



Roll Call Number

Agenda Item Number

45 E

Date June 12, 2023

ABATEMENT OF PUBLIC NUISANCE AT 2939 DES MOINES ST.

WHEREAS, the property located at 2939 Des Moines St., 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 a public nuisance; and

WHEREAS, the Titleholders, All Known and Unknown Heirs of Emma P. Greene aka Emma Campbell, and Mortgage Holders, JP Morgan Chase Bank, NA and George R. Greene, 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 26, Block 1, ELLIOTTS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2939 Des Moines St., 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.

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

MOTION CARRIED

APPROVED

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.

Mayor

City Clerk

Timestamp
Camera ENT

Network: May 16, 2023 at 9:49:40 AM CDT
Des Moines

05-16-2023 09:49 A

45E

Network: May 16, 2023 at 9:49:43 AM CDT
Des Moines

Timestamp
Camera: 371

Network: May 16, 2023 at 9:51:12 AM CDT
Des Moines

05-16-2023 09:51 A

Timestamp
Camera

Network: May 16, 2023 at 9:51:23 AM CDT
Des Moines

05-16-2023 09:51 AM



Network: May 16, 2023 at 9:51:31 AM CDT
Des Moines



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	2939 DES MOINES ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/00930-000-000	Geoparcel	7824-01-235-010	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Sarah Cunningham, SRA 515-286-3426		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

Map showing street layout with parcel numbers. DES MOINES ST runs horizontally. A vertical street labeled 'E 30TH ST' is on the right. Parcel numbers are shown in a grid format.

2018 2022 2026 2030 2034 2040 2044 600

DES MOINES ST

2019 2023 2025 2027 2035 2039 2046 522
518
514

2018 2022 2024 2028 2032 2034 2040 2042 2052 2058

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

Photo Processed on 2010-10-19 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GREENE, EMMA P	2004-04-09	10474/196

Legal Description and Mailing Address

LOT 26 BLK 1 ELLIOTTS ADDITION	EMMA CAMPBELL 2939 DES MOINES ST DES MOINES, IA 50317-2358
--------------------------------	--

