



Roll Call Number

Agenda Item Number
BDH 1(B)

July 28, 2008

Date

WHEREAS, the property located at 1008 E 12th Street, was inspected by representatives of the City of Des Moines who determined that the structures in their present condition constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the titleholders, Anthony E. Schubert, IRA and Guaranty Bank and Trust Company, Trustee, were notified by personal service more than thirty days ago to repair or demolish the structures 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 structures on the real estate legally described as N 50 F LOTS 7 & 8 BLK 9 STEWARTS ADDITION now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1008 E 12th Street 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 structures.

Moved by _____ to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLFMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

City Clerk



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

BDH 1 (B)

DATE OF NOTICE: April 23, 2008

DATE OF INSPECTION: April 14, 2008

CASE NUMBER: COD2008-02382

PROPERTY ADDRESS: 1008 E 12TH ST

LEGAL DESCRIPTION: N 50 F LOTS 7 & 8 BLK 9 STEWARTS ADDITION

GUARANTY BNK & TRST CO (TRUSTEE)

Title Holder
SARA FITZGERALD, TRUST DEP.
302 3RD AVE SE
CEDAR RAPIDS IA 52401

ANTHONY E SCHUBERT, IRA

Title Holder
222 3RD ST SE STE 302
CEDAR RAPIDS IA 52401

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

(515) 283-4077

Vince Travis

Nid Inspector

DATE MAILED: 4/23/2008

MAILED BY: JDH

Areas that need attention: 1008 E 12TH ST

Component: Wiring Requirement: Electrical Permit Comments:	Defect: Improperly Installed Location: Garage
Component: Exterior Doors/Jams Requirement: Building Permit Comments:	Defect: In poor repair Location: Garage
Component: Exterior Walls Requirement: Comments:	Defect: In poor repair Location: Garage
Component: Exterior Walls Requirement: Comments:	Defect: Absence of paint Location: Garage
Component: Roof Requirement: Comments:	Defect: In disrepair Location: Garage
Component: Soffit/Facia/Trim Requirement: Comments:	Defect: In poor repair Location: Garage
Component: Interior Walls /Ceiling Requirement: Comments:	Defect: In poor repair Location: Garage
Component: Bathroom Lavatory Requirement: Plumbing Permit Comments:	Defect: Improperly Installed Location: Main Structure

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Component: Foundation
Requirement: Engineering Report
Defect: Deteriorated
Location: Main Structure
Comments:

Component: Foundation
Requirement: Building Permit
Defect: Deteriorated
Location: Main Structure
Comments:

Component: Furnace
Requirement: Mechanical Permit
Defect:
Location: Main Structure
Comments: INSTALLED WITHOUT PERMIT

Component: Hand Rails
Requirement: Building Permit
Defect: Missing
Location: Main Structure
Comments:

Component: Interior Stairway
Requirement: Building Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Interior Walls /Ceiling
Requirement:
Defect: In poor repair
Location: Main Structure
Comments:


Component: Mechanical System
Requirement: Mechanical Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Plumbing System
Requirement: Plumbing Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Roof
Requirement:
Defect: In poor repair
Location: Main Structure
Comments:

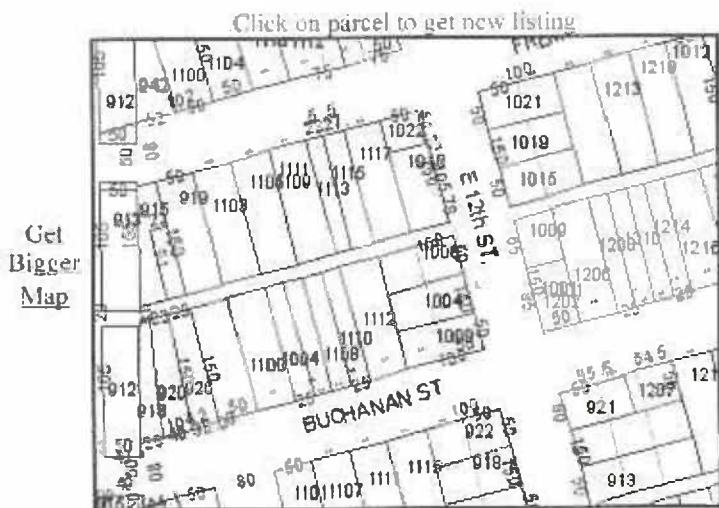
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Component: Kitchen Sink Requirement: Plumbing Permit Comments: KITCHEN & BATH	Defect: Improperly Installed Location: Main Structure
Component: Smoke Detectors Requirement: Comments:	Defect: Missing Location: Main Structure
Component: Water Heater Requirement: Plumbing Permit Comments:	Defect: In poor repair Location: Main Structure
Component: Windows/Window Frames Requirement: Comments:	Defect: In poor repair Location: Main Structure

