



38C

Date February 19, 2024

ABATEMENT OF PUBLIC NUISANCE AT 200 EUCLID AVE.

WHEREAS, the property located at 200 Euclid Ave., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Ty Cawley, was notified more than thirty days ago to repair or demolish the structure (commercial building) and as of this date has failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The structure (commercial building) on the real estate legally described as: Commencing at the Northeast corner of Lot 1 in Block 26 in HIGHLAND PARK, thence West 46 feet to the Northeast corner of the brick building on said Lot, thence South 82 feet and 5.17 inches, thence East 17 feet, thence South 10.83 inches, thence East 29 feet to the East line of Lot 2 in same Block, thence North 83 feet and 4 inches to the place of beginning, and locally known as 200 Euclid 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, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
VACANT				
TOTAL				
MOTION CARRIED			APPROVED	

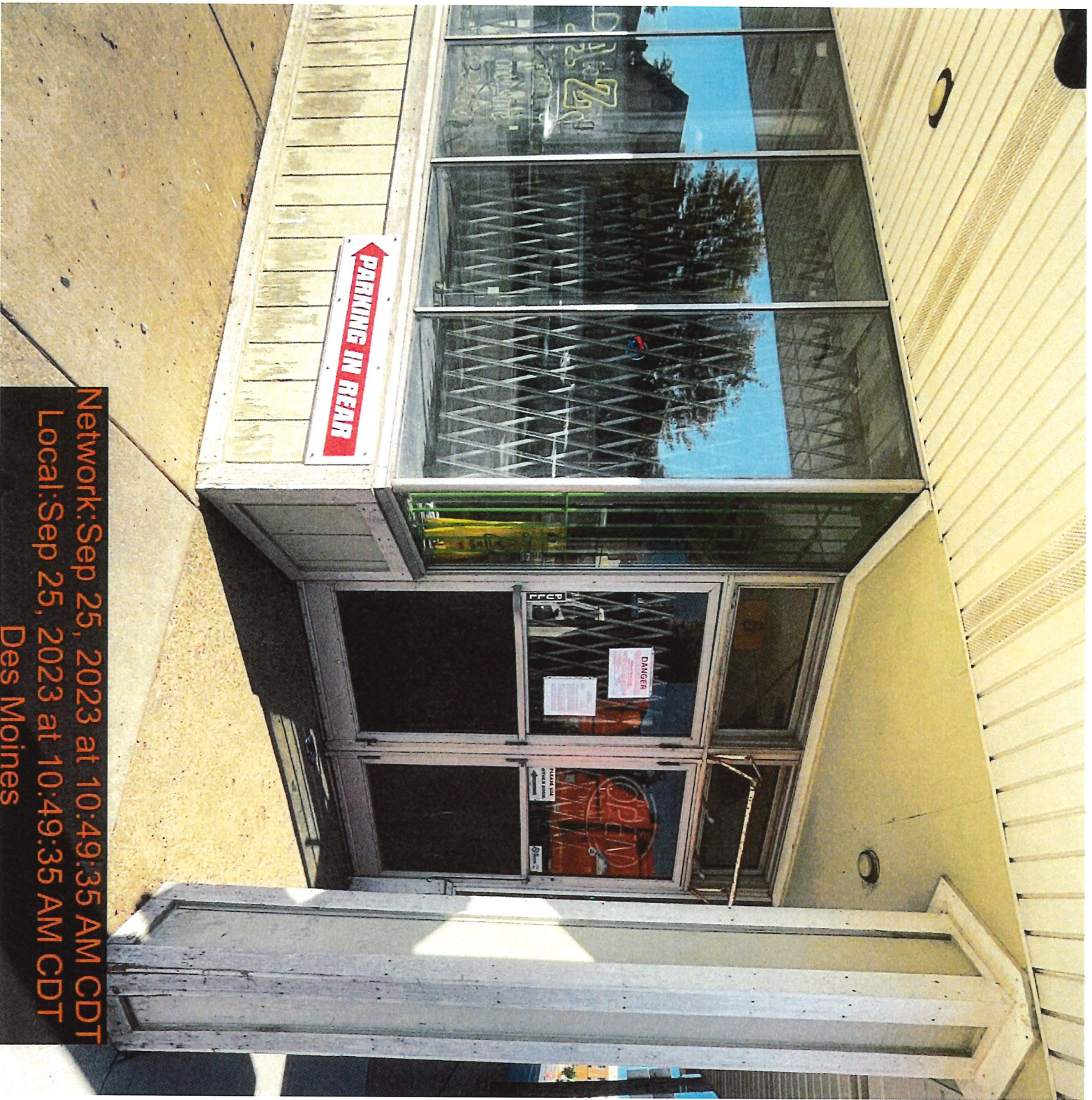
CERTIFICATE

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

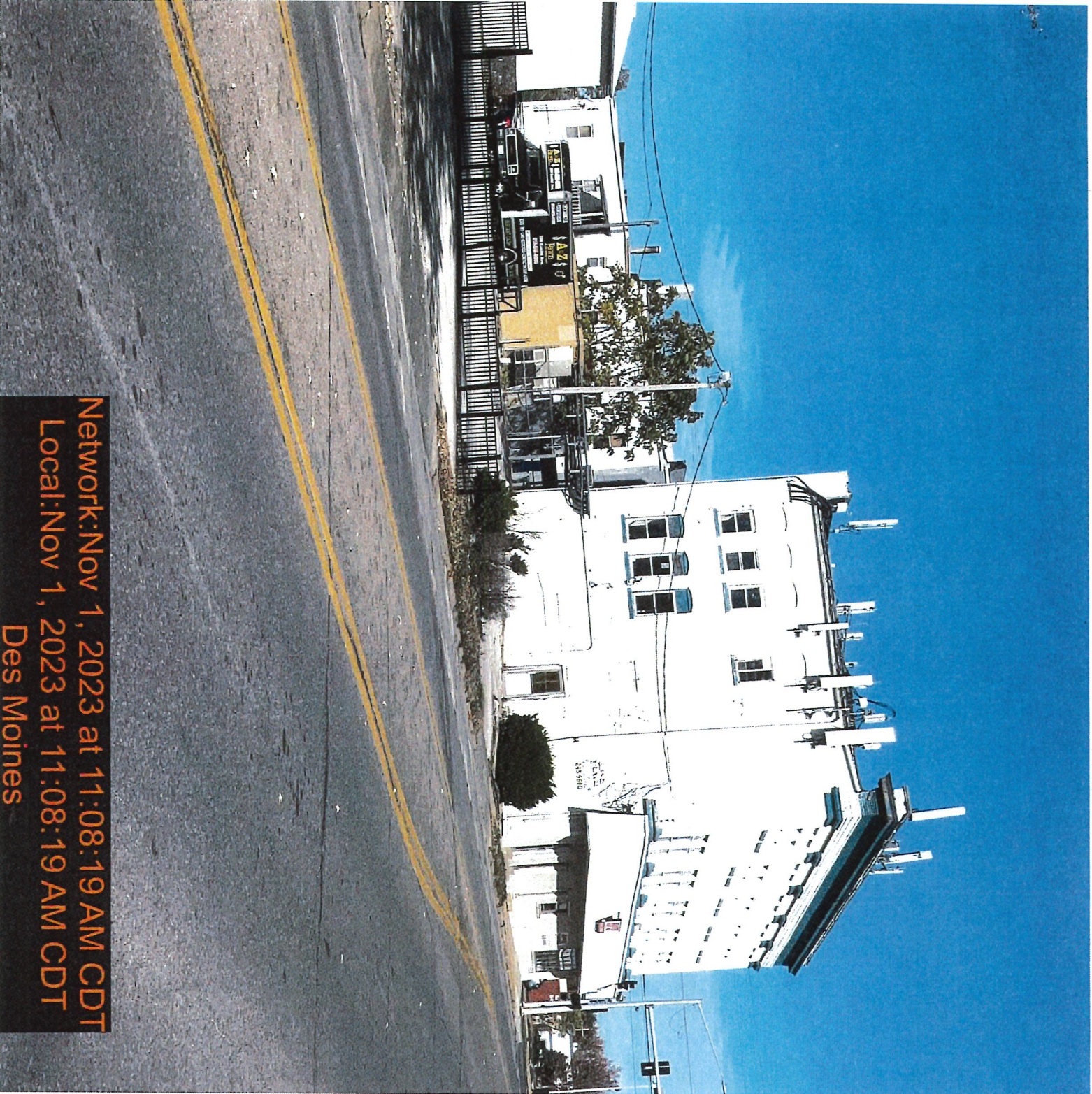


Network: Sep 25, 2023 at 10:49:35 AM CDT
Local: Sep 25, 2023 at 10:49:35 AM CDT
Des Moines

BSC

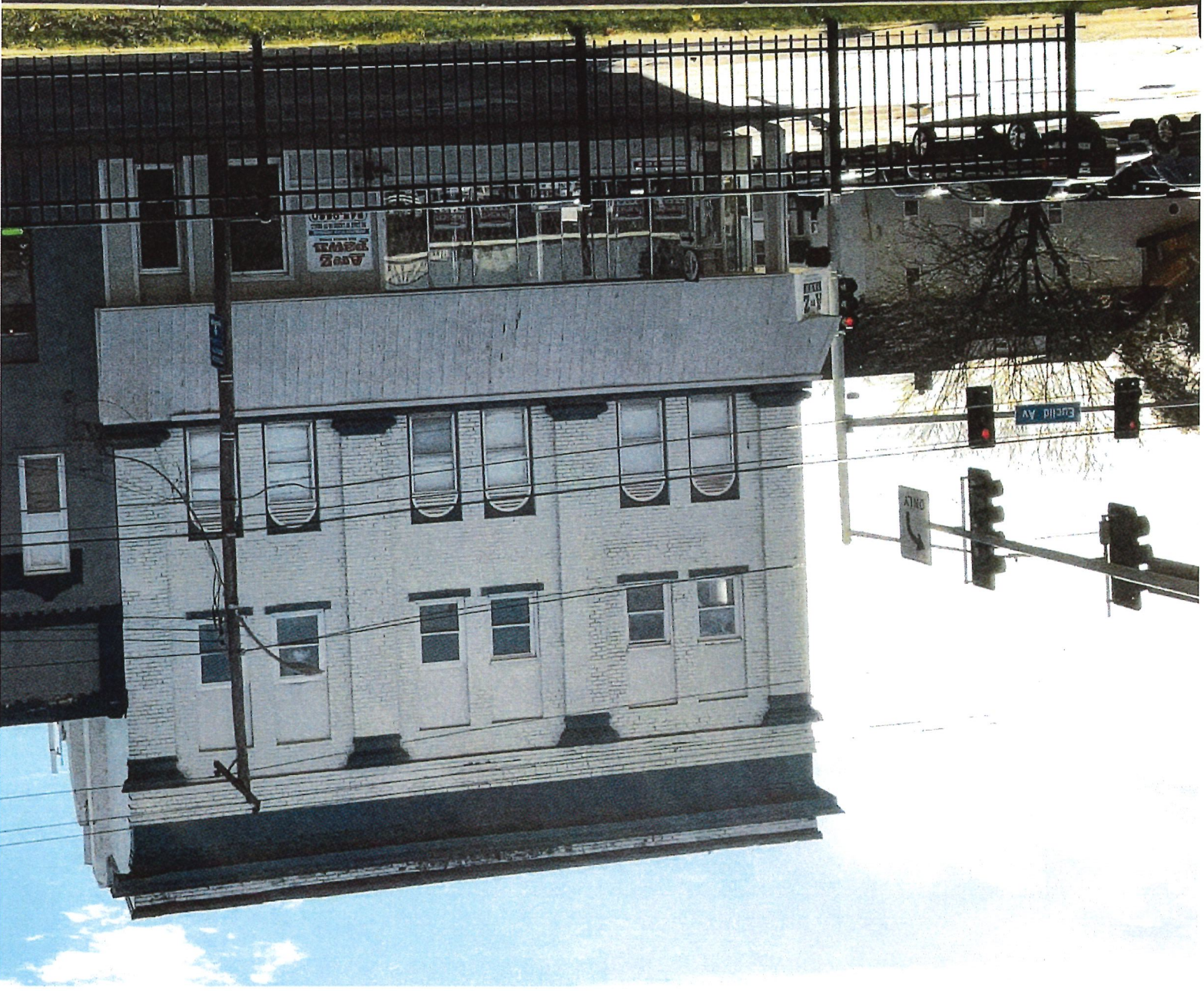


Network: Nov 1, 2023 at 11:08:40 AM CDT
Local: Nov 1, 2023 at 11:08:40 AM CDT
Des Moines



