

Date March 26, 2007

WHEREAS, the property located at 1409 E. Walnut Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the titleholder, Steven L. Ferguson, and the mortgage holder, Fort Des Moines Community Bank, were notified by personal service more than thirty days ago to repair or demolish the 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 structure on the real estate legally described as LOT 9 GOVERNORS SQUARE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1409 E. Walnut Street was previously 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 structure.

Moved by _____ to adopt.

FORM APPROVED:

Vicky Long Hill by Mark Galic
 Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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



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

BDH | **E**

DATE OF NOTICE: February 2, 2007

DATE OF INSPECTION: January 23, 2007

CASE NUMBER: COD2007-00622

PROPERTY ADDRESS: 1409 E WALNUT ST

LEGAL DESCRIPTION: LOT 9 GOVERNORS SQUARE

STEVEN L FERGUSON

Title Holder

17 E DUNHAM AVE

DES MOINES IA 50315

FORT DES MOINES COMMUNITY BANK

Mortgage Holder

LANCE HOFFMAN, VICE PRESIDENT

612 ARMY POST

DES MOINES IA 50315

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.

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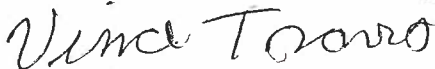
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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.

Vince Travis



Nid Inspector

DATE MAILED: 2/2/2007

MAILED BY: TSY

Areas that need attention: 1409 E WALNUT ST

<u>Component:</u>	Water Service	<u>Defect:</u>	Disconnected Utility Water/Ga
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	ALL UTILITIES SHUT OFF		
<u>Component:</u>	Bathroom Lavatory	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Permit Required	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Landings	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>		<u>Defect:</u>	
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	All Aprtments have Interior violations that are listed in this notice		
<u>Component:</u>	Chimney Liner	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Mechanical Permit	<u>Location:</u>	Roof
<u>Comments:</u>			
<u>Component:</u>	Electrical Lighting Fixtures	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Electrical Other Fixtures	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Electrical Receptacles	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<p>Component: Electrical System Requirement: Electrical Permit Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>
<p>Component: Exterior Doors/Jams Requirement: Building Permit Comments:</p>	<p>Defect: In poor repair Location: Throughout</p>
<p>Component: Exterior Stairs Requirement: Building Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Flooring Requirement: Comments:</p>	<p>Defect: In poor repair Location: Throughout</p>
<p>Component: Foundation Requirement: Building Permit Comments: NE corner</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Functioning Water Closet Requirement: Plumbing Permit Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>
<p>Component: Furnace Requirement: Mechanical Permit Comments: BOILER</p>	<p>Defect: In disrepair Location: Basement</p>
<p>Component: Hand Rails Requirement: Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>
<p>Component: Interior Stairway Requirement: Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>

<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	In poor repair
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Mechanical System	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Mechanical Permit	<u>Location:</u>	Main Structure
<u>Comments:</u>			
<u>Component:</u>	Plumbing System	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	In disrepair
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	Covered with Snow but ceiling leaks are apparent throughout interior		
<u>Component:</u>	Kitchen Sink	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Smoke Detectors	<u>Defect:</u>	Missing
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	In poor repair
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>			
<u>Component:</u>	Tub/Shower Walls	<u>Defect:</u>	In poor repair
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Water Heater	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	Main Structure
<u>Comments:</u>			

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<u>Component:</u> Window Glazing/Paint <u>Requirement:</u> <u>Comments:</u>	<u>Defect:</u> In poor repair <u>Location:</u> Throughout
<u>Component:</u> Windows/Window Frames <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> In poor repair <u>Location:</u> Throughout

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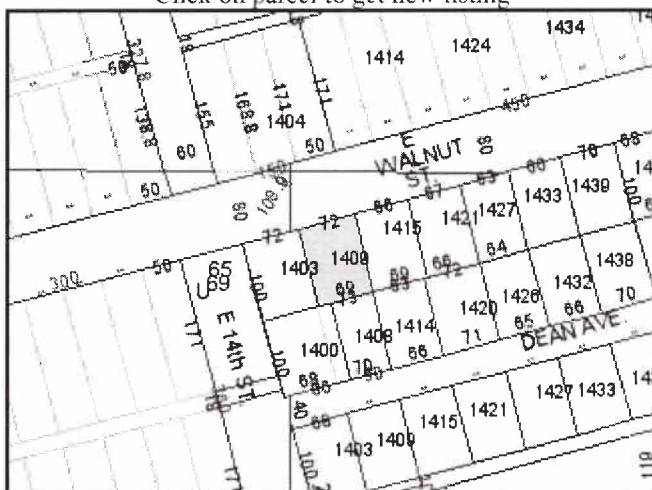