Polk County Assessor 

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
040/04385-000-000	7824-03-205-032	0359	DM87/A	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
I/Des Moines					
Street Address			City State Zipcode		
1008 E 12TH ST			DES MOINES IA 50316-2946		



Approximate date of photo 12/02/2004

Mailing Address

CONTRACT LEXCHANGE CORPORATION
POB 8162
CEDAR RAPIDS, IA 52408-8162

Legal Description

N 50 F LOTS 7 & 8 BLK 9 STEWARTS ADDITION

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	ANTHONY E SCIUBERT, IRA	04/04/2007	12135/586	
Title Holder #2	GUARANTY BNK & TRST CO (TRUSTEE)			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	7,300	51,900	0	59,200

Market Adjusted Cost Report Estimate Taxes Polk County Treasurer Tax Information Pay Taxes

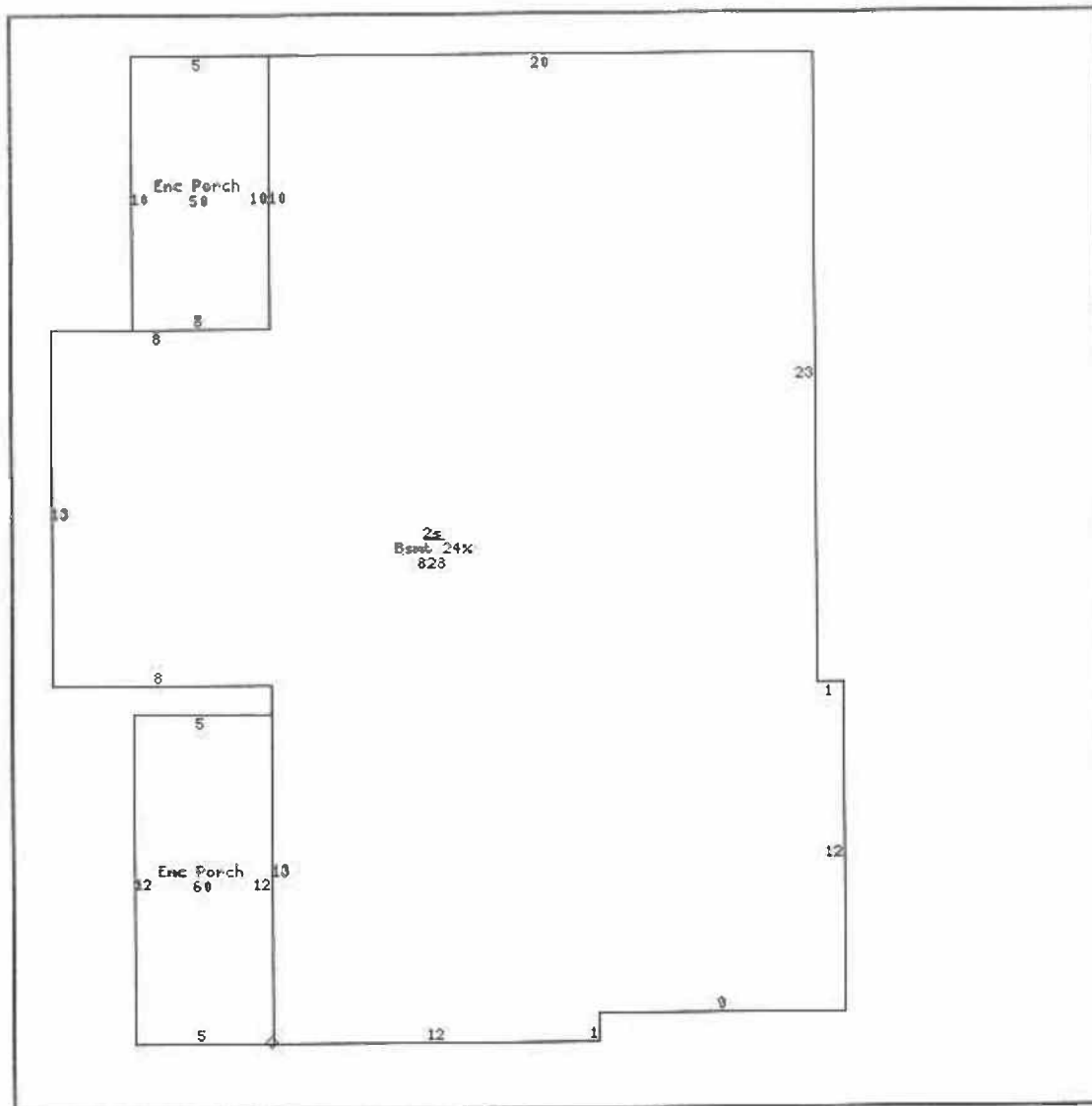
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District	5000	Residential
*Condition	Docket_no 14361		