Network: Nov 1, 2023 at 11:08:19 AM CDT
Local: Nov 1, 2023 at 11:08:19 AM CDT
Des Moines

Network: Nov 1, 2023 at 11:10:58 AM CDT
Local: Nov 1, 2023 at 11:10:58 AM CDT
Des Moines



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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	200 EUCLID AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/02079-004-000	Geoparcel	7924-27-233-020	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-77639
Bond	Des Moines SSMD 4 Highland Park	Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515-286-3958

Map and Current Photos - 1 Record

Click on parcel to get a new listing

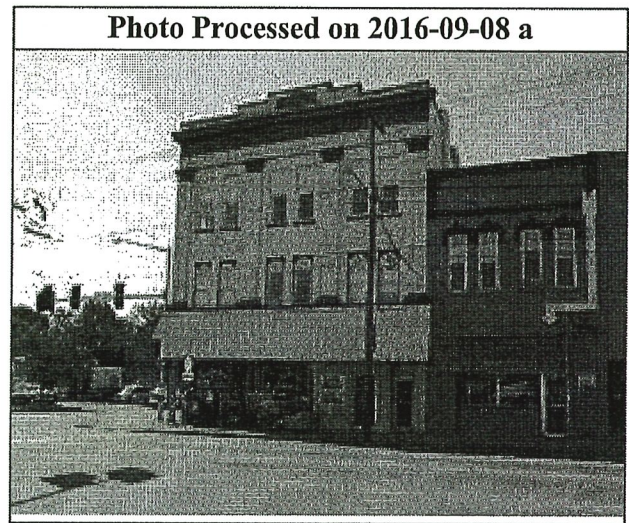
EUCLID AVE

120

3520

3513

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CAWLEY, TY	2009-07-10	13124/5

Legal Description and Mailing Address

COM NE COR LT 1 THN W 46F S 82.43F E 17F S 0.9F E 29F TO E LN LT 2 N 83.33F TO POB BLK 26 HIGHLAND PARK	TY CAWLEY 200 EUCLID AVE DES MOINES, IA 50313-4404
1 Bldg on Leased Land, Leasehold, or Air Rights Parcel(s)	

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Commercial	Full	\$34,700	\$155,300	\$190,000

[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
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Category		Name	Information			
<u>2023 Business Property Assessment Limitation</u>		CAWLEY TY	Names and Unit Determination as of July 1, 2023			
Zoning - 1 Record						
Zoning	Description		SF	Assessor Zoning		
MX3	MX3 Mixed Use District					
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>						
Land						
Square Feet	3,794	Acres	0.087	Topography	Blank	
Shape	Rectangular	Vacancy	Blank	Unbuildable	Blank	
Commercial Summary						
Occupancy	Retail & Apartment	Age, Weighted	1907	Total Story Height	3	
Land Area	3,794	Gross Area	10,560	Finished Area	10,560	
Unfinished Bsmt Area	3,520	Finished Bsmt Area	0	Number of Units	12	
Primary Group	Apartment	Percent Primary Group	50.00	Secondary Group	Retail Small	
Percent Secondary Group	25.00	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	2/Brick or Masonry	
Condition, Weighted	PR/Poor	Ground Floor Area	3,520	Perimeter	248	
Commercial Sections - 1 Record						
Commercial Section #101						
Section Multiplier	1	Occupancy	Retail & Apartment	Foundation	Concrete	
Submerged	No	Exterior Wall	Brick on Masonry	Insulation	Yes	
Roof	Flat	Roof Material	Built-up	Wiring	Adequate	
Plumbing	Adequate	Total Story Height	3	Frame Type	Frame	
Fireproof Construction	No	Bldg Class	Brick or Masonry	Total Section Area	14,080	
Ground Floor Area	3,520	Perimeter	248	Grade	4+00	
Year Built	1907	Year Remodel	1996	Condition	Below Normal	
Comment	APARTMENTS UNINHABITABLE					

