



**Roll Call Number**

Agenda Item Number  
**BDH 1A**

Date October 21, 2013

WHEREAS, the property located at 1212 Fremont Street, 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 Alfredo DeAvila and Eva DeAvila and the Mortgage Holder Homeside Lending, Inc, 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure on the real estate legally described as LOT 4 BLK 13 STEWARTS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1212 Fremont Street, 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 owners 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.

FORM APPROVED:

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

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

**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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**BDH / A**

*Polk County Assessor*  Iowa

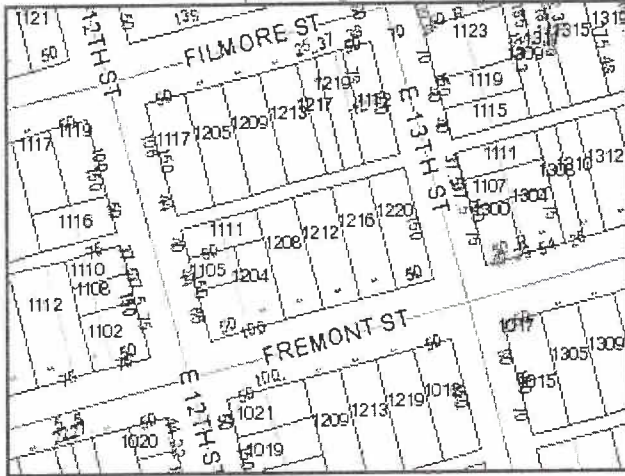
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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
040/04435-000-000	7824-03-203-015	0358	DM87/A	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
<b>1212 FREMONT ST</b>			<b>DES MOINES IA 50316</b>		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)




Approximate date of photo 12/02/2004

<b>Mailing Address</b>
ALFREDO DE AVILA 1219 FREMONT ST DES MOINES, IA 50316-3435

<b>Legal Description</b>
LOT 4 BLK 13 STEWARTS ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	DE AVILA, ALFREDO	2000-09-27	8599/511	
Title Holder #2	DE AVILA, EVA			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	10,000	35,800	0	45,800

