT
 5212 SE 31ST ST
 DES MOINES IA 50320

Address of Property: **210 E KIRKWOOD AVE, DES MOINES IA 50315**
 Parcel Number: **782415151019**
 Legal Description: **W 84.68F LOT 152 CRAWFORD PLACE**

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Thank you for your help,

Respectfully,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAClauson@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	210 E KIRKWOOD AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	010/01295-001-000	Geoparcels	7824-15-151-019	Status	Active
School	Des Moines	Nbhd/Pocket	DM26/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South 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](#)

Photo Processed on 2017-07-14 a



[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	AMC REAL ESTATE LLC	2021-01-07	18293/589
Contract Buyer	1	VILCHIS ALVAREZ, CRUZ	2022-04-06	19056/363

Legal Description and Mailing Address

W 84.68F LOT 152 CRAWFORD PLACE

AMC REAL ESTATE LLC
5212 SE 31ST ST
DES MOINES, IA 50320-2172

Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$29,400	\$125,900	\$155,300

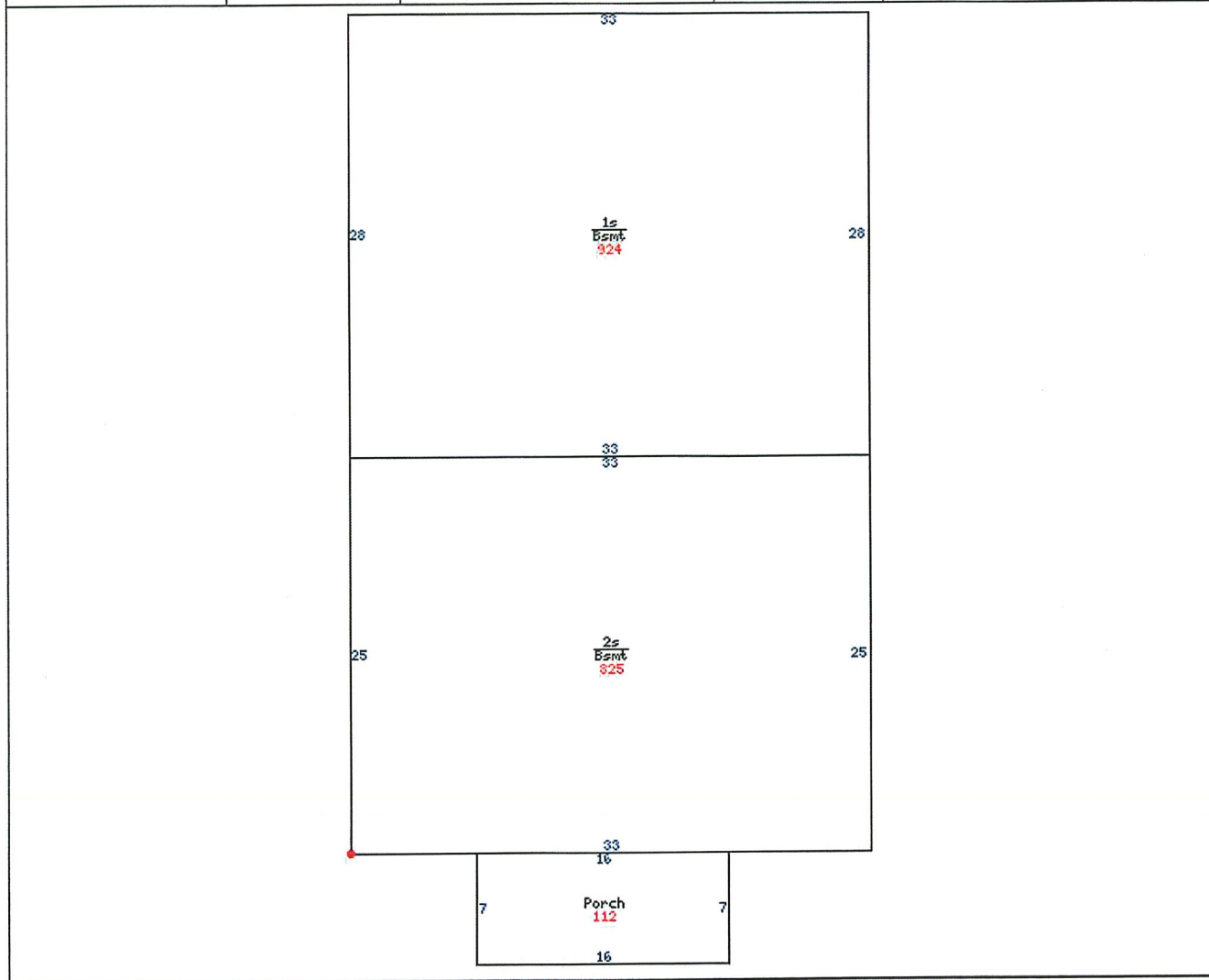
[Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3B	N3b Neighborhood District		Residential

