

Date June 19, 2006

WHEREAS, the property located at 1301 21<sup>st</sup> 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, FDIC, for United Federal Savings and Loan Association of Des Moines, and the contract buyers, Fredrick L. Nichols and Mary Lou Nichols a/k/a Mary L. Nichols, were notified by personal service more than thirty days ago to repair or demolish the 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, SITTING AS THE LOCAL BOARD OF HEALTH:

The structure on the real estate legally described as LOT 325 UNIVERSITY LAND COS 2<sup>ND</sup> ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1301 21<sup>st</sup> Street was 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 structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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  
PERMIT AND DEVELOPMENT CENTER  
COMMUNITY DEVELOPMENT DEPARTMENT**

**DATE OF NOTICE:** August 23, 2005      **DATE OF INSPECTION:** June 30, 2005

**TITLEHOLDER:**

FDIC

For United Federal Savings and Loan Association of Des Moines  
C/o Don McKinley  
1910 Pacific Avenue  
Dallas, TX 75201

**CONTRACT BUYER:**

Fredrick L. Nichols  
Mary Lou Nichols a/k/a Mary L Nichols  
2853 Sheffield Pl  
Fullerton, CA 93835-3014

**Property Address:** 1301 21<sup>st</sup> Des Moines Iowa 50311

**Legal Description:** Lot 325 University Land COS 2<sup>nd</sup> Addition

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 structure currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the structure will be placarded as unsafe to occupy pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

**If not occupied at the present time, the structure is to remain vacant and unoccupied until occupancy is authorized by this office. If the structure is occupied, it must be vacated immediately. In accordance with Section 26-78 of the Des Moines Municipal Code, this structure is deemed unsafe, and creates a public nuisance threatening to the health and safety of the public.** 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. Permits must be obtained from this department prior to commencing any repairs or demolition. Inspections must be requested and approved in accordance with the code and our policies.

**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. **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 Permit and Development Center.**

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

By: Rodrick Van Wart  
Rodrick Van Wart, CBO  
Deputy Building Official  
515-283-4226