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

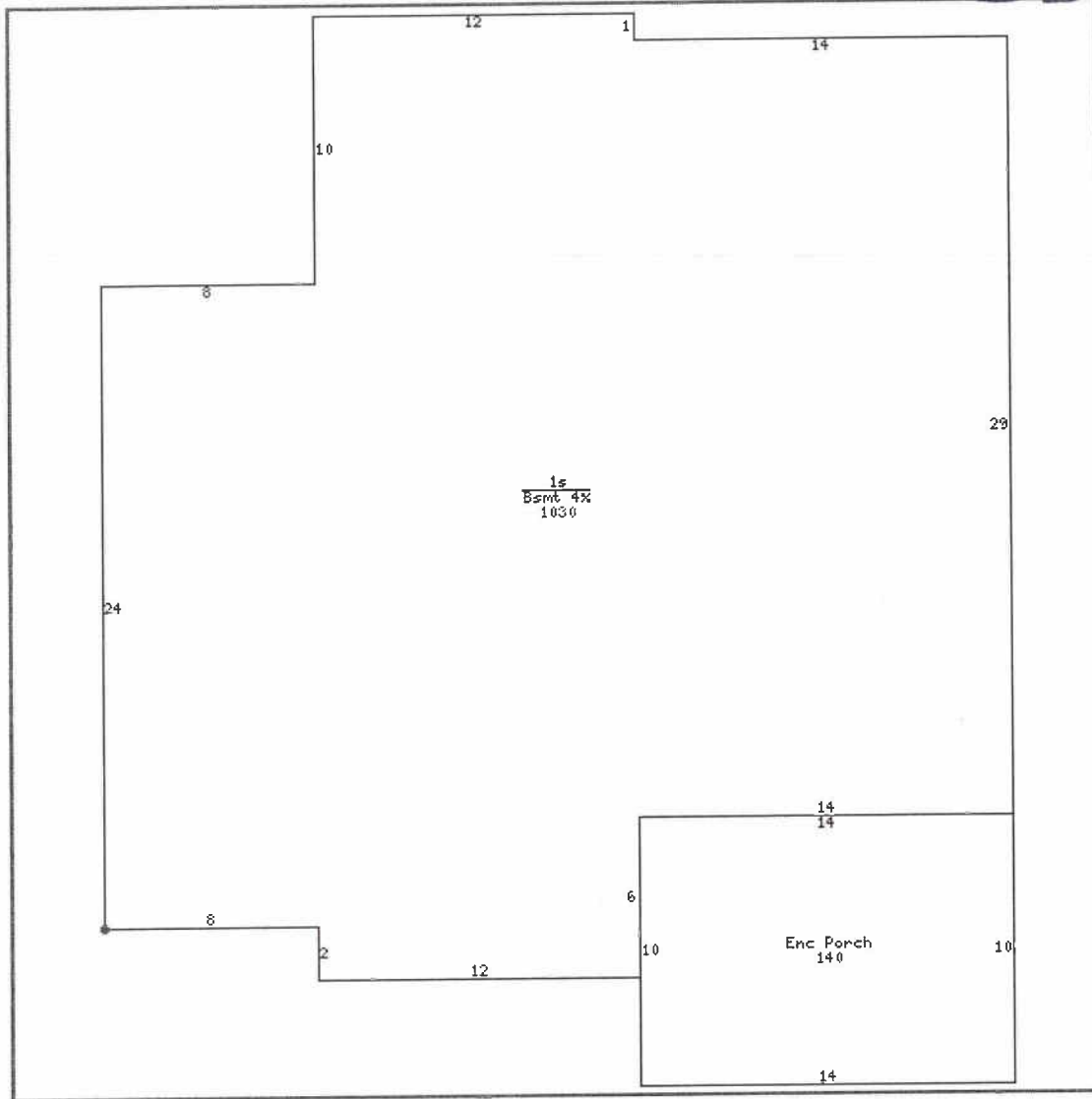
**BDH** /A

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no Gambling Games Prohibition		
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	7,500	FRONTAGE	50.0	DEPTH	150.0
ACRES	0.172	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1880	YEAR REMODEL	1991	# FAMILIES	1
GRADE	4	GRADE ADJUST	-05	CONDITION	BN/Below Normal
TSFLA	1,030	MAIN LV AREA	1,030	BSMT AREA	41
ENCL PORCH	140	FOUNDATION	M/Masonry	EXT WALL TYP	WS/Wood Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	BMT FL EARTH	100
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
BEDROOMS	3	ROOMS	5		

**BDH 1A**



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
VESOLE, RICHARD I CUSTODIAN/M.L. VESOLE	DEAVILA, ALFREDO	1998- 10-02	21,500	C/Contract	8030/838
SRS, INC	IDSO, RODNEY L	1995- 09-01	27,000	C/Contract	7269/191
SMITH, CHRISTINE A	SRS, INC	1994- 08-13	9,000	D/Deed	7113/508

Year	Type	Status	Application	Permit/Pickup Description
1993	P/Permit	CP/Complete	1991-10-15	Alterations
1992	P/Permit	PR/Partial	1991-10-15	Alterations

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
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**BDH 1A**

2013	Assessment Roll	Residential	Full	10,000	35,800	0	45,800
2011	Assessment Roll	Residential	Full	10,000	35,700	0	45,700
2009	Assessment Roll	Residential	Full	9,500	32,600	0	42,100
2007	Assessment Roll	Residential	Full	9,200	31,500	0	40,700
2005	Assessment Roll	Residential	Full	10,000	38,100	0	48,100
2003	Assessment Roll	Residential	Full	8,860	33,130	0	41,990
2001	Assessment Roll	Residential	Full	9,580	27,180	0	36,760
			Adj	9,580	10,290	0	19,870
1999	Assessment Roll	Residential	Full	7,040	20,240	0	27,280
			Adj	7,040	3,350	0	10,390
1997	Assessment Roll	Residential	Full	6,110	17,550	0	23,660
			Adj	6,110	660	0	6,770
1995	Assessment Roll	Residential	Full	5,750	16,520	0	22,270
			Adj	5,750	0	0	5,750
1993	Assessment Roll	Residential	Full	5,290	15,190	0	20,480
			Adj	5,290	0	0	5,290
1992	Assessment Roll	Residential	Full	5,290	8,630	0	13,920
1991	Assessment Roll	Residential	Full	5,290	4,980	0	10,270
1989	Assessment Roll	Residential	Full	5,290	8,410	0	13,700