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

Land					
Square Feet	29,864	Acres	0.686	Frontage	84.0
Depth	353.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1900	Number Families	1	Grade	4+00
Condition	Below Normal	Total Square Foot Living Area	2574	Main Living Area	1749
Upper Living Area	825	Basement Area	1749	Open Porch Area	112
Foundation	Brick	Exterior Wall Type	Mixed Frame	Roof Type	Hip
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	3	Bedrooms	4	Rooms	8



Detached Structures - 2 Records

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	22	Story Height	1
Grade	4	Year Built	1957	Condition	Below Normal

Detached Structure #201					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	20	Story Height	1
Grade	4	Year Built	2016	Condition	Below Normal

Comment	AGE ESTIMATED MEASURE PER AERIAL				
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Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
AMC REAL ESTATE LLC	VILCHIS ALVAREZ, CRUZ	2022-03-23	\$125,000	Contract	19056/363
AMC REAL ESTATE LLC	LOPEZ, NERY	2021-10-21	\$69,000	Contract	18820/218
AKERS, JULIE	AMC REAL ESTATE LLC	2020-12-30	\$61,000	Deed	18293/589

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
AMC REAL ESTATE LLC	VILCHIS ALVAREZ, CRUZ	2022-03-23	2022-04-06	Contract	19056/363
AMC REAL ESTATE LLC	LOPEZ, NERY	2022-02-07	2022-02-08	Forfeiture of Contract	18979/473
AMC REAL ESTATE LLC	LOPEZ, NERY	2021-04-07	2021-10-21	Contract	18820/218
AKERS, JULIE	AMC REAL ESTATE LLC	2020-12-29	2021-01-07	Warranty Deed	18293/589
PERING, JANIE	AKERS, JULIE	2020-12-29	2021-01-07	Quit Claim Deed	18293/586
PERING, MATTHEW PERING, KELLY	AKERS, JULIE	2020-12-10	2020-12-11	Quit Claim Deed	18244/106
PERING, FRANK H	AKERS, JULIE	2017-06-02	2017-06-12	Quit Claim Deed	16518/270

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
PERING, MATTHEW E (Trustee)	PERING, MATTHEW E (Trustee)	2017-05-16	2017-05-19	Warranty Deed	16485/578
PERING, JANIE (Trustee)	PERING, JANIE (Trustee)				
AKERS, JULIE (Trustee)	AKERS, JULIE (Trustee)				
PERING, FRANK HINE	PERING, FRANK HINE				

