

Date March 8, 2010

WHEREAS, the property located at 809 Lyon Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and the fire-damaged garage structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance and that the fire-damaged garage structure now requires administrative removal; and

WHEREAS, the Titleholders Royetta Crawford and Mary Derry were served notice of the public nuisance and notice of administrative removal regarding the fire-damage garage more than 30 days ago and have failed to abate the nuisance; and

WHEREAS, during such time as the diligent search for Titleholder Artie Smith has taken place, the fire-damaged garage structure has deteriorated to such a point as to call for an administrative removal; and

WHEREAS, the Department of Engineering of the City of Des Moines shall take all necessary action to demolish and remove said fire-damaged garage structure; and

WHEREAS, the City of Des Moines should collect the costs of said demolition as an assessment to be levied against the real estate; and

WHEREAS, the Legal Department of the City of Des Moines shall continue its diligent search for Titleholder Artie Smith and will proceed with Council action regarding the main structure upon completion of service upon Titleholder Smith.

**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 fire-damaged garage structure on the real estate legally described as LOT 6 BLK M GRIFFITHS ADD NO 2 TO EAST FT DES MOINES, now included in and forming a part of the city of Des Moines, Polk County, Iowa, and locally known as 809 Lyon Street have previously been declared a public nuisance;

**BE IT FURTHER RESOLVED:**

That this matter be referred to the Department of Engineering to take all necessary action to demolish and remove said fire-damaged garage structure as an administrative removal and the costs incurred for the demolition of the fire-damaged garage structure located at 809 Lyon Street shall be collected by assessment against the real estate property.

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

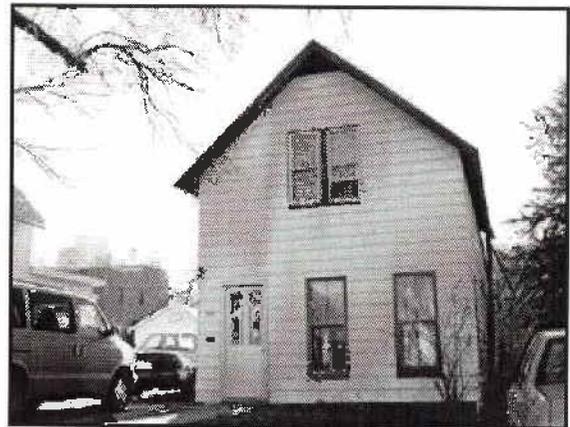
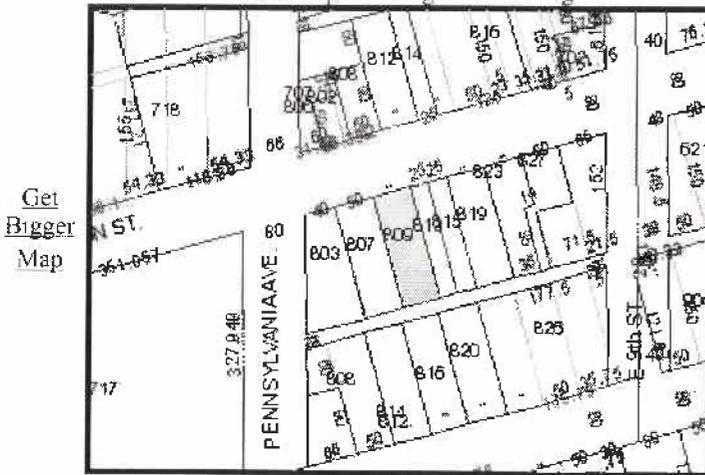
\_\_\_\_\_ City Clerk

**Polk County Assessor** 

[ 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
040/02934-000-000	7824-03-180-003	0232	DM92/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
<b>809 LYON ST</b>			DES MOINES IA 50309-5460		