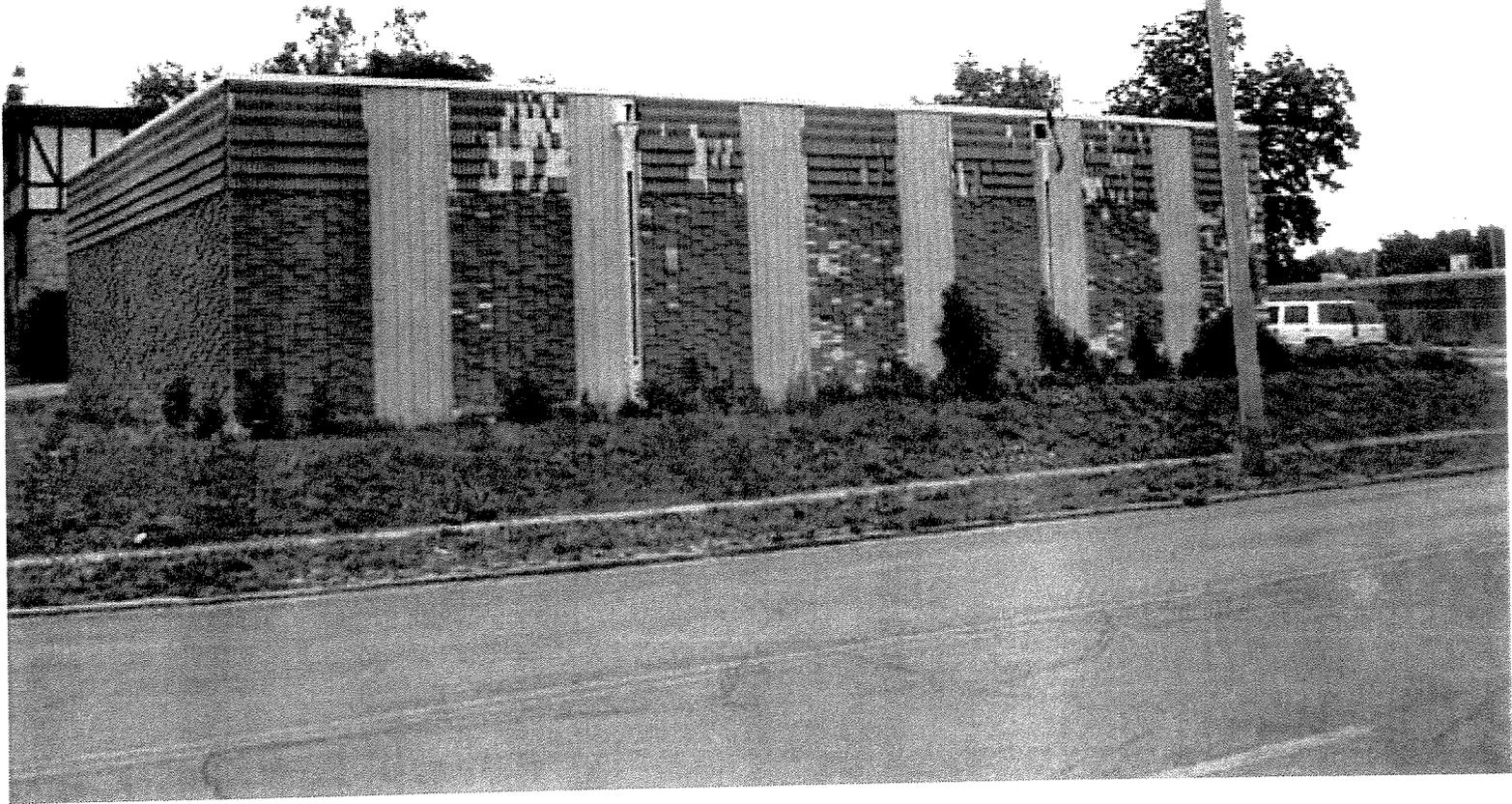
DATE MAILED: 8/23/2005

MAILED BY: \_\_\_\_\_

**Areas that need attention:** 1301 21ST ST

<b><u>Component:</u></b> Roof	<b><u>Defect:</u></b> Holes or major defect
<b><u>Requirement:</u></b> Building Permit	<b><u>Location:</u></b> Main Structure
<b><u>Comments:</u></b> Structural damage to the roof system to the point of failure.	
<b><u>Component:</u></b> Exterior Walls	<b><u>Defect:</u></b> Not Weather Tight
<b><u>Requirement:</u></b> Building Permit	<b><u>Location:</u></b> Main Structure
<b><u>Comments:</u></b> Deterioration of exterior walls resulting in excessive rot and weather damage	