Current Values

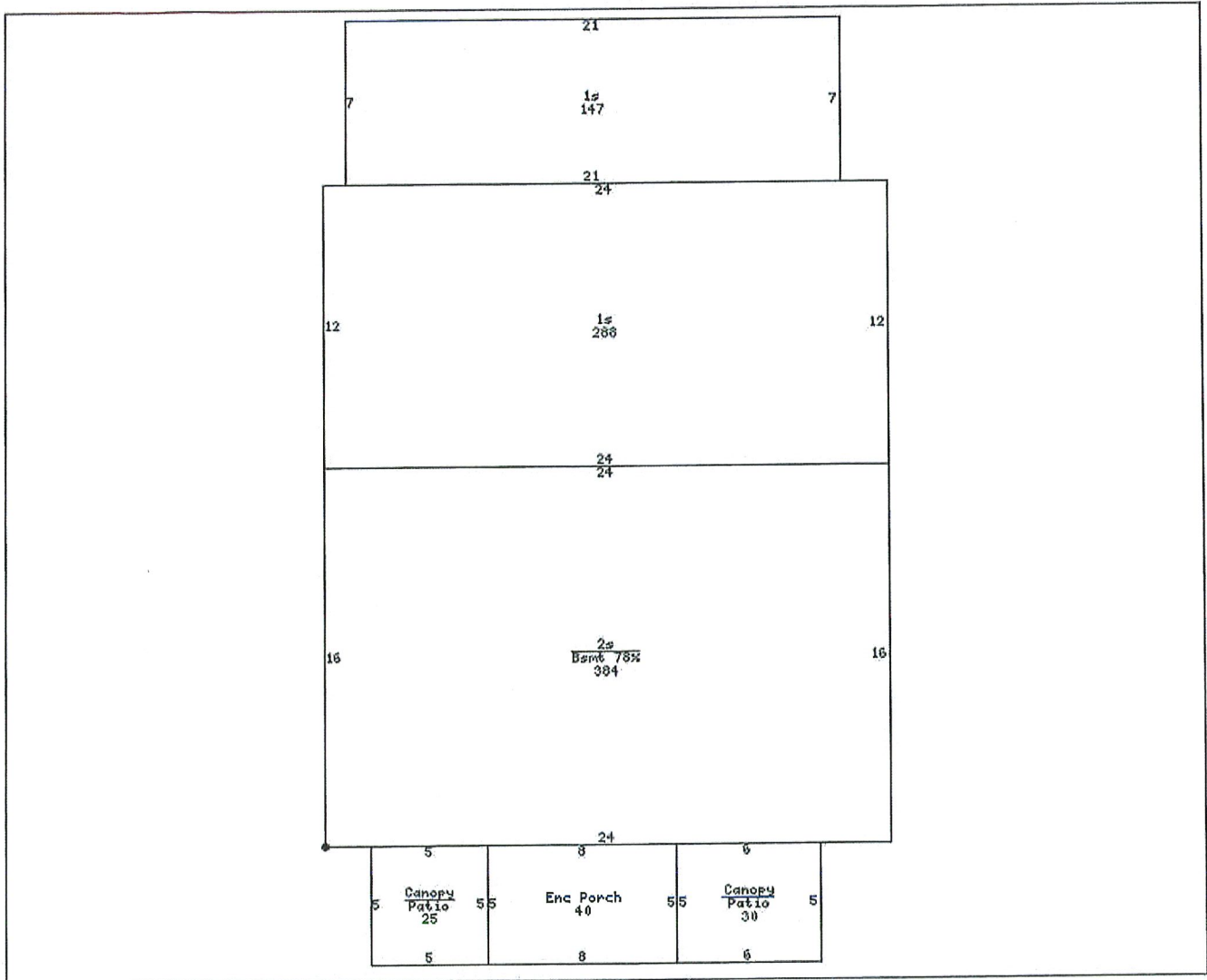
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$19,900	\$56,700	\$76,600

Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2022 Homestead Credit	GREENE, EMMA P	Application #71744

Zoning - 1 Record					
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	7,500	Acres	0.172	Frontage	50.0
Depth	150.0	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	4-10
Condition	Normal	Total Square Foot Living Area	1203	Main Living Area	819
Upper Living Area	384	Basement Area	300	Enclosed Porch Area	40
Patio Area	55	Canopy Square Foot	55	Foundation	Brick
Exterior Wall Type	Vinyl Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Basement Floor Earth	100	Heating	Gravity Hot Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	2	Rooms	6



Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Residential	Full	\$19,900	\$56,700	\$76,600
2019	<u>Assessment Roll</u>	Residential	Full	\$17,400	\$49,200	\$66,600
2017	<u>Assessment Roll</u>	Residential	Full	\$15,000	\$47,100	\$62,100
2015	<u>Assessment Roll</u>	Residential	Full	\$14,000	\$45,400	\$59,400
2013	<u>Assessment Roll</u>	Residential	Full	\$14,000	\$46,700	\$60,700
2011	<u>Assessment Roll</u>	Residential	Full	\$16,000	\$54,000	\$70,000
2009	<u>Assessment Roll</u>	Residential	Full	\$17,300	\$57,600	\$74,900
2007	<u>Board Action</u>	Residential	Full	\$17,000	\$56,900	\$73,900
2007	<u>Assessment Roll</u>	Residential	Full	\$17,000	\$63,100	\$80,100
2005	<u>Board Action</u>	Residential	Full	\$16,000	\$48,300	\$64,300
2005	<u>Assessment Roll</u>	Residential	Full	\$16,000	\$48,300	\$64,300
2003	<u>Assessment Roll</u>	Residential	Full	\$13,010	\$38,680	\$51,690
2001	<u>Assessment Roll</u>	Residential	Full	\$11,990	\$33,200	\$45,190
1999	Assessment Roll	Residential	Full	\$7,840	\$21,140	\$28,980
1997	Assessment Roll	Residential	Full	\$7,100	\$19,150	\$26,250
1995	Assessment Roll	Residential	Full	\$6,180	\$16,670	\$22,850
1993	Assessment Roll	Residential	Full	\$5,480	\$14,780	\$20,260