Source: City of Des Moines Community Development Published: 02/14/2008 Contact: Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	5,000	FRONTAGE	50	DEPTH	100
ACRES	0.1150	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	S2/2 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1898	# FAMILIES	2	GRADE	4
GRADE ADJUST	+05	CONDITION	NM/Normal	TSFLA	1.656
MAIN LV AREA	828	UPPR LV AREA	828	BSMT AREA	199
ENCL PORCH	110	FOUNDATION	B/Brick	EXT WALL TYP	VN/Vinyl Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	2	XTRA FIXTURE	1
BEDROOMS	4	ROOMS	10		

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Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	MA/Masonry	MEASCODE	D/Dimensions
MEASURE1	14	MEASURE2	20	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1953	CONDITION	PR/Poor

Detached # 201					
OCCUPANCY	GAR/Garage	CONSTR TYPE	MA/Masonry	MEASCODE	D/Dimensions
MEASURE1	22	MEASURE2	24	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1953	CONDITION	PR/Poor

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
OSWALT, WILLIAM	ZIGLER, JENNIE	04/03/2007	75,780	C/Contract	12135/581
PROSPERITY PROPERTIES, LLC	ZIGLER, DAVID	10/03/2006	80,000	C/Contract	11934/845
SHEPHERD, ROBERT T.	PROSPERITY PROPERTIES, LLC	09/07/2006	51,250	D/Deed	11856/393

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	06/10/2008	AL/Alterations REMODEL. Cost Estimate 44950
Current	P/Permit	TW/To Work	06/10/2008	AL/Alterations GARAGE Sqft 280 Cost Estimate 2000

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2007	Assessment Roll	Residential	Full	7,300	51,900	0	59,200
2005	Assessment Roll	Residential	Full	6,500	47,500	0	54,000
2003	Assessment Roll	Residential	Full	5,710	41,770	0	47,480
2001	Assessment Roll	Residential	Full	5,210	35,040	0	40,250
1999	Assessment Roll	Residential	Full	6,180	25,810	0	31,990
1997	Assessment Roll	Residential	Full	5,360	25,810	0	31,170
1995	Assessment Roll	Residential	Full	5,040	22,370	0	27,410
1991	Assessment Roll	Residential	Full	4,630	20,340	0	24,970
1989	Assessment Roll	Residential	Full	4,630	14,670	0	19,300