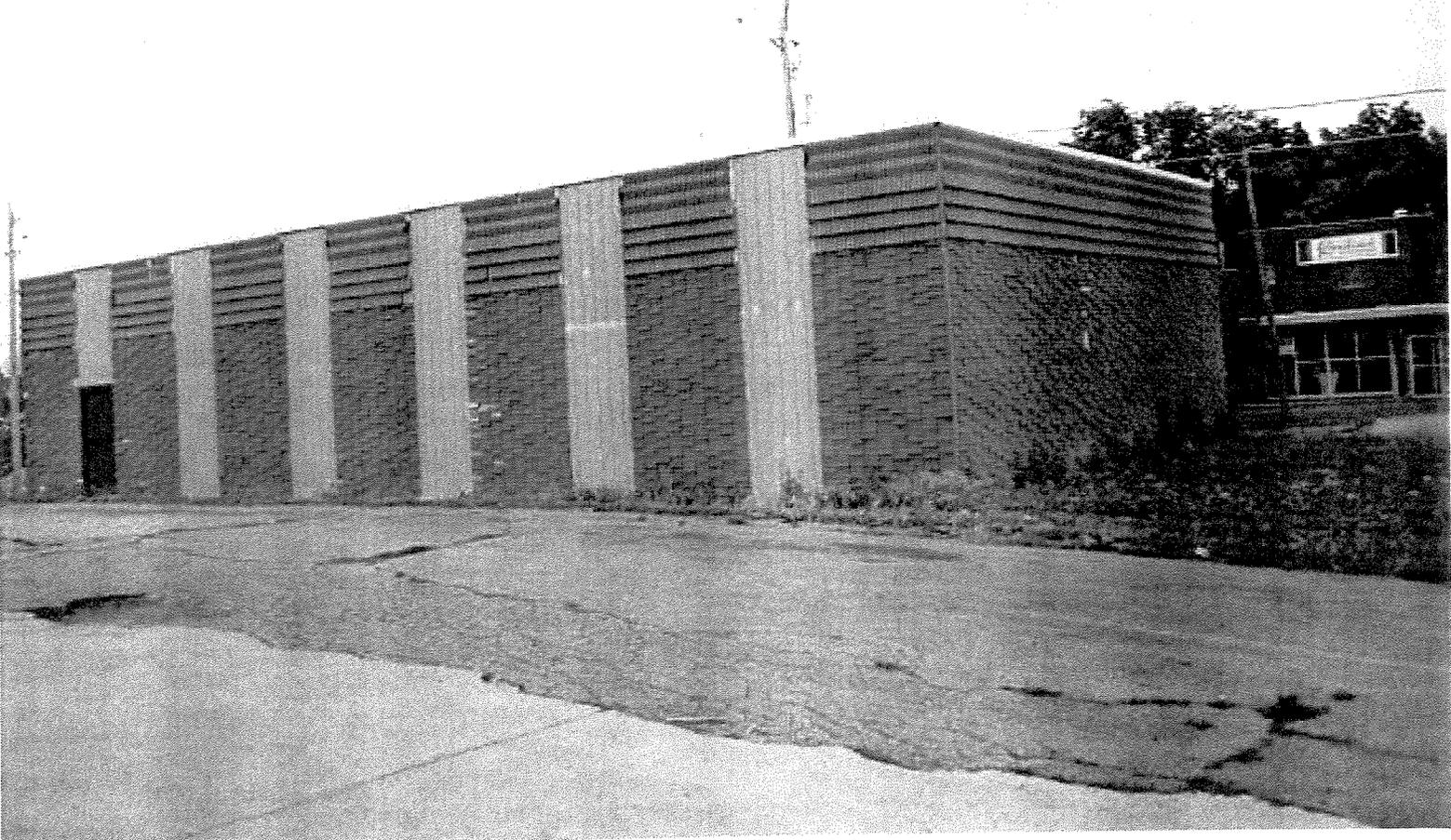
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1301 - 21

1-15-06

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1301 21  
6-15-06

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1301 21  
6-15-06

BDH 1C

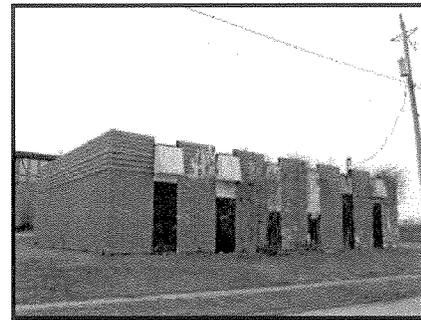
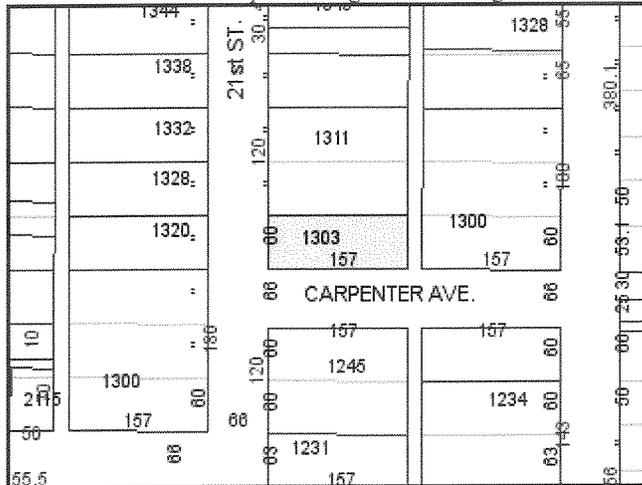