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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** 1A

**DATE OF NOTICE: August 19, 2013**

**DATE OF INSPECTION: August 02, 2013**

**CASE NUMBER: COD2013-04470**

**PROPERTY ADDRESS: 1212 FREMONT ST**

**LEGAL DESCRIPTION: LOT 4 BLK 13 STEWARTS ADDITION**

ALFREDO DE AVILA & EVA DE AVILA

Title Holder  
1219 FRMONT ST  
DES MOINES IA 50316

HOMESIDE LENDING INC  
Mortgage Holder  
7301 BAYMEADOWS WAY  
JACKSONVILLE FL 32256

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.

Daniel Adams  
(515) 237-1612



Nid Inspector

DATE MAILED: 8/19/2013

MAILED BY: JDH

**Areas that need attention:** 1212 FREMONT ST

<b>Component:</b>	Electrical System	<b>Defect:</b>	Not installed as required
<b>Requirement:</b>	Compliance with National Electrical Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Electrical permit required.		
<b>Component:</b>	Mechanical System	<b>Defect:</b>	Not installed as required
<b>Requirement:</b>	Compliance, Uniform Mechanics Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Mechanical permit required.		
<b>Component:</b>	Plumbing System	<b>Defect:</b>	Not installed as required
<b>Requirement:</b>	Compliance with Uniform Plumbing Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Plumbing permit required.		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>		<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Brick Chimney	<b>Defect:</b>	Missing Mortars
<b>Requirement:</b>		<b>Location:</b>	Roof
<b>Comments:</b>			
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	Major sagging
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Building permit required.		
<b>Component:</b>	Sub Floor	<b>Defect:</b>	In poor repair
<b>Requirement:</b>		<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Foundation	<b>Defect:</b>	Structurally Unsound
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Building permit required.		



<p><b>Component:</b> Smoke Detectors  <b>Requirement:</b>  <b>Comments:</b></p>	<p><b>Defect:</b> Not Supplied  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Exterior Doors/Jams  <b>Requirement:</b>  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Interior Walls /Ceiling  <b>Requirement:</b>  <b>Comments:</b> Plaster falling off of walls.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> See Comments  <b>Requirement:</b>  <b>Comments:</b> Floor registers and heat runs.</p>	<p><b>Defect:</b> In disrepair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Exterior Walls  <b>Requirement:</b> Compliance with International Building Code  <b>Comments:</b> Building permit required.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure</p>
<p><b>Component:</b> Chimney Liner  <b>Requirement:</b> Compliance, Uniform Mechanics Code  <b>Comments:</b> Mechanical permit required.</p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure</p>
<p><b>Component:</b> Exterior Walls  <b>Requirement:</b>  <b>Comments:</b></p>	<p><b>Defect:</b> Absence of paint  <b>Location:</b> Main Structure</p>
<p><b>Component:</b> Roof  <b>Requirement:</b> Compliance with International Building Code  <b>Comments:</b> Building permit required.</p>	<p><b>Defect:</b> Not installed as required  <b>Location:</b> Main Structure</p>
<p><b>Component:</b> Roof  <b>Requirement:</b>  <b>Comments:</b></p>	<p><b>Defect:</b> Not impervious to weather  <b>Location:</b> Throughout</p>

<b>Component:</b>	66	<b>Defect:</b>	In poor repair	<b>BDH</b> /A
<b>Requirement:</b>	Compliance v International Building Code	<b>Location:</b>	Unknown	
<b>Comments:</b>	Building permit required.			
<b>Component:</b>	Hand Rails	<b>Defect:</b>	Improperly Installed	
<b>Requirement:</b>		<b>Location:</b>	Stairway	
<b>Comments:</b>	Stairs leading to front sidewalk.			
<b>Component:</b>	Window Glazing/Paint	<b>Defect:</b>	See Comments	
<b>Requirement:</b>		<b>Location:</b>	Throughout	
<b>Comments:</b>	Lead paint present. Must be removed to bare wood accordance to state regulations.			
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Not impervious to weather	
<b>Requirement:</b>		<b>Location:</b>	Throughout	
<b>Comments:</b>				
<b>Component:</b>	See Comments	<b>Defect:</b>	See Comments	
<b>Requirement:</b>	Building Permit	<b>Location:</b>		
<b>Comments:</b>	If house is going to be demolished a building permit must be pulled.			

