



Roll Call Number

Agenda Item Number

39B

Date October 24, 2022

ABATEMENT OF PUBLIC NUISANCE AT 408 E. DUNHAM

WHEREAS, the property located at 408 E. Dunham, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Michelle Killen, and Mortgage Holders, Greater Des Moines Habitat for Humanity, Inc. and AJAX Mortgage Loan Trust 2021-E, were notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lots 28, 29, 30 and 31 in Block 14 in SECOND PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 408 E. Dunham, 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, Special Counsel
Ahlers & Cooney, P.C.

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.

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

Mayor

City Clerk

39B



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

Case Number: NUIS-2022-000145	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 07/11/2022
	Date of Notice: 08/23/2022
	Date of Inspection: 08/12/2022

AJAX MORTGAGE LOAN TRUST 2021-E
13190 SW 68TH PKWY SUITE 110
TIGARD OR 97223

Address of Property: 408 E DUNHAM AVE, DES MOINES IA 50315
Parcel Number: 782410379012
Legal Description: LOTS 28,29,30 & 31 BLK 14 SECOND PLAT OF CLIFTON HEIGHTS

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(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	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. All of garage: 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	08/22/2022

3913

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

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.

08/22/2022

Garage All

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

08/22/2022

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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GREATER DES MOINES HABITAT FOR HUMANITY, INC
 C/O LANCE HENNING
 2200 E EUCLID AVE
 DES MOINES IA 50317

Address of Property: **408 E DUNHAM AVE, DES MOINES IA 50315**
 Parcel Number: **782410379012**
 Legal Description: **LOTS 28,29,30 & 31 BLK 14 SECOND PLAT OF CLIFTON HEIGHTS**

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60-192(8) - Dangerous Structure or Premise - Substantial Risk	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. Garage All	08/22/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	08/22/2022

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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,

A handwritten signature in black ink that reads "Scott Clauson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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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MICHELLE KILLEN
 408 E DUNHAM AVE
 DES MOINES IA 50315

Address of Property: 408 E DUNHAM AVE, DES MOINES IA 50315
 Parcel Number: 782410379012
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Thank you for your help,

Respectfully,


39B

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	408 E DUNHAM AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	020/00619-000-000	Geoparcel	7824-10-379-012	Status	Active
School	Des Moines	Nbhd/Pocket	DM23/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](#)



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	KILLEN, MICHELLE	2013-07-29	14895/90

Legal Description and Mailing Address

LOTS 28,29,30 & 31 BLK 14 SECOND PLAT OF CLIFTON HEIGHTS	MICHELLE KILLEN 408 E DUNHAM AVE DES MOINES, IA 50315-1309
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Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$23,700	\$58,400	\$82,100

[Market Adjusted Cost Report](#)

