



Date February 25, 2013

WHEREAS, the property located at 210 E. Rose Avenue, 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 Anthony C. Carter and Mortgage Holder Wells Fargo Bank, National Association, 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The garage structure on the real estate legally described as LOT 36 SMITHS ACRES, 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. Rose Avenue, has 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 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 garage structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
\_\_\_\_\_  
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, DIANE RAUH, 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



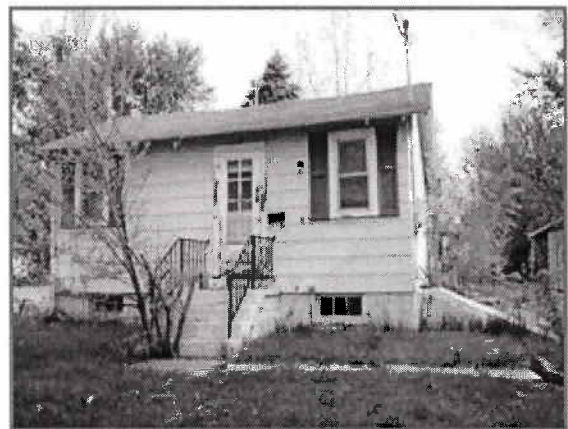
**Polk County Assessor**

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
010/04483-000-000	7824-22-151-034	0769	DM37/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
I/Des Moines					
Street Address			City State Zipcode		
<b>210 E ROSE AVE</b>			DES MOINES IA 50315-7749		

Click on parcel to get new listing

[Get Bigger Map](#)  
[Google Map](#)



Approximate date of photo 05/14/2008

**Mailing Address**

ANTHONY C CARTER  
 210 E ROSE AVE  
 DES MOINES, IA 50315-7749

**Legal Description**

LOT 36 SMITHS ACRES

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	CARTER, ANTHONY C	2000-07-03	8525/266	69.60

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	25,000	37,800	0	62,800

[Market Adjusted Cost Report](#)
[Estimate Taxes](#)
[Polk County Treasurer Tax Information](#)
[Pay Taxes](#)

Taxable Value Credit	Name	Number	Info
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**BDH/A**

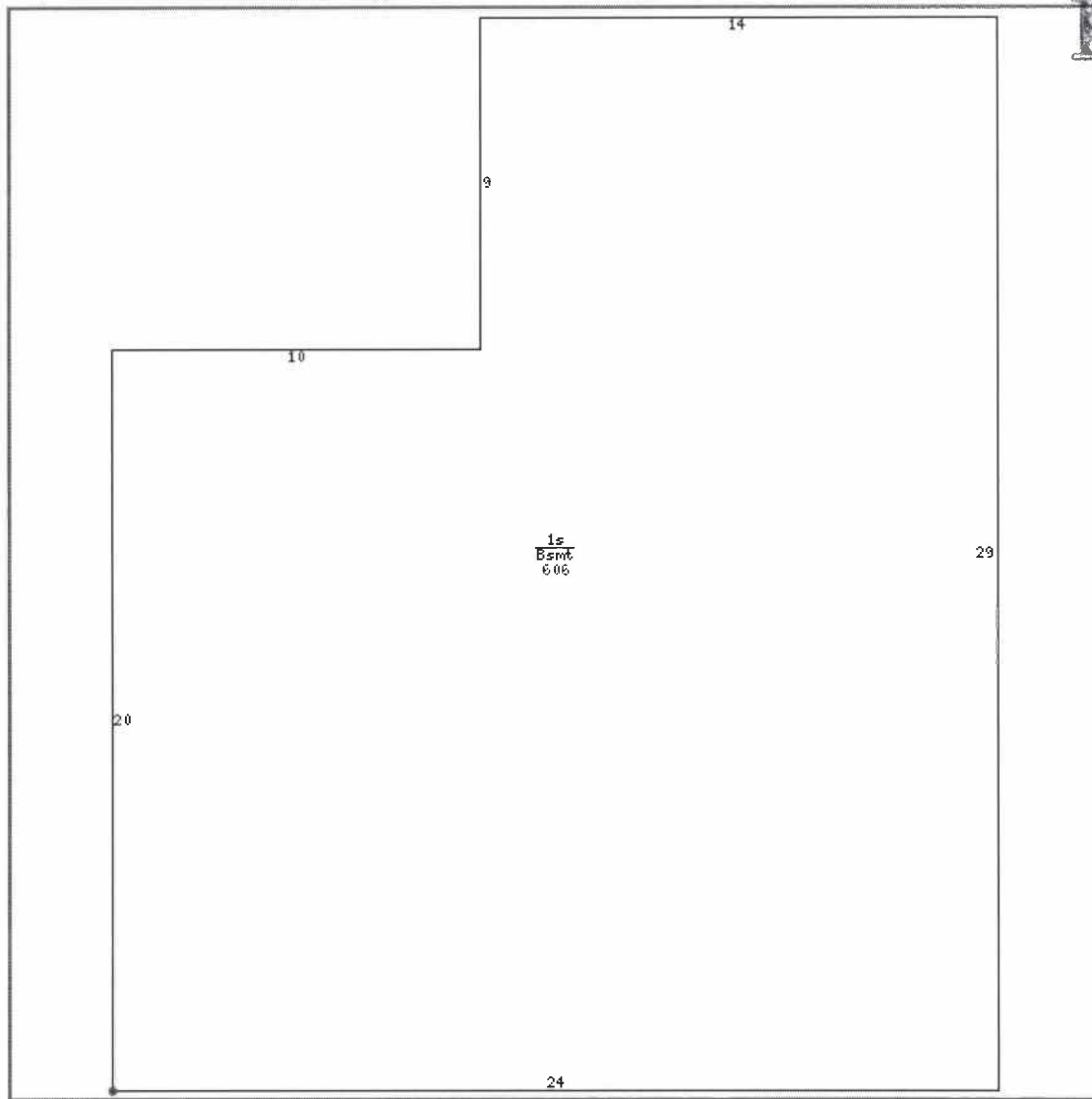
Homestead	CARTER, ANTHONY C	77626
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Zoning	Description	SF	Assessor Zoning
R1-70	One Family, Low Density Residential District		Residential