[ Home ] [ General Query ] [ Legal Query ] [ HomeOwner Query ] [ Book/Page Query ] [ Commercial Query ] [ Res Sales Query ] [ Comm Sales Query ] [ Help ]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/06725-000-000	7924-33-453-008	0155	DM75/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1301 21ST ST			DES MOINES IA 50311		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 02/21/2004

Mailing Address
FREDRICK L NICHOLS 2853 SHEFFIELD PL FULLERTON, CA 92835-3014

Legal Description
LOT 325 UNIVERSITY LAND COS 2ND ADDITION

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	UNITED FED SAVINGS & LOAN ASSOC	08/19/1977	4721/754	
Contract Buyer #1	NICHOLS, FREDRICK L	03/21/1983	5233/499	

BDH 1C

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Commercial	Full	11,500	42,700	0	54,200
Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

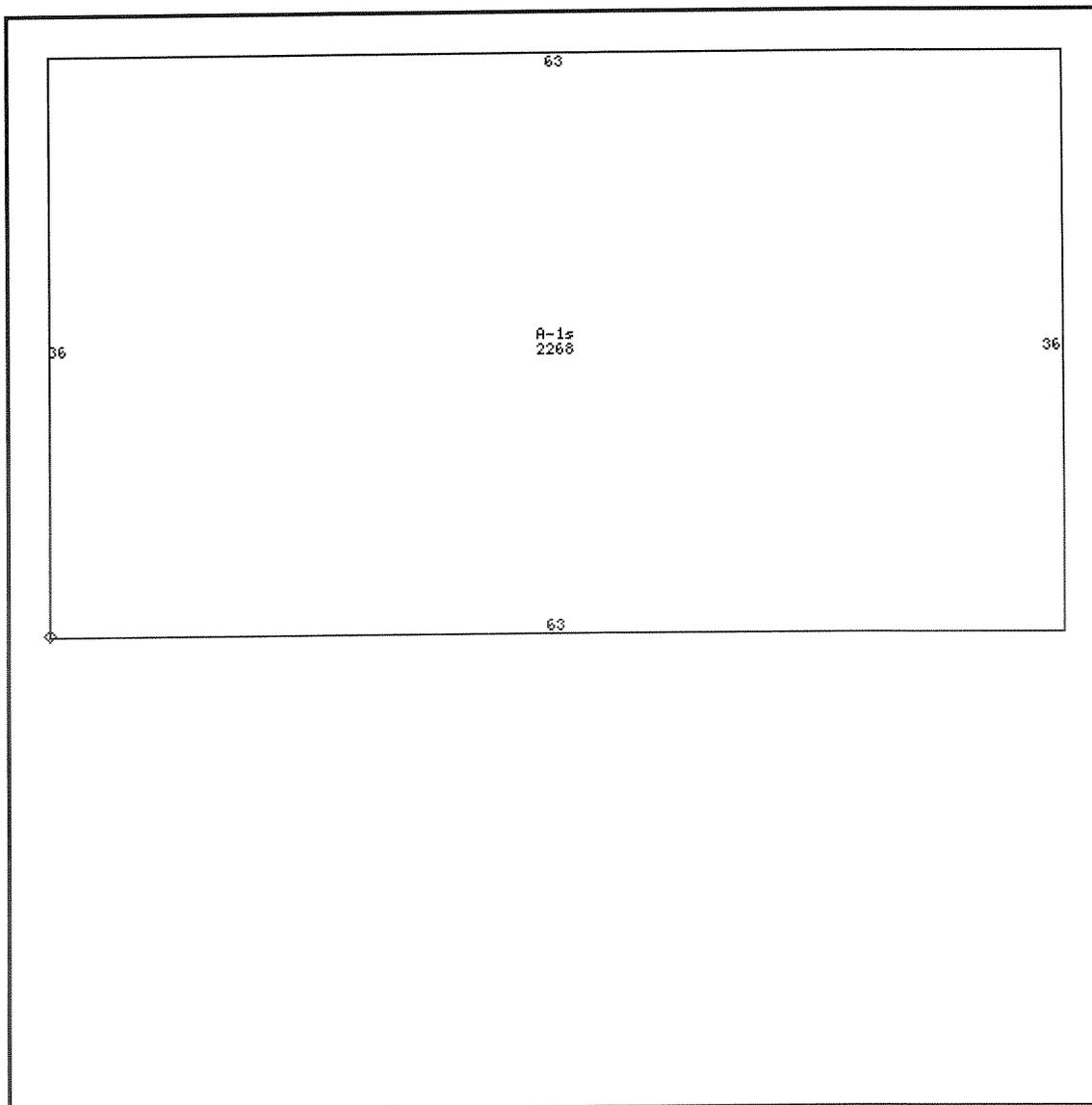
Zoning	Description	SF	Assessor Zoning
C-2	General Retail and Highway Oriented Commercial District	9420	Highway Commercial
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 05/09/2006 <b>Contact:</b> Planning and Urban Design 515 283-4200			

