



Roll Call Number

Agenda Item Number
BDH 1-A

Date February 8, 2010

WHEREAS, the property located at 926 Rose Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholders Donald L. Folwell and Lester D. Folwell are both deceased; therefore, Sheryl Folwell, Heir and Executrix to the Estate of Lester D. Folwell was notified by personal service more than thirty days ago to repair or demolish the main structure and accessory structure 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure and accessory structure on the real estate legally described as LOT 118 WATROUS PARK, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 926 Rose Avenue, have 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 main structure and accessory structure.

Moved by _____ to adopt.

FORM APPROVED:


Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLESIAN				
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

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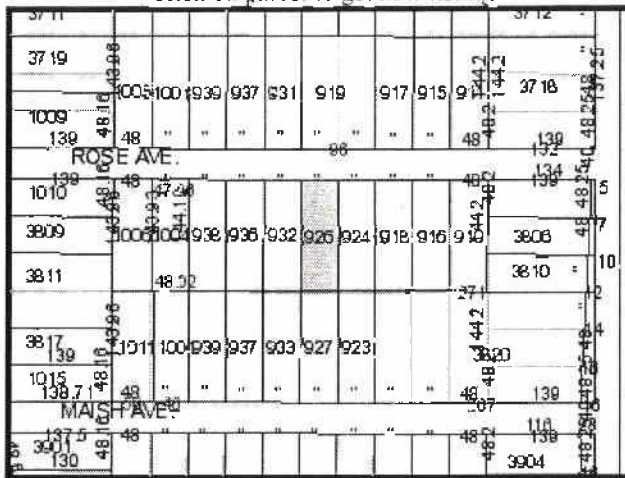
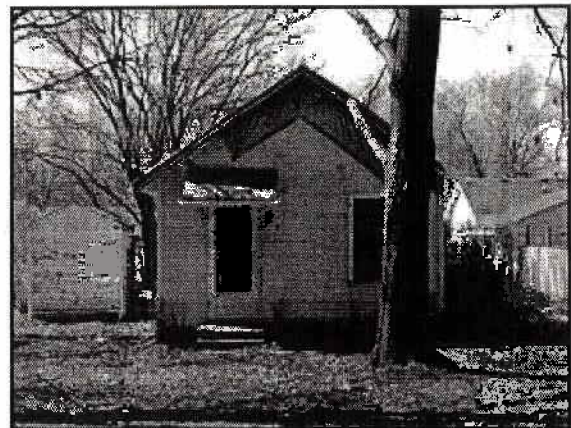
Polk County Assessor 

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
010/05696-000-000	7824-21-182-011	0848	DM28/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
926 ROSE AVE			DES MOINES IA 50315		

Click on parcel to get new listing

Get Bigger Map

Approximate date of photo 04/14/2008

Mailing Address
DONALD L FOLWELL 924 ROSE AVE DES MOINES, IA 50315-3062

Legal Description
LOT 118 WATROUS PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	FOLWELL, DONALD L			
Title Holder #2	FOLWELL, LESTER D			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	19,900	12,000	0	31,900

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

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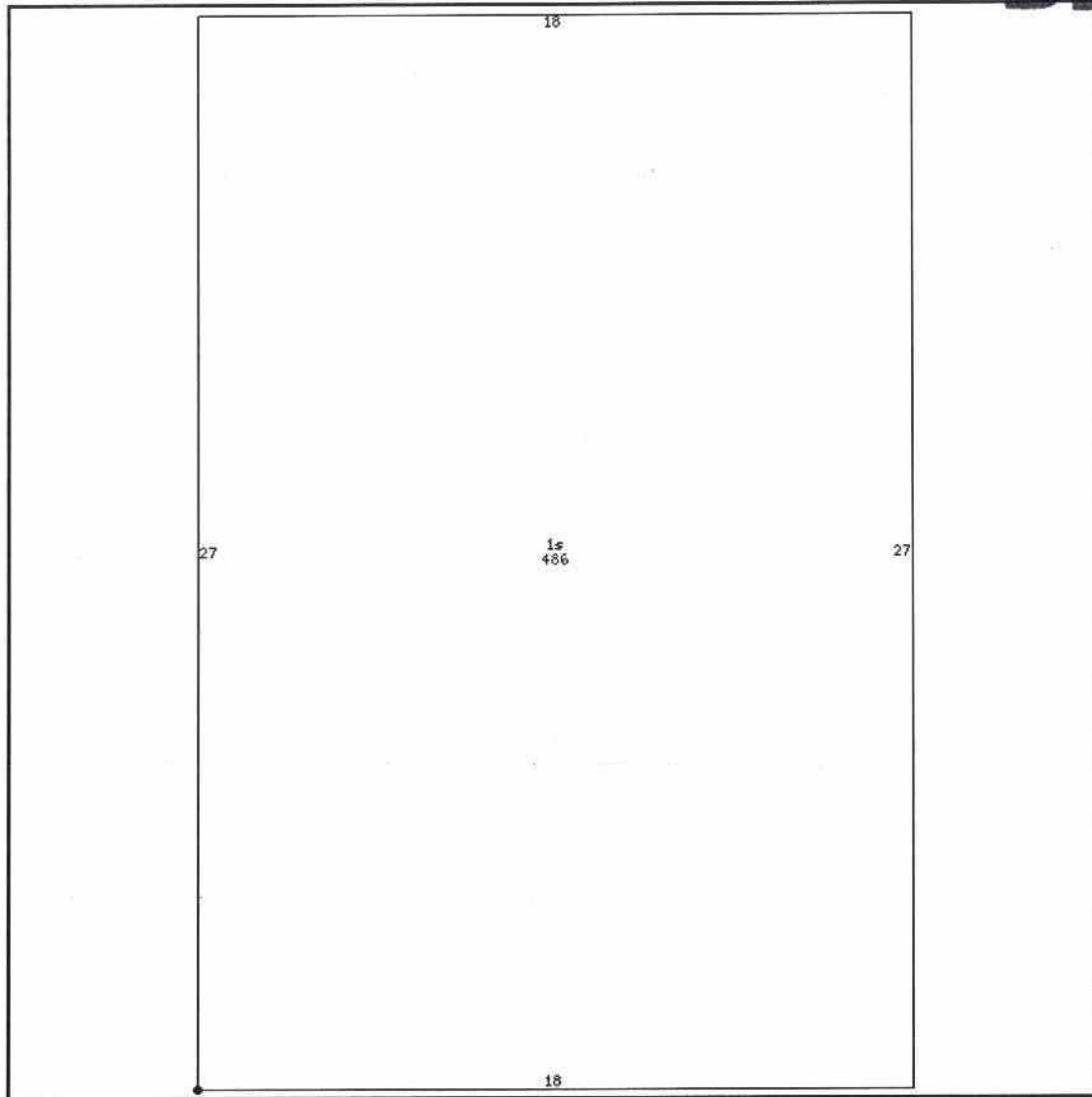
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District	6912	Residential