Click on parcel to get new listing



Approximate date of photo 12/16/2004

Mailing Address
ROYETTA CRAWFORD 809 LYON ST DES MOINES, IA 50309-5460

Legal Description
LOT 6 BLK M GRIFFITHS ADD NO 2 TO EAST FT DES MOINES

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	CRAWFORD, ROYETTA	2002-07-09	9219/759	
Title Holder #2	SMITH, ARITE SR			
Title Holder #3	DERRY, MARY			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	15,400	41,200	0	56,600

Market Adjusted Cost Report    Assessment Roll Notice    Estimate Taxes    Polk County Treasurer

**BDH** 1(A)

Tax Information Pay Taxes

Taxable Value Credit	Name	Number	Info
Pending Homestead	CRAWFORD, ROYETTA	236501	

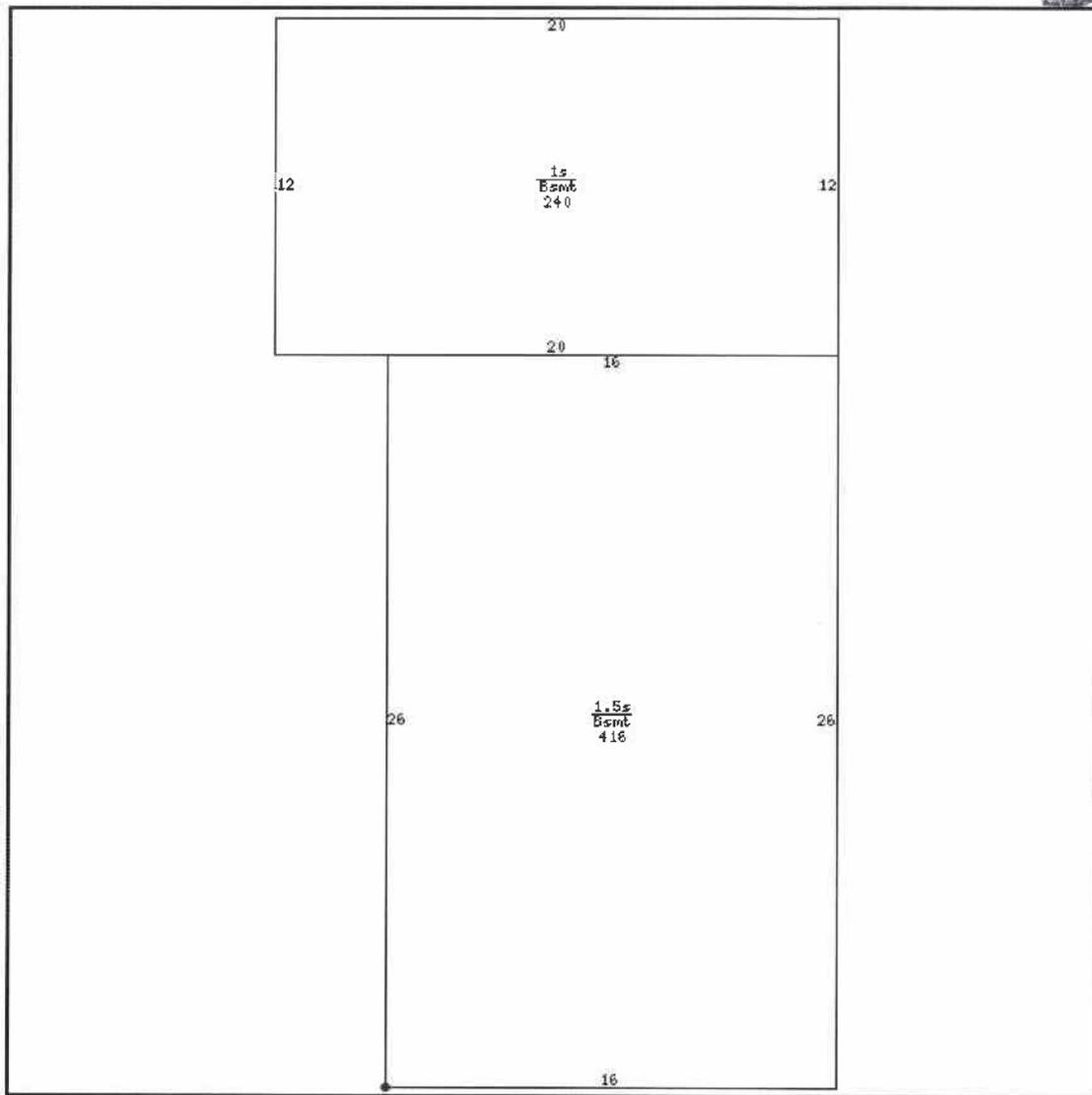
Zoning	Description	SF	Assessor Zoning
R-4	Multiple Family Residential District	7500	Multi-Family Residential
*Condition	Docket_no 14361		
*Condition	Docket_no 14097		