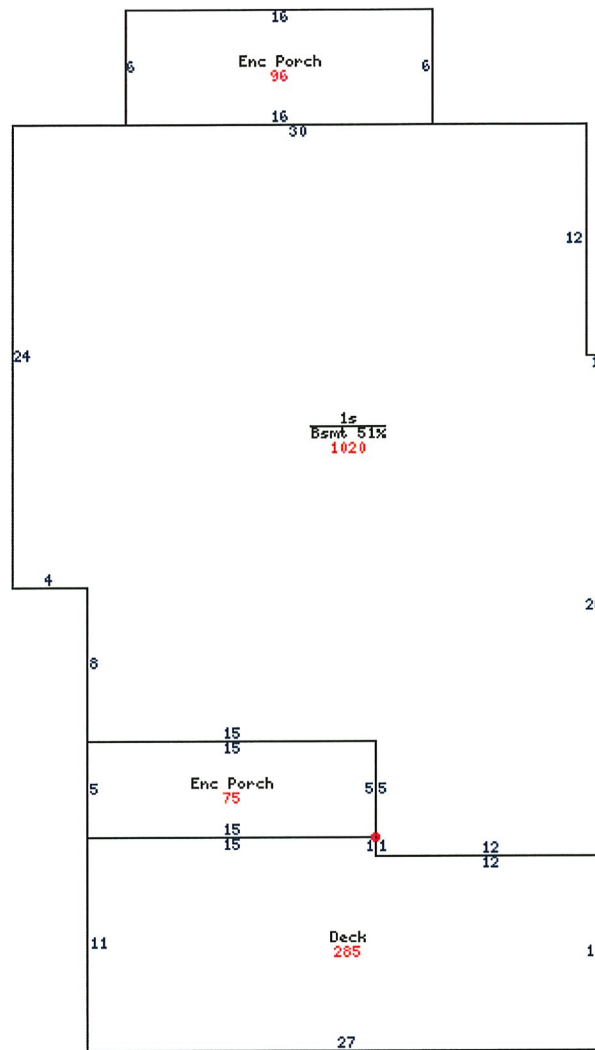
Auditor Adjustments to Value

Category	Name	Information
2022 Homestead Credit	KILLEN, MICHELLE	Application #236839

Zoning - 1 Record

39B

Zoning	Description			SF	Assessor Zoning
N3C	N3c Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	19,200	Acres	0.441	Frontage	160.0
Depth	120.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1898	Number Families	1	Grade	5+00
Condition	Normal	Total Square Foot Living Area	1020	Main Living Area	1020
Basement Area	520	Enclosed Porch Area	171	Deck Area	285
Foundation	Brick	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	3	Rooms	6



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Brick	Measurement Code	Dimensions
Measure 1	16	Measure 2	19	Story Height	1
Grade	5	Year Built	1948	Condition	Poor

Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SECRETARY OF HUD	KONRAD, MATT	2005-06-07	\$55,000	Deed	11110/134
WASHINGTON MUTUAL, BANK FA	SECRETARY OF HOUSING AND DEVELOPMENT	2004-09-23	\$55,680	Deed	10869/387
CIPALE, ANGELO F	THOMPSON, TERRY L	1995-10-31	\$53,000	Deed	7301/342

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
KONRAD, FREDERICK MATTHEW Also Known As KONRAD, MATT	KILLEN, MICHELLE	2013-07-26	2013-07-29	Quit Claim Deed	14895/90

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2012	Permit	Complete	2011-03-17	Addition	DECK (216 sf)