BDH 1A



1212 Fremont Street

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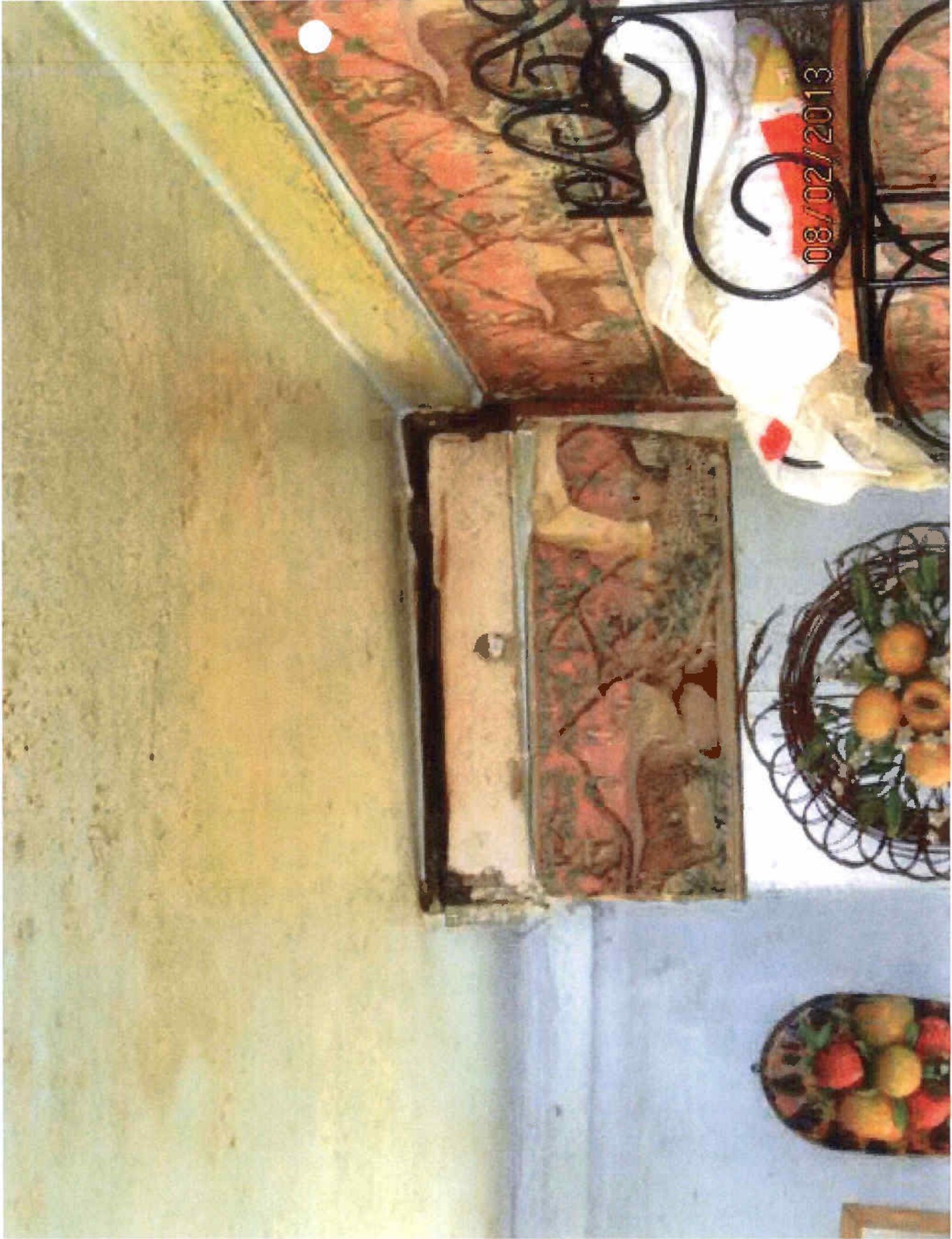


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