Permits - 5 Records

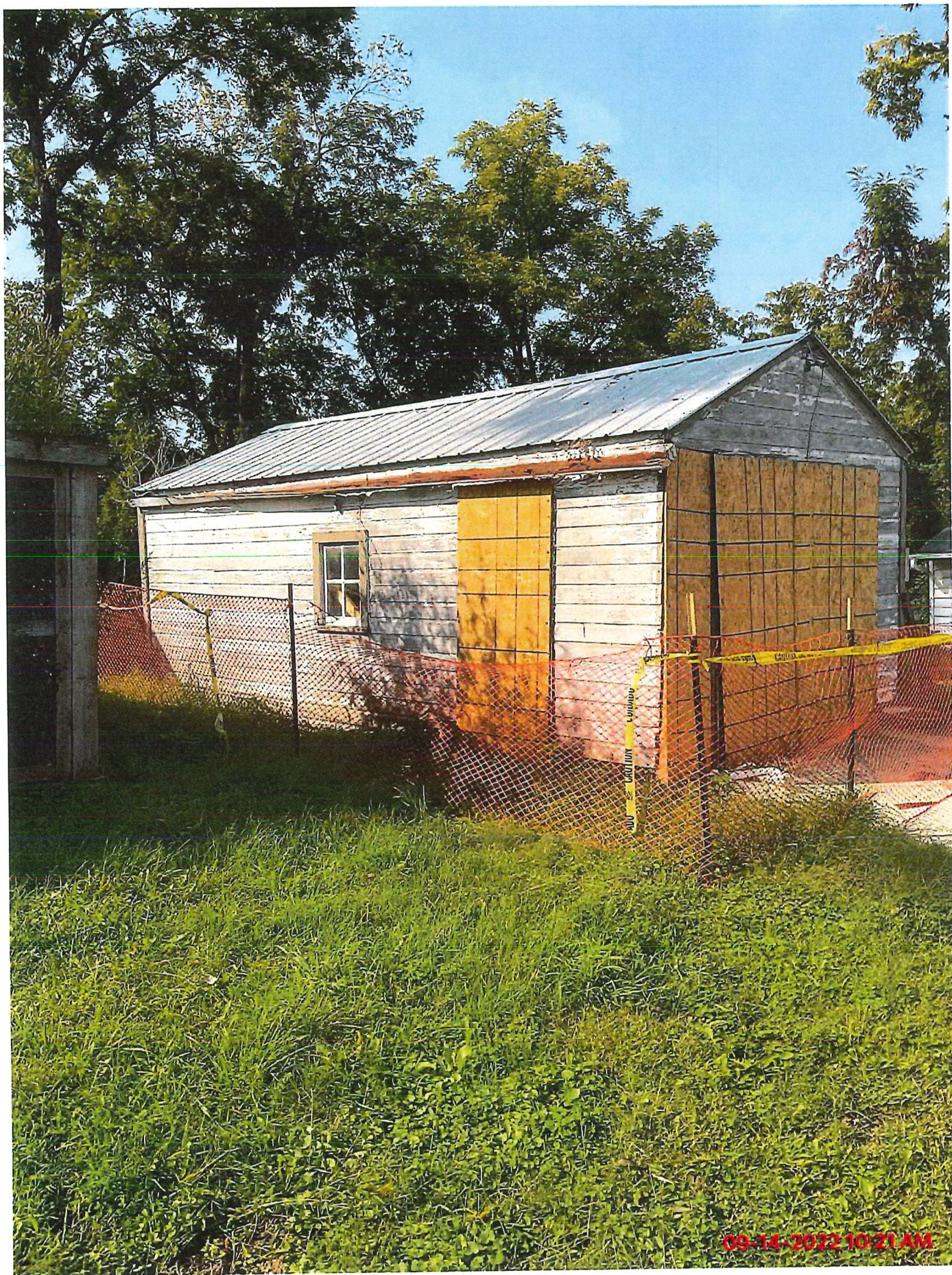
Year	Type	Permit Status	Application	Reason	Reason1
2008	Permit	Complete	2006-08-08	Addition	STORY (896 sf)
2008	Permit	Complete	2005-07-12	Addition	ROOM (896 sf)
2007	Permit	Partial	2006-08-08	Addition	STORY (896 sf)
2007	Permit	Partial	2005-07-12	Addition	ROOM (896 sf)
2006	Permit	Partial	2005-07-12	Addition	ROOM (896 sf)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$29,400	\$125,900	\$155,300
2019	Assessment Roll	Residential	Full	\$25,700	\$111,300	\$137,000
2018	Assessment Roll	Residential	Full	\$23,100	\$103,900	\$127,000
2017	Assessment Roll	Residential	Full	\$23,100	\$103,900	\$127,000
			Adj	\$23,100	\$101,940	\$125,040
2016	Assessment Roll	Residential	Full	\$21,100	\$90,600	\$111,700
			Adj	\$21,100	\$85,800	\$106,900
2015	Assessment Roll	Residential	Full	\$21,100	\$90,600	\$111,700
			Adj	\$21,100	\$82,220	\$103,320
2014	Assessment Roll	Residential	Full	\$19,900	\$88,400	\$108,300
			Adj	\$19,900	\$78,600	\$98,500
2013	Assessment Roll	Residential	Full	\$19,900	\$88,400	\$108,300
			Adj	\$19,900	\$76,320	\$96,220
2012	Assessment Roll	Residential	Full	\$19,900	\$89,300	\$109,200
			Adj	\$19,900	\$75,800	\$95,700
2011	Assessment Roll	Residential	Full	\$19,900	\$89,300	\$109,200
			Adj	\$19,900	\$73,520	\$93,420
2010	Assessment Roll	Residential	Full	\$22,600	\$101,000	\$123,600
			Adj	\$22,600	\$82,820	\$105,420
2009	Assessment Roll	Residential	Full	\$22,600	\$101,000	\$123,600
			Adj	\$22,600	\$79,120	\$101,720
2008	Assessment Roll	Residential	Full	\$22,700	\$75,800	\$98,500
			Adj	\$22,700	\$50,220	\$72,920

Yr	Type	Class	Kind	Land	Bldg	Total
2007	Assessment Roll	Residential	Full	\$22,700	\$66,000	\$88,700
			Adj	\$22,700	\$45,540	\$68,240
2006	Assessment Roll	Residential	Full	\$22,100	\$51,800	\$73,900
			Adj	\$22,100	\$41,400	\$63,500
2005	Assessment Roll	Residential	Full	\$22,100	\$38,800	\$60,900
2003	Board Action	Residential	Full	\$20,340	\$35,210	\$55,550
2003	Assessment Roll	Residential	Full	\$20,340	\$40,470	\$60,810
2001	Board Action	Residential	Full	\$15,540	\$35,380	\$50,920
2001	Assessment Roll	Residential	Full	\$15,540	\$55,190	\$70,730
1999	Assessment Roll	Residential	Full	\$14,160	\$20,170	\$34,330
1997	Assessment Roll	Residential	Full	\$12,610	\$17,960	\$30,570
1995	Assessment Roll	Residential	Full	\$11,460	\$16,330	\$27,790
1993	Board Action	Residential	Full	\$10,710	\$15,260	\$25,970
1993	Assessment Roll	Residential	Full	\$10,710	\$16,790	\$27,500
1991	Board Action	Residential	Full	\$9,740	\$15,260	\$25,000
1991	Assessment Roll	Residential	Full	\$9,740	\$29,340	\$39,080
1991	Was Prior Year	Residential	Full	\$9,740	\$18,650	\$28,390

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



210 E Kirkwood Ave



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09-14-2022 10:20 AM



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