Commercial Groups - 3 Records

Commercial Group #101 1

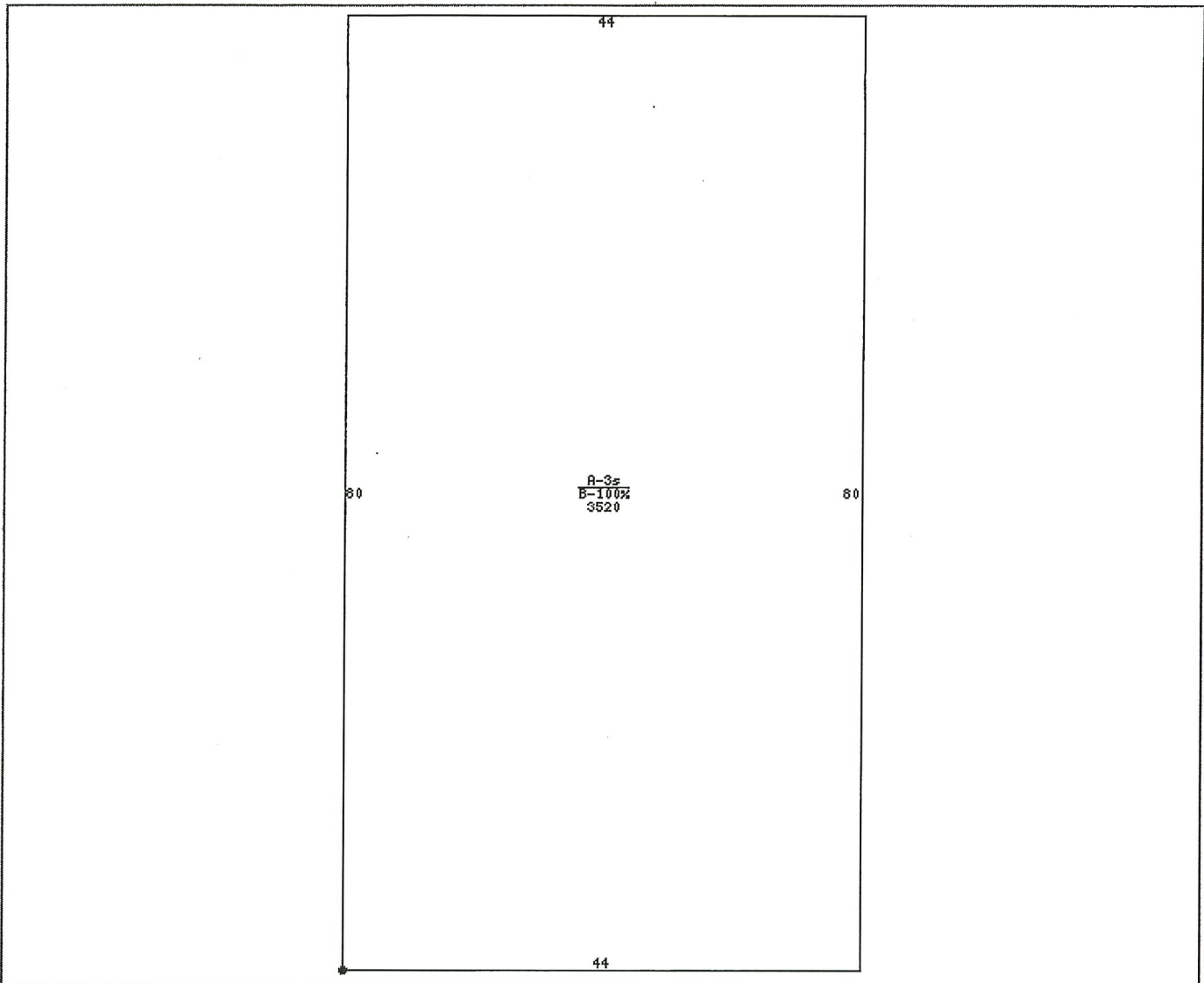
Use Code	Retail Small	Base Story	1	Number Stories	1
Total Group Area	3,520	Base Floor Area	3,520	Heating	Forced Air
Air Conditioning	Yes	Exhaust System	No		