[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
040/02466-000-000	7824-02-301-002	0639	DM15/Z	DES MOINES	<u>ACTIVE</u>
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1409 E WALNUT ST			DES MOINES IA 50316		

Click on parcel to get new listing

[Get Bigger Map](#)



Approximate date of photo 11/30/2004

Mailing Address

STEVEN L FERGUSON
 17 E DUNHAM AVE
 DES MOINES, IA 50315-1264

Legal Description

LOT 9 GOVERNORS SQUARE

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	FERGUSON, STEVEN L	12/12/2003	10308/936	107.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Multiple	Full	13,000	67,200	0	80,200

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

Zoning	Description	SF	Assessor Zoning
R-3	Multiple Family Residential District	7080	Multi-Family Residential

Source: City of Des Moines Community Development **Published:** 11/17/2006 **Contact:** Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	7,080	FRONTAGE	70	DEPTH	100
ACRES	0.1630	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	1B/Apartment Conversion	WEIGHTED AGE	1892	STORY HEIGHT	3
LAND AREA	7,080	GROSS AREA	3,960	FINISH AREA	3,960
BSMT UNFIN	1,100	BSMT FINISH	0	NUMBER UNITS	7

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	SP/Over 2 Stories	YEAR BUILT	1892
# FAMILIES	7	GRADE	4	GRADE ADJUST	+00
CONDITION	NM/Normal	TSFLA	3,960	MAIN LV AREA	1,686
UPPR LV AREA	1,467	ATTIC FINISH	807	BSMT AREA	1,100
OPEN PORCH	458	EXT WALL TYP	CO/Composition	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	7				

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Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2006	<u>Assessment Roll</u>	Multiple	Full	13,000	67,200	0	80,200
2005	<u>Assessment Roll</u>	Multiple	Full	13,000	61,200	0	74,200
2003	<u>Assessment Roll</u>	Multiple	Full	11,300	52,100	0	63,400
2001	<u>Assessment Roll</u>	Multiple	Full	10,620	34,700	0	45,320
1999	<u>Assessment Roll</u>	Multiple	Full	9,800	34,700	0	44,500
1995	<u>Assessment Roll</u>	Multiple	Full	9,500	32,100	0	41,600
1993	<u>Assessment Roll</u>	Multiple	Full	9,020	30,580	0	39,600
1993	<u>Was Prior Year</u>	Multiple	Full	9,020	28,310	0	37,330

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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