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

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	SH/1.5 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1877	# FAMILIES	1	GRADE	4
GRADE ADJUST	-10	CONDITION	BN/Below Normal	TSFLA	935
MAIN LV AREA	656	UPPR LV AREA	279	BSMT AREA	656
FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	1	BEDROOMS	2	ROOMS	6

**BDH 1(A)**



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SHELTON, HOWARD L	SMITH, FLORENCE	1991-08-29	19,000	C/Contract	6426/659

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	NA/No Add	2009-08-28	AD/Addition FENCE Cost Estimate 1100

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2009	Assessment Roll	Residential	Full	15,400	41,200	0	56,600
2007	Assessment Roll	Residential	Full	15,200	40,800	0	56,000
2005	Assessment Roll	Residential	Full	14,700	36,800	0	51,500
2003	Assessment Roll	Residential	Full	13,120	32,130	0	45,250
2001	Assessment Roll	Residential	Full	12,400	26,820	0	39,220

**BDH** / (A)

1999	Assessment Roll	Residential	Full	7,230	15,250	0	22,480
1997	Assessment Roll	Residential	Full	6,270	13,230	0	19,500
1995	Assessment Roll	Residential	Full	5,900	12,450	0	18,350
1993	Assessment Roll	Residential	Full	5,510	11,640	0	17,150
1993	Was Prior Year	Residential	Full	5,510	9,970	0	15,480

email this page

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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**

**DATE OF NOTICE:** November 24, 2009

**DATE OF INSPECTION:** November 17, 2009

**CASE NUMBER:** COD2009-08497

**PROPERTY ADDRESS:** 809 LYON ST

**LEGAL DESCRIPTION:** LOT 6 BLK M GRIFFITHS ADD NO 2 TO EAST FT DES MOINES

ROYETTA CRAWFORD  
Title Holder  
809 LYON ST  
DES MOINES IA 50309

MARY DERRY  
Title Holder  
270 BRIANNA CT  
VON ARMY TX 78073

ARTIE SMITH  
Title Holder  
1934 FRANCIS AVE  
DES MOINES IA 50314

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. 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.

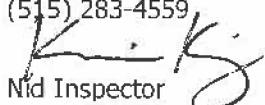
If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from 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.

Kevin King

(515) 283-4559

  
Nid Inspector

DATE MAILED: 11/23/2009

MAILED BY: JDH

**Areas that need attention:** 809 LYON ST

<b>Component:</b> Roof	<b>Defect:</b> Structurally Unsound
<b>Requirement:</b> Building Permit	<b>Location:</b> Roof
<b>Comments:</b>	
<b>Component:</b> Interior Walls /Ceiling	<b>Defect:</b> Cracked/Broken
<b>Requirement:</b>	<b>Location:</b> Throughout
<b>Comments:</b>	
<b>Component:</b> Water Heater	<b>Defect:</b> Missing
<b>Requirement:</b> Mechanical Permit	<b>Location:</b> Utility Room
<b>Comments:</b>	
<b>Component:</b> Furnace	<b>Defect:</b> Missing
<b>Requirement:</b> Mechanical Permit	<b>Location:</b> Utility Room
<b>Comments:</b>	
<b>Component:</b> Incompatible Breaker Panel	<b>Defect:</b> Missing
<b>Requirement:</b> Electrical Permit	<b>Location:</b> Throughout
<b>Comments:</b>	
<b>Component:</b> Water Service	<b>Defect:</b> Not installed as required
<b>Requirement:</b> Permit Required	<b>Location:</b> Throughout
<b>Comments:</b>	
<b>Component:</b> Wiring	<b>Defect:</b> Not installed as required
<b>Requirement:</b> Electrical Permit	<b>Location:</b> Throughout
<b>Comments:</b>	
<b>Component:</b> See Comments	<b>Defect:</b>
<b>Requirement:</b>	<b>Location:</b> Throughout
<b>Comments:</b> All work needs to comply with International Property Maintenance Code	

