



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

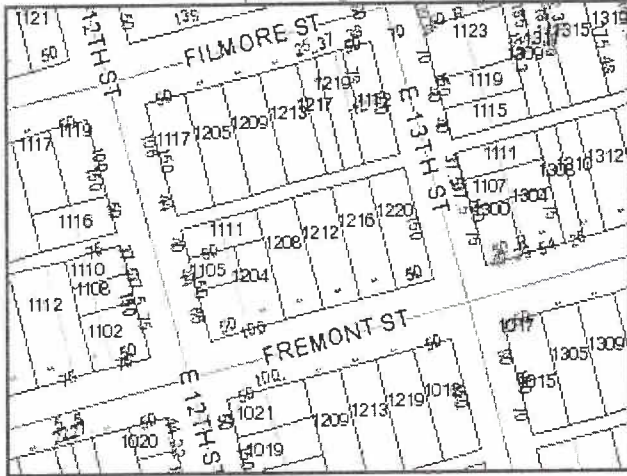
[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

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

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)




Approximate date of photo 12/02/2004

Mailing Address
ALFREDO DE AVILA 1219 FREMONT ST DES MOINES, IA 50316-3435

Legal Description
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](#)

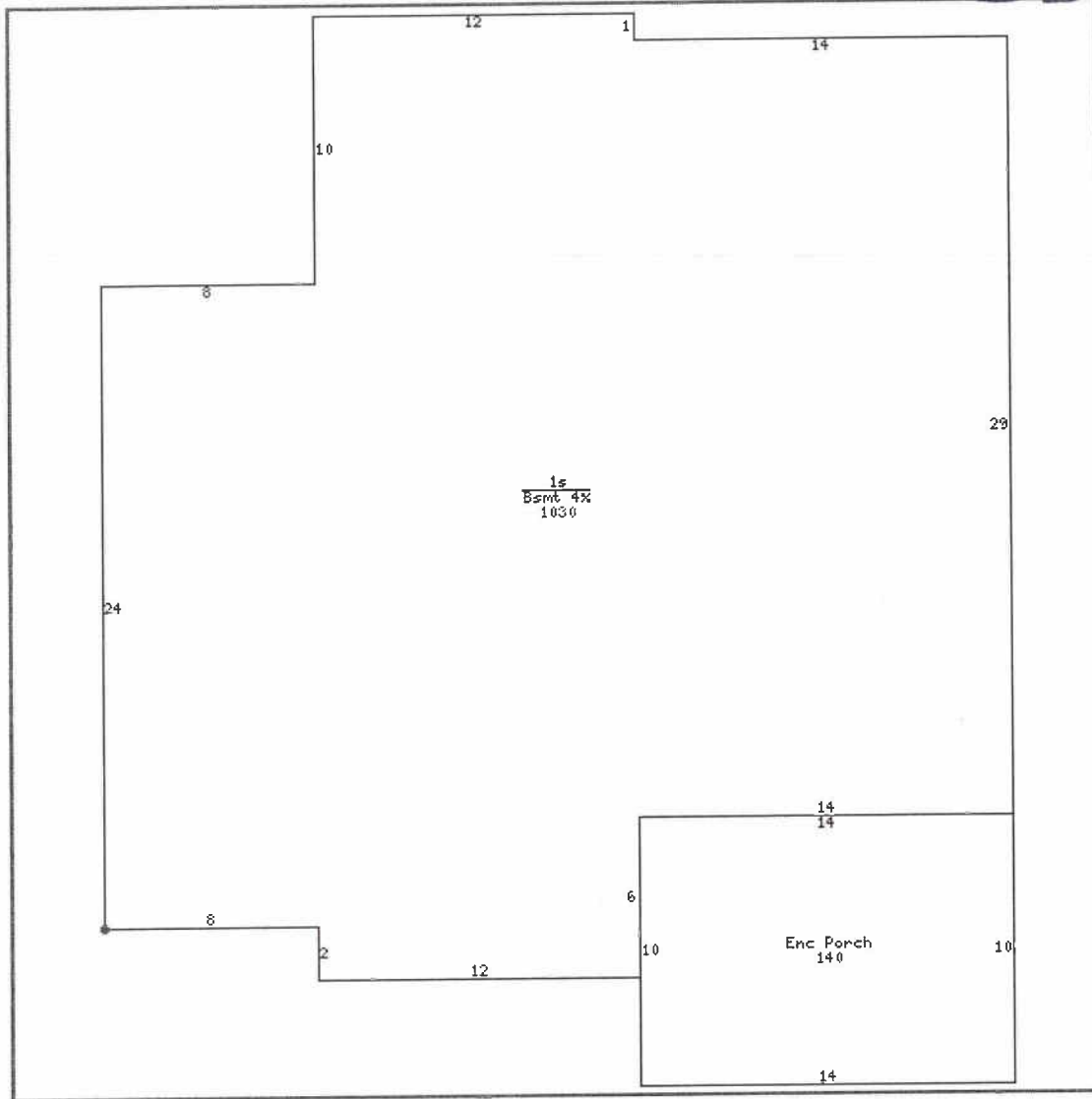
BDH /A

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no Gambling Games Prohibition		
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: 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		

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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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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



**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

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