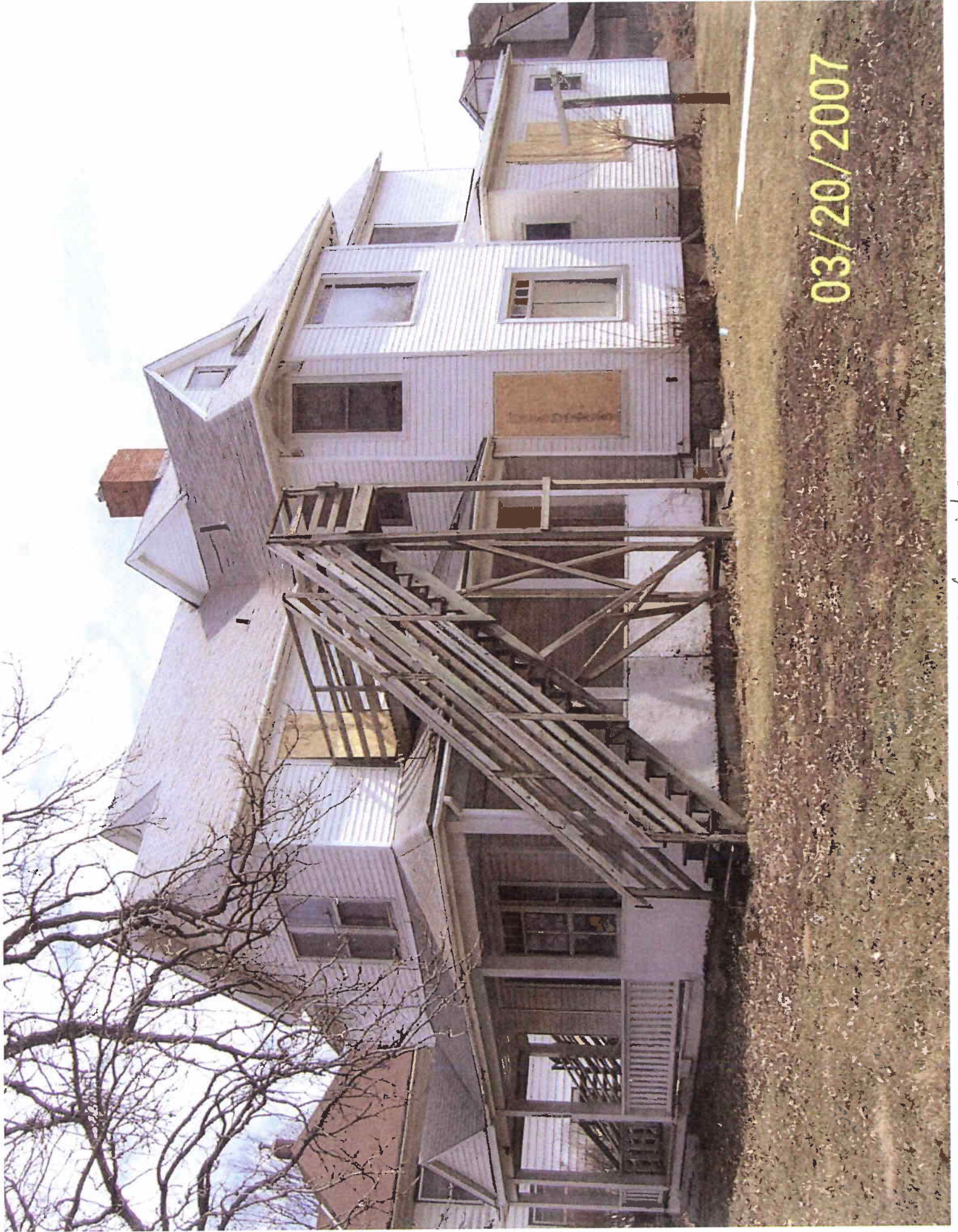
1407 E Walnut



03/20/2007

Front

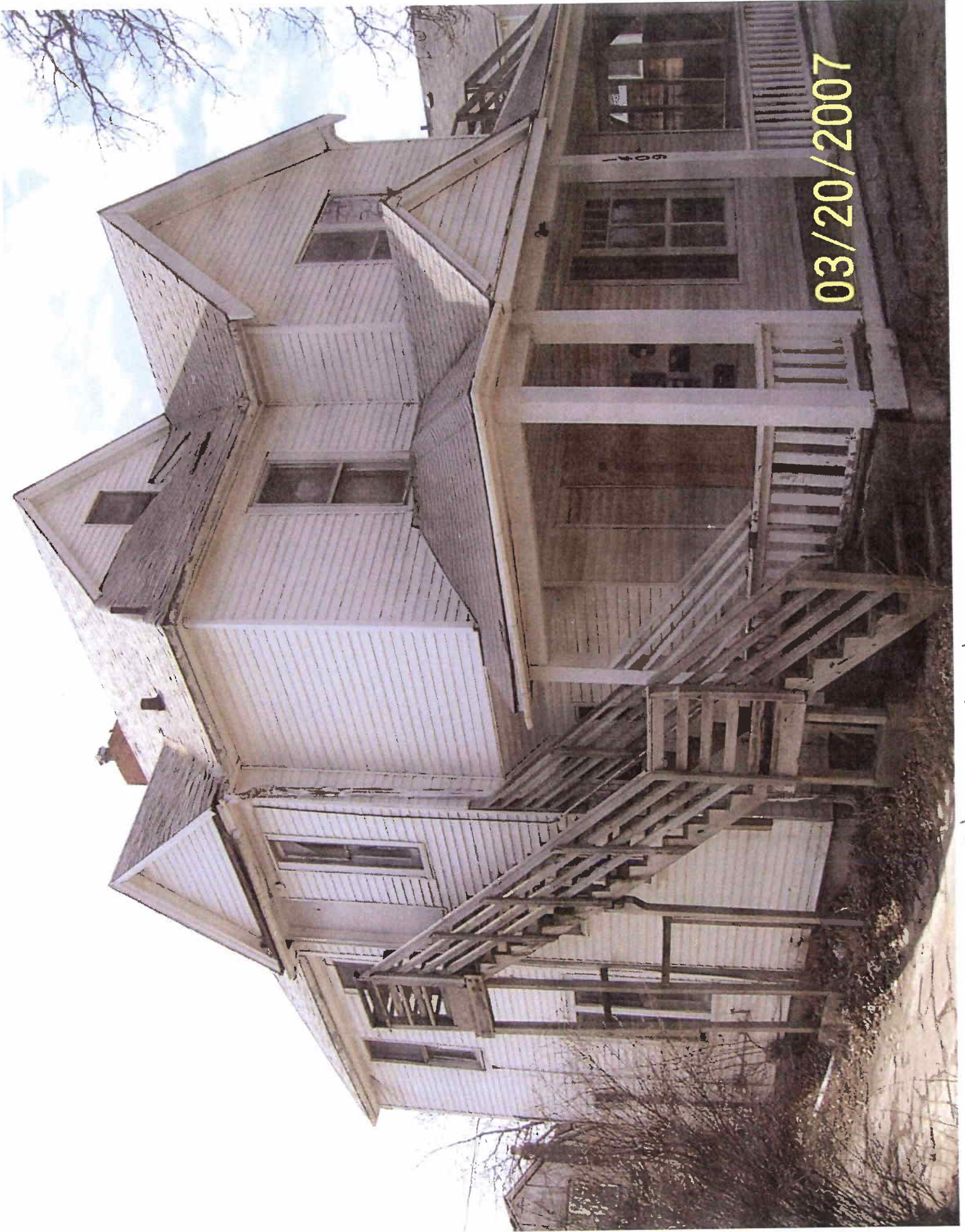
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W side