<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Main Structure
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Garage
<b><u>Comments:</u></b>	Administrative Removal		
<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Garage
<b><u>Comments:</u></b>	Administrative Removal		
<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Garage
<b><u>Comments:</u></b>	Administrative Removal		
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Garage
<b><u>Comments:</u></b>	Administrative Removal		
<b><u>Component:</u></b>	Wiring	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Garage
<b><u>Comments:</u></b>	Administrative Removal		

## DECLARATIONS

We will provide the insurance described in this policy in return for the premium and compliance with all applicable provisions of this policy.

Coverage afforded by this policy is provided by:

State Farm Fire and Casualty Company  
222 S 84th Street  
Lincoln, NE 68501

A Stock Company with Home Offices in Bloomington, Illinois.

<p>15-BG-C057-D <span style="float: right;"><b>Policy Number</b></span></p>	
<p><b>Named Insured and Mailing Address</b> BISHOP, DIANE M &amp; EMILY 2116 MAISH CT DES MOINES, IA 50320-2315</p>	
<p>The Policy Period begins and ends at Noon Standard Time at the residence premises.</p> <p>03/02/2010 <span style="float: right;"><b>Effective Date</b></span> 03/02/2011 <span style="float: right;"><b>Expiration of Policy Period</b></span></p>	<p><b>Automatic Renewal</b> - If the Policy Period is shown as <b>12 months</b>, this policy will be renewed automatically subject to the premiums, rules and forms in effect each succeeding policy period. If this policy is terminated, we will give you and the Mortgagee/Lienholder written notice in compliance with the policy provisions or as required by law.</p>
<p><b>Limit of Liability - Section 1</b> \$140,000 Coverage A Dwelling</p> <p><b>Policy Type</b> Homeowners Policy A1 - Replacement Cost - Similar Construction Increased Dwelling Up to \$28,000 - Open ID</p>	<p><b>Deductibles - Section 1 1/2% \$700</b> ALL LOSSES In case of loss under this policy, the deductible will be applied per occurrence and will be deducted from the amount of the loss. Other deductibles may apply - refer to your policy.</p>
<p><b>Location of Premises</b> 2116 MAISH CT DES MOINES, IA 50320-2315</p>	<p><b>Policy Premium</b>      \$821.00</p>
<p><b>Forms, Options, &amp; Endorsements</b> FP 7955 Homeowners Policy</p>	
<p><b>Mortgagee &amp; Addl. Interests</b> MORTGAGEE WELLS FARGO BANK NA #936 ITS SUCCESSORS AND/OR ASSIGNS PO BOX 100515 FLORENCE, SC 29502-0515 Loan Number: 0632675013</p>	<p><b>Agent Name &amp; Address</b> Van Meter, Brad 4229 Fleur Drive Des Moines, IA 50321-2325 (515) 256-6450</p>