Land					
SQUARE FEET	9,420	FRONTAGE	60	DEPTH	157
ACRES	0.2160	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	25/Office	WEIGHTED AGE	1970	STORY HEIGHT	1
LAND AREA	9,420	GROSS AREA	2,268	FINISH AREA	2,268
BSMT UNFIN	0	BSMT FINISH	0	NUMBER UNITS	0

Csection # 101					
SECT MULTIPL	1	OCCUPANCY	25/Office	FOUNDATION	CN/Concrete
EXT WALL	BB/Brick Block Tile	ROOF	F/Flat	ROOF MATERL	B/Built-up
WIRING	A/Adequate	PLUMBING	A/Adequate	TOTAL ST HT	1
FRAME TYPE	ST/Steel	FIREPRF CNST	N/No	BLDG CLASS	2/Brick or Masonry
TOT SCT AREA	2,268	GRND FL AREA	2,268	PERIMETER	198
GRADE	4	GRADE ADJUST	+00	YEAR BUILT	1970
CONDITION	PR/Poor				

BDH 1C



Cgroup # 101 1					
USE CODE	400/General Office Building	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	2,268	BASE FL AREA	2,268	HEATING	C/Central
AIR COND	Y	EXHAUST SYS	N/No		

Detached # 101					
OCCUPANCY	PVA/Asphalt Paving	MEASCODE	S/Square Feet	MEASURE1	2,400

**BDH** 1C

<b>GRADE</b>	4	<b>YEAR BUILT</b>	1970	<b>CONDITION</b>	VP/Very Poor
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Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	01/10/2006	AL/Alterations REMODEL Cost Estimate 13000
Current	P/Permit	TW/To Work	01/05/2006	AL/Alterations REMODEL Cost Estimate 2500

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2005	Assessment Roll	Commercial	Full	11,500	42,700	0	54,200
2003	Assessment Roll	Commercial	Full	10,000	39,900	0	49,900
2001	Assessment Roll	Commercial	Full	9,420	37,600	0	47,020
1999	Assessment Roll	Commercial	Full	20,400	37,600	0	58,000
1995	Assessment Roll	Commercial	Full	19,800	36,500	0	56,300
1993	Assessment Roll	Commercial	Full	18,900	34,800	0	53,700
1991	Assessment Roll	Commercial	Full	18,140	33,460	0	51,600
1991	Was Prior Year	Commercial	Full	18,140	46,370	0	64,510

[email this page](#)

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)