email this page

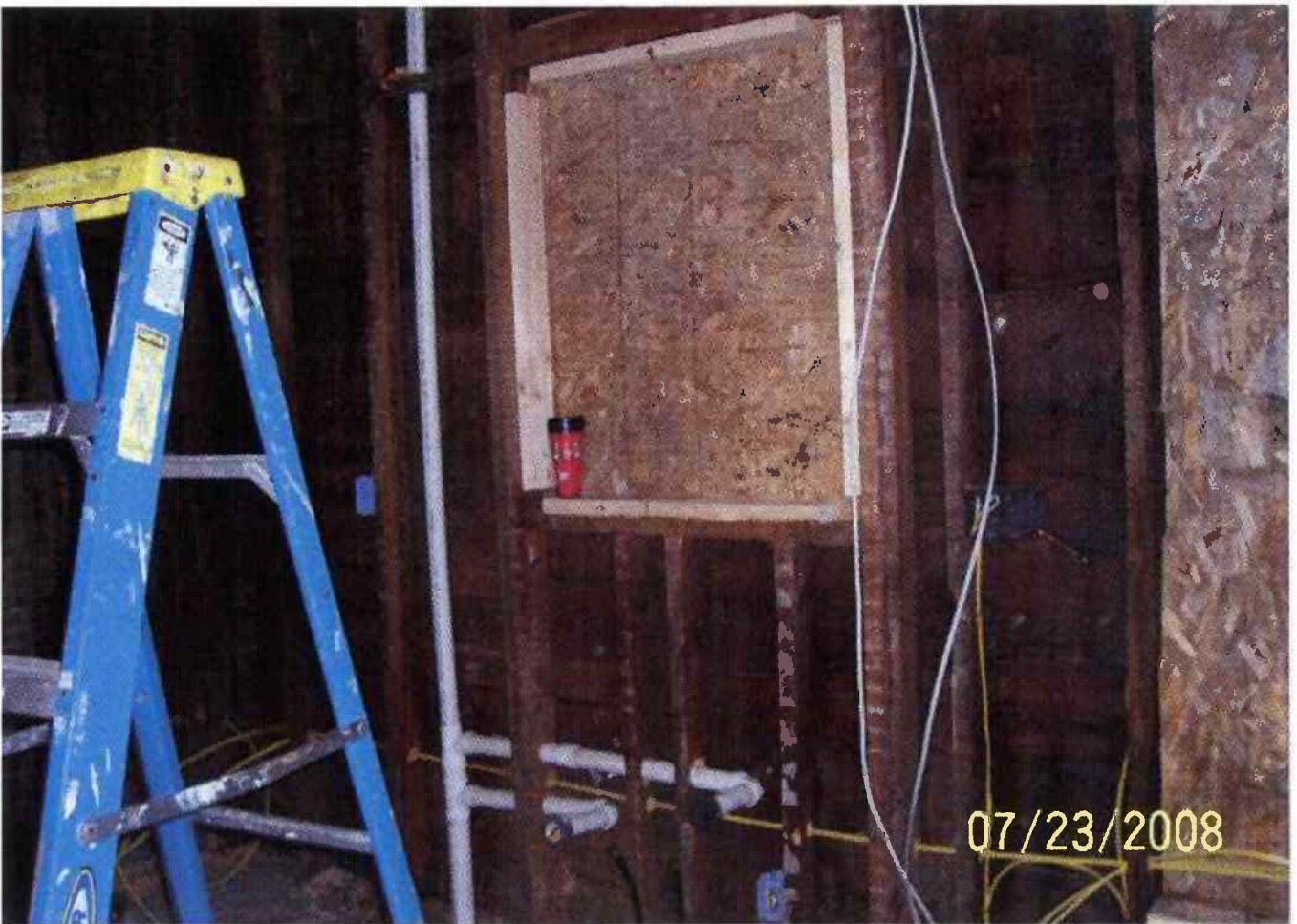
Room 195, 111 Court Avenue, Des Moines, IA 50319
 Phone 515 281-3130 / Fax 515 281-3386
polk@assess.co.iowa.us

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1008 E 12th RT







07/23/2008



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1008 E. 17th VT