CITY OF DES MOINES, IOWA

Case No.: C002009-08497

Plaintiff

ARTIE SMITH

AFFIDAVIT OF NON-SERVICE AND  
DUE DILIGENCE

Defendant

Service Attempts

Date/Time	Reason for Non-Service
11/23/09	10:44 AM Attempted at 1834 Francis, this may not be the correct address for service
12/08/09	12:00 PM Located address of 555 NW Aurora, DSM, for Arthur Smith, Sr., will attempt
12/15/09	7:00 PM Drove by 555 NW Aurora nowhere to park on street, driveway not paved
12/17/09	1:02 PM No answer at door at 1:02 pm
01/05/10	9:00 AM Found an address of E. Hubbell registered to Artie Smith Jr, will attempt there. No one living in Lyon house any longer. Nothing substantial found on Trecoers
02/13/10	6:00 PM Artie Smith Jr, is registered to this address per vehicle registration. Went there and is a strange configuration of building; could find no one who knew Artie at Scotts TV
02/17/10	2:05 PM Returned and talked with people in white square building, and pawn shop, no one knew Artie Smith. Called Great Plains and phone is disconnected

I declare under penalties of perjury that the information obtained herein is correct to the best of my knowledge.

*Linda Mathews*

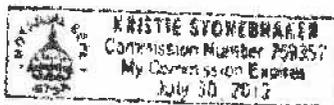
3/3/10  
Executed on

Linda Mathews  
Iowa Process Service  
P.O. Box 10008  
Des Moines, IA 50312  
(877) 816-6696

Subscribed and sworn to before me, a notary public, on this 3 day of March, 2010.

*Kristie Svoboda*  
Notary Public

My Commission Expires:



ID: 09-703412  
Client Reference:

NOTICE OF ADMINISTRATIVE REMOVAL

TITLEHOLDER: Royetta Crawford  
809 Lyon St  
Des Moines IA 50309

Mary Derry  
270 Brianna Ct  
Von Ormy TX 78073

Artie Smith  
1934 Francis Ave  
Des Moines IA 50314

CONTRACT BUYER:

LEGAL INTEREST:

Property located at: 809 Lyon St

Legally described as: LOT 6 BLK M GRIFFITHS ADD NO 2 TO EAST DES MOINES

You are hereby notified that I, as the Housing Code Enforcement Officer of the City of Des Moines, have determined that the housing structure(s) on the above described real estate is a public nuisance and threatening to health and safety of the public. Accordingly, you are ordered to demolish and remove said structure(s), or cause it to be demolished and removed, and to level the ground upon which it stands within 14 days after receipt of this notice. In the event said structure is not removed and the ground leveled within that time period, the matter of its removal shall be considered and voted upon at a public hearing by the City Council sitting as the Des Moines Board of Health at its meeting in City Council Chambers, City Hall, East 1st and Locust Streets, at 4:30 p.m. on January 11<sup>th</sup>, 2010.



COMMUNITY DEVELOPMENT  
DEPARTMENT  
NEIGHBORHOOD INSPECTION DIVISION  
ARMORY BUILDING  
302 ROBERT D. RAY DR.  
DES MOINES, IOWA 50309-1881  
515) 283-4048

ALL-AMERICAN CITY 1949, 1978, 1981

If you decide to remove the building(s), 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.

If you wish to present evidence in resistance to the above determination or to otherwise contest such intended action at such hearing, then you must file a written statement with the City Clerk within five (5) days of receipt of this notice by personal service or by certified mail setting forth the reasons why such action should not be ordered by the Board of Health. Failure to file such statement shall be deemed a waiver of your right to contest the proposed action to present evidence in resistance of the determination of the Housing Code Enforcement Officer.

At such hearing you have the right to be represented by an attorney, although it is not required. The hearing will be informal. If the Board of Health, upon such hearing, confirms the above determination, it shall order prompt demolition and removal and the leveling of such property and direct that all of the costs attendant to such action, including administrative costs, be either assessed against the property or collected from the owner. If the Board of Health, upon such hearing, determines that further time should be allowed for the owner to demolish and remove the structure it may extend the time within which such action shall be taken to a date certain but shall otherwise confirm the above determination and order the actions hereinabove set forth. If the Board of Health, upon such hearing, determines that such property should not be demolished, it will revoke such determination and direct such other action as it deems appropriate in the circumstances.

If you have any questions, please call the Housing Code Enforcement Office at 283-4046. A copy of the violation report is attached.



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Ben Bishop  
Housing Code Enforcement Administrator



809 Lyon 11/17/09 KKK