Yr	Type	Class	Kind	Land	Bldg	Total
1990	Board Action	Residential	Full	\$5,480	\$12,320	\$17,800
1990	Assessment Roll	Residential	Full	\$5,480	\$13,920	\$19,400

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

45E



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

Case Number: NUIS-2022-000227	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/18/2022
	Date of Notice: 03/21/2023
	Date of Inspection: 11/18/2022

JPMORGAN CHASE BANK NA
C T CORPORATION SYSTEM, REG. AGENT
400 E COURT AVE #110
DES MOINES IA 50309

Address of Property: 2939 DES MOINES ST, DES MOINES IA 50317
Parcel Number: 782401235010

Legal Description: LOT 26 BLK 1 ELLIOTTS ADDITION

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
-----------	-------------------	---------------------

Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	Vacate the structure.	04/17/2023
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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>	Properly secure structure and keep the structure secured against entry.	04/17/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/17/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	04/17/2023
<p>135-2 C - Outbuilding and Detached Garage A fully enclosed building on a lot the is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.</p>	<p>Remove the outbuilding and/or detached garage should the primary structure be removed.</p>	04/17/2023

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,

A handwritten signature in black ink, appearing to read 'Kevin Pyles', written in a cursive style.

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org



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

Case Number: NUIS-2022-000227

**Notice of
 Violation**

Case Type: Public Nuisance
Case Opened: 11/18/2022
Date of Notice: 03/21/2023
Date of Inspection: 11/18/2022

GEORGE R GREENE
 835 NE BOSTON PKWY #2317
 WAUKEE IA 50263

Address of Property: **2939 DES MOINES ST, DES MOINES IA 50317**
 Parcel Number: **782401235010**

Legal Description: **LOT 26 BLK 1 ELLIOTTS ADDITION**

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
-----------	-------------------	---------------------

Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure.</p>	<p>04/17/2023</p>
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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>Properly secure structure and keep the structure secured against entry.</p>	<p>04/17/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/17/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	04/17/2023
<p>135-2 C - Outbuilding and Detached Garage A fully enclosed building on a lot the is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.</p>	<p>Remove the outbuilding and/or detached garage should the primary structure be removed.</p>	04/17/2023

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,

A handwritten signature in black ink, appearing to read 'Kevin Pyles', written in a cursive style.

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org



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

Case Number: NUIS-2022-000227	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 11/18/2022
	Date of Notice: 03/06/2023
	Date of Inspection: 11/18/2022

ALL KNOWN & UNKNOWN HEIRS OF
 EMMA P GREENE AKA EMMA CAMPBELL
 2939 DES MOINES ST
 DES MOINES IA 50317

Address of Property: **2939 DES MOINES ST, DES MOINES IA 50317**
 Parcel Number: **782401235010**

Legal Description: **LOT 26 BLK 1 ELLIOTTS ADDITION**

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
-----------	-------------------	---------------------

Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure.</p>	<p>04/03/2023</p>
<p>60-192(4) - Unsafe and Dangerous Structure or Premise The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, 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>Properly secure structure and keep the structure secured against entry.</p>	<p>04/03/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(7) - Unsafe and Dangerous Structure or Premise Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>Repair structure to a safe, sanitary condition. Provide all required elements of light, ventilation and essential equipment. All work must be done in a workmanlike manner with all required permits.</p>	04/03/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	04/03/2023
<p>135-2 C - Outbuilding and Detached Garage A fully enclosed building on a lot the is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated.</p>	<p>Remove the outbuilding and/or detached garage should the primary structure be removed.</p>	04/03/2023

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,

A handwritten signature in black ink, appearing to read 'Kevin Pyles', written in a cursive style.

Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org