Source: City of Des Moines Community Development Published: 2009-06-15 Contact: Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	6,912	FRONTAGE	48.0	DEPTH	144.0
ACRES	0.159	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1916	# FAMILIES	1	GRADE	5
GRADE ADJUST	+00	CONDITION	PR/Poor	TSFLA	486
MAIN LV AREA	486	FOUNDATION	B/Brick	EXT WALL TYP	WS/Wood Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	N/No Heat
AIR COND	0	BATHROOMS	1	BEDROOMS	1
ROOMS	3				

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Year	Type	Status	Application	Permit/Pickup Description
2001	U/Pickup	NA/No Add	2000-07-05	RV/REVAL

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2009	Assessment Roll	Residential	Full	19,900	12,000	0	31,900
2007	Assessment Roll	Residential	Full	19,400	10,400	0	29,800
2005	Assessment Roll	Residential	Full	18,900	8,900	0	27,800
2003	Assessment Roll	Residential	Full	17,350	8,530	0	25,880
2001	Assessment Roll	Residential	Full	13,270	7,500	0	20,770
1999	Assessment Roll	Residential	Full	11,040	16,400	0	27,440
1997	Assessment Roll	Residential	Full	9,720	14,440	0	24,160
1995	Assessment Roll	Residential	Full	8,550	12,710	0	21,260

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1993	Assessment Roll	Residential	Full	7,840	11,660	0	19,500
1991	Assessment Roll	Residential	Full	7,130	9,640	0	16,770
1991	Was Prior Year	Residential	Full	7,130	8,030	0	15,160

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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 1-A

DATE OF NOTICE: October 5, 2009

DATE OF INSPECTION: September 23, 2009

CASE NUMBER: COD2009-07069

PROPERTY ADDRESS: 926 ROSE AVE

LEGAL DESCRIPTION: LOT 118 WATROUS PARK

SHERYL FOLWELL
Heir
1746 CAPITOL AVE
DES MOINES IA 50316

DONALD L FOLWELL
Title Holder
924 ROSE AVE
DES MOINES IA 50315

LESTER D FOLWELL
Title Holder
DECEASED

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 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 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 Polk 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.

Mary Newman

(515) 283-4980

Nid Inspector

DATE MAILED: 10/5/2009

MAILED BY: TSY

Areas that need attention: 926 ROSE AVE

Component: Accessory Buildings Requirement: Comments: Remove building	Defect: Deteriorated Location:
Component: Roof Requirement: Building Permit Comments:	Defect: Collapsed Location: Main Structure
Component: Exterior Walls Requirement: Comments:	Defect: Deteriorated Location: Main Structure
Component: Windows/Window Frames Requirement: Comments:	Defect: Deteriorated Location: Main Structure
Component: Interior Walls /Ceiling Requirement: Building Permit Comments:	Defect: Deteriorated Location: Throughout
Component: Plumbing System Requirement: Comments:	Defect: In poor repair Location: Throughout
Component: Electrical System Requirement: Electrical Permit Comments:	Defect: In poor repair Location: Throughout
Component: Mechanical System Requirement: Mechanical Permit Comments:	Defect: In disrepair Location: Throughout