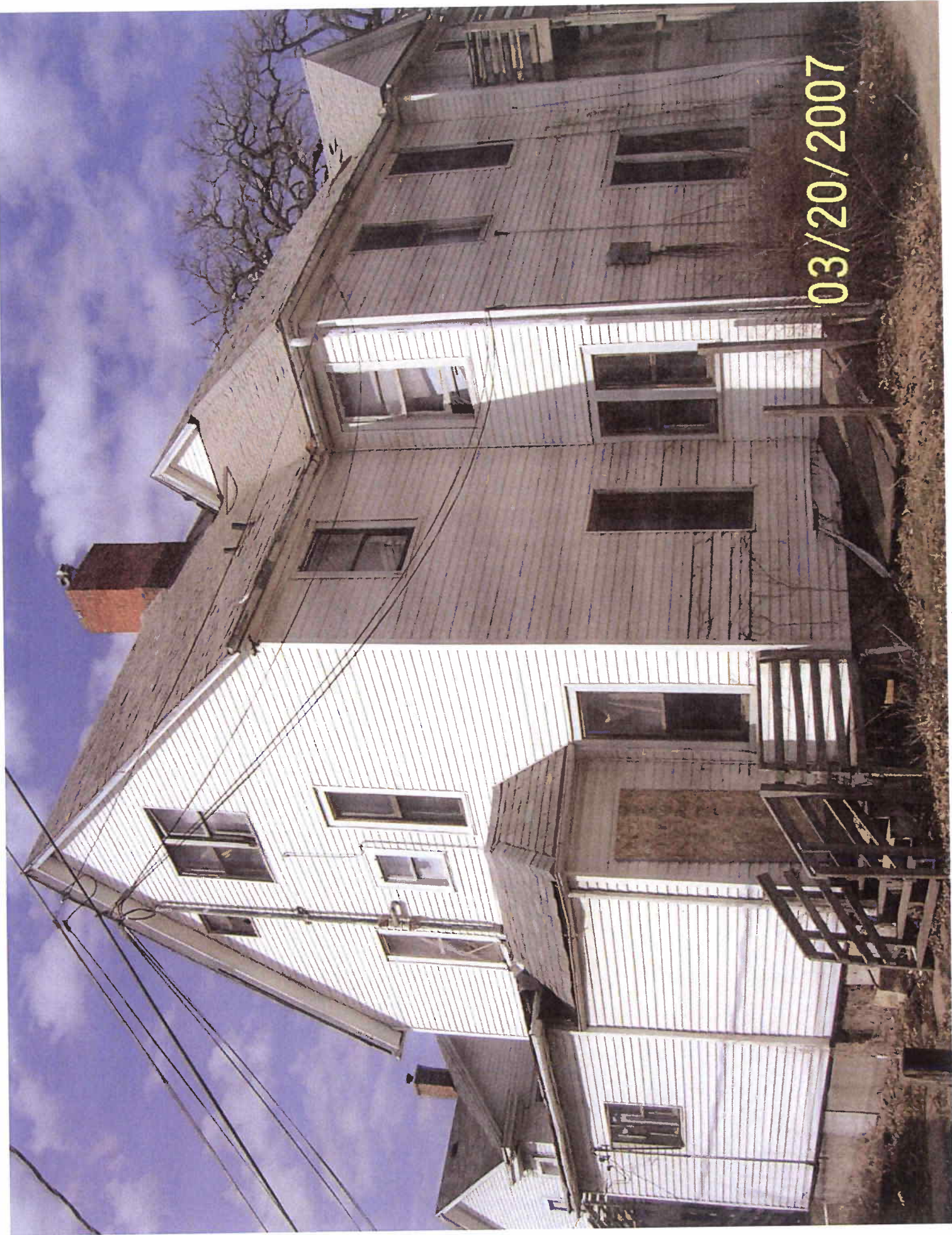
1409 E walnut



03/20/2007

E. side & Front

1404 E Walnut



03/20/2007

Rear & F side