**Source:** City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

Land					
<b>SQUARE FEET</b>	19,120	<b>FRONTAGE</b>	80.0	<b>DEPTH</b>	239.0
<b>ACRES</b>	0.439	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

Residence # 1					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	S1/1 Story	<b>BLDG STYLE</b>	BG/Bungalow
<b>YEAR BUILT</b>	1936	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+00	<b>CONDITION</b>	NM/Normal	<b>TSFLA</b>	606
<b>MAIN LV AREA</b>	606	<b>BSMT AREA</b>	606	<b>FOUNDATION</b>	P/Poured Concrete
<b>EXT WALL TYP</b>	AS/Asbestos	<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle
<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0	<b>BATHROOMS</b>	1
<b>BEDROOMS</b>	2	<b>ROOMS</b>	4		



BDH1-A

Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	12	MEASURE2	22	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1936	CONDITION	PR/Poor

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SCHILLERBERG, EDWARD	CARTER, ANTHONY	2000-06-14	44,000	D/Deed	8535/266
FAZIO DEVELOPMENT, CORP	SCHILLERBERG, EDWARD	1998-05-26	42,000	D/Deed	7915/75

BDH 1-A

FAZIO, SONIA	FAZIO DEVELOPMENT CORP	<u>1998-02-04</u>	34,700	D/Deed	7822/240
SAMUEL W RANDALL GUARDIANSHIP	FAZIO, SONIA	<u>1991-06-28</u>	20,000	D/Deed	6440/40

Year	Type	Status	Application	Permit/Pickup Description
1998	P/Permit	NA/No Add	1998-01-13	AL/REMODEL
1997	U/Pickup	PA/Pass	1997	AL/REMODEL

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2011	<u>Assessment Roll</u>	Residential	Full	25,000	37,800	0	62,800
2009	<u>Assessment Roll</u>	Residential	Full	24,800	38,100	0	62,900
2007	<u>Assessment Roll</u>	Residential	Full	26,100	40,100	0	66,200
2005	<u>Assessment Roll</u>	Residential	Full	22,300	35,200	0	57,500
2003	<u>Assessment Roll</u>	Residential	Full	21,440	34,070	0	55,510
2001	<u>Assessment Roll</u>	Residential	Full	20,330	29,190	0	49,520
1999	Assessment Roll	Residential	Full	14,730	21,950	0	36,680
1997	Assessment Roll	Residential	Full	12,970	19,320	0	32,290
1995	Assessment Roll	Residential	Full	12,000	17,880	0	29,880
1993	Assessment Roll	Residential	Full	10,620	15,820	0	26,440
1991	Assessment Roll	Residential	Full	10,110	14,500	0	24,610
1991	Was Prior Year	Residential	Full	10,110	12,550	0	22,660

[email this page](#)

Room 195, 111 Court Avenue, Des Moines, IA 50309  
 Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)



**PUBLIC NUISANCE  
 NOTICE OF INSPECTION  
 NEIGHBORHOOD INSPECTION DIVISION  
 COMMUNITY DEVELOPMENT DEPARTMENT  
 CITY OF DES MOINES, IOWA**

BDH 1-A

**DATE OF NOTICE: January 14, 2013**

**DATE OF INSPECTION: July 20, 2012**

**CASE NUMBER: COD2012-04120**

**PROPERTY ADDRESS: 210 E ROSE AVE**

**LEGAL DESCRIPTION: LOT 36 SMITHS ACRES**

ANTHONY C CARTER  
 Title Holder  
 210 E ROSE AVE  
 DES MOINES IA 50315-7749

WELLS FARGO BANK, NATIONAL ASSOCIATION  
 Mortgage Holder  
 CORP. SERV. COMP. - REG. AGENT  
 505 5TH AVE SUITE 729  
 DES MOINES IA 50309

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling 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 will issue a Municipal Infraction in accordance with Section 60-304 and 60-306 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. Failure to correct these violations will result in legal action. The violations noted must be corrected within 30 days from the date of this notice. Failure to correct these violations will result in a request to the City Council, sitting as the board of Health, to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

**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.**

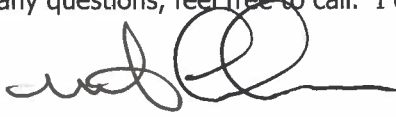
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Mike F Lehman  
(515) 283-4299



Nid Inspector

DATE MAILED: 1/14/2013

MAILED BY: TSY

**Areas that need attention:** 210 E ROSE AVE

<p><b>Component:</b> Windows/Window Frames  <b>Requirement:</b> Compliance, International Property Maintenance Code  <b>Comments:</b></p>	<p><b>Defect:</b> Cracked/Broken  <b>Location:</b> Garage</p>
<p><b>Component:</b> Exterior Walls  <b>Requirement:</b> Building Permit  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Garage</p>
<p><b>Component:</b> Roof  <b>Requirement:</b> Building Permit  <b>Comments:</b></p>	<p><b>Defect:</b> Holes or major defect  <b>Location:</b> Garage</p>
<p><b>Component:</b> Shingles Flashing  <b>Requirement:</b> Compliance, International Property Maintenance Code  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Garage</p>
<p><b>Component:</b> Soffit/Facia/Trim  <b>Requirement:</b> Compliance, International Property Maintenance Code  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Garage</p>