Commercial Group #101 2

Use Code	Apartment	Base Story	2	Number Stories	2
Total Group Area	7,040	Base Floor Area	3,520	Number Units	12
Heating	Forced Air	Air Conditioning	None	Exhaust System	No
Condition	Poor				

Commercial Group #101 4

Use Code	Basement Entire	Number Stories	1	Total Group Area	3,520
Base Floor Area	3,520	Heating	Surround	Air Conditioning	None
Exhaust System	No				



Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
2015	Pickup	No Add	2015-03-13	Review Value	TREND
2015	Pickup	No Add	2014-09-17	Review	DUAL CLASS

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Commercial	Full	\$34,700	\$155,300	\$190,000
2021	<u>Assessment Roll</u>	Commercial	Full	\$29,000	\$130,000	\$159,000
2019	<u>Assessment Roll</u>	Commercial	Full	\$26,400	\$127,600	\$154,000
2017	<u>Assessment Roll</u>	Commercial	Full	\$26,400	\$117,600	\$144,000
2015	<u>Assessment Roll</u>	Commercial	Full	\$22,000	\$111,000	\$133,000



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

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Case Number: NUIS-2023-000191	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 07/07/2023
	Date of Notice: 09/12/2023
	Date of Inspection: 08/25/2023

TY CAWLEY
 520 SE 64TH ST
 PLEASANT HILL IA 50327

Address of Property: **200 EUCLID AVE, DES MOINES IA 50313**
 Parcel Number: **792427233020**

Legal Description: **COM NE COR LT 1 THN W 46F S 82.43F E 17F S 0.9F E 29F TO E LN LT 2 N 83.33F TO POB BLK 26 HIGHLAND PARK**

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
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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.	10/24/2023
<p>60-192(12) - Unsafe and Dangerous Structure or Premise Chimneys, cooling towers, smokestacks, and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.</p>	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	10/24/2023
<p>60-192(13) - Unsafe and Dangerous Structure or Premise Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects.</p>	Repair or replace all structural members, floors, walls, partitions, projections, and appurtenances to be properly anchored, plumb, and of sound construction. All work must be done in a workmanlike manner with all required permits.	10/24/2023
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.	10/24/2023

Violation	Corrective Action	Compliance Due Date
<p>60-192(2) - Unsafe and Dangerous Structure or Premise The building or structure, or part of a structure, 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, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	<p>Repair or replace all building components deteriorated to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.</p>	10/24/2023
<p>60-192(22) - Unsafe and Dangerous Structure or Premise Surfaces, including windows and doors, shall be maintained in good clean and sanitary conditions. Peeling chipping flaking or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood or other defective surface conditions shall be corrected.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	10/24/2023
<p>60-192(23) - Unsafe and Dangerous Structure or Premise Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or incapable of supports all nominal loads and resisting all load effects.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	10/24/2023
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	10/24/2023

Violation	Corrective Action	Compliance Due Date
<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>10/24/2023</p>
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	<p>10/24/2023</p>
<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>	<p>10/24/2023</p>
<p>60-192(8) - Unsafe and Dangerous Structure or Premise A building, structure or any portion thereof, because of inadequate maintenance, dilapidation, decay, damage, mold, faulty construction or arrangement, inadequate light, ventilation, or otherwise is determined by the administrator to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.</p>	<p>Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.</p>	<p>10/24/2023</p>

Violation	Corrective Action	Compliance Due Date
60-192(9) - Unsafe and Dangerous Structure or Premise Siding and masonry joints, including joints between the building envelope and the perimeter of window, doors and skylights are not maintained weather resistance or watertight.	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	10/24/2023
60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.	Replace or restore defaced or removed placard.	10/24/2023

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,



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