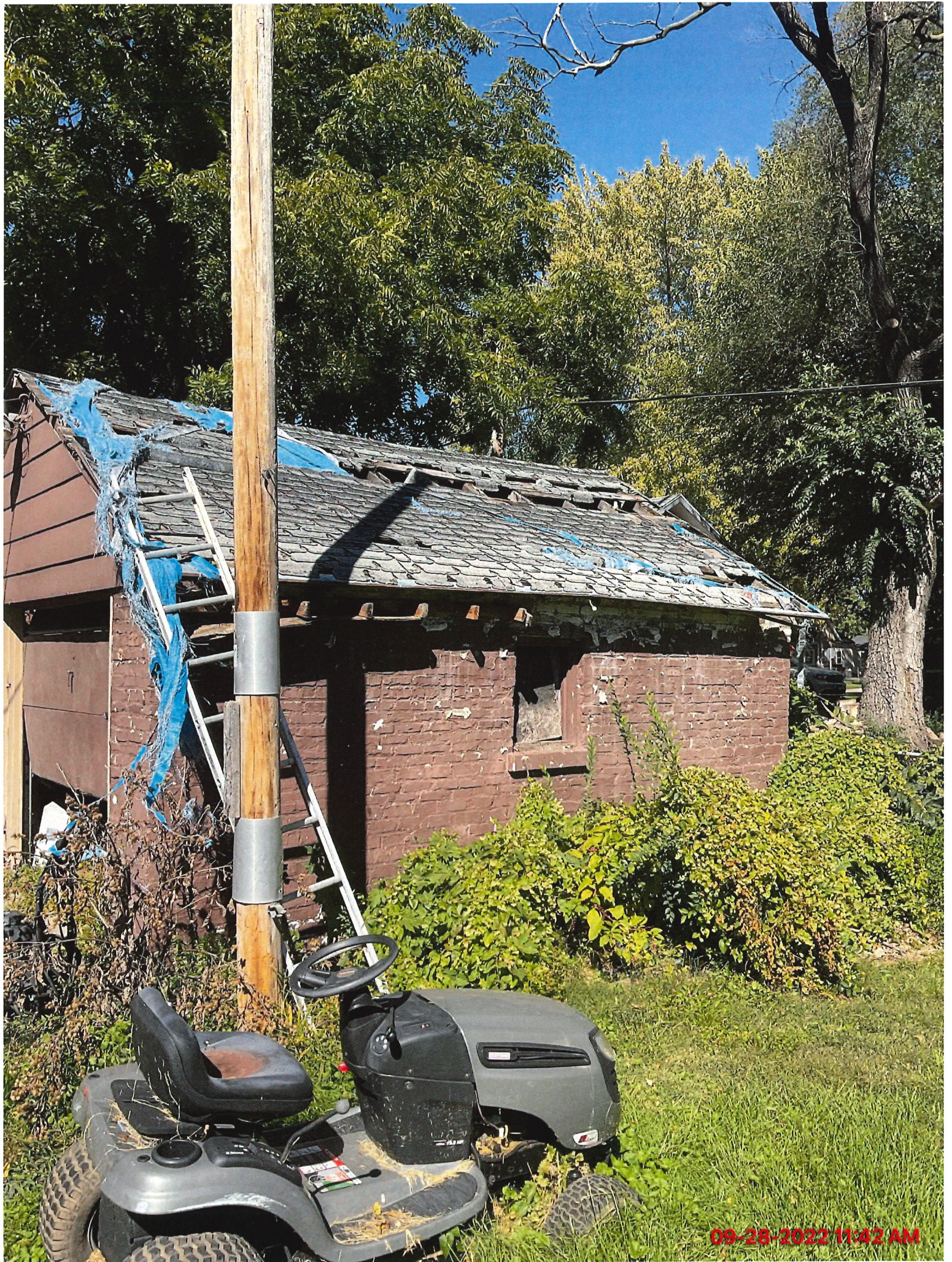
Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$23,700	\$58,400	\$82,100
2019	Assessment Roll	Residential	Full	\$20,800	\$50,700	\$71,500
2017	Assessment Roll	Residential	Full	\$18,700	\$46,200	\$64,900
2015	Assessment Roll	Residential	Full	\$17,600	\$43,700	\$61,300
2013	Assessment Roll	Residential	Full	\$18,000	\$45,100	\$63,100
2012	Assessment Roll	Residential	Full	\$18,000	\$44,700	\$62,700
2011	Assessment Roll	Residential	Full	\$18,000	\$55,800	\$73,800
2009	Assessment Roll	Residential	Full	\$18,800	\$58,500	\$77,300
2007	Assessment Roll	Residential	Full	\$18,800	\$58,500	\$77,300
2005	Assessment Roll	Residential	Full	\$19,400	\$48,700	\$68,100
2003	Assessment Roll	Residential	Full	\$17,460	\$43,370	\$60,830
2001	Assessment Roll	Residential	Full	\$15,640	\$39,550	\$55,190
1999	Assessment Roll	Residential	Full	\$11,290	\$51,940	\$63,230
1997	Assessment Roll	Residential	Full	\$10,070	\$46,330	\$56,400
1995	Assessment Roll	Residential	Full	\$9,450	\$23,170	\$32,620
1993	Assessment Roll	Residential	Full	\$8,420	\$20,630	\$29,050
1991	Assessment Roll	Residential	Full	\$8,420	\$18,230	\$26,650
1991	Was Prior Year	Residential	Full	\$8,420	\$16,460	\$24,880

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



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