

Date November 22, 2010

WHEREAS, the property located at 1519 E 12<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder Elizabeth J. Hickey and the Mortgage Holders HSBC Bank USA, NA and Mortgage Electronic registration Systems, Inc., were notified more than thirty days ago to repair or demolish the garage structure and as of this date have failed to abate the nuisance.

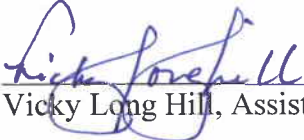
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The fire-damaged garage structure on the real estate legally described as N 35 F LOT 170 CAPITAL PARK, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1519 E 12<sup>th</sup> Street, has 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 garage structure.

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				

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:** September 23, 2010

**DATE OF INSPECTION:** May 20, 2010

**CASE NUMBER:** COD2010-03558

**PROPERTY ADDRESS:** 1519 E 12TH ST

**LEGAL DESCRIPTION:** N 35 F LOT 170 CAPITAL PARK

ELIZABETH J HICKEY  
 Title Holder  
 1909 FRAZIER AVE  
 DES MOINES IA 50315

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,INC  
 Mortgage Holder  
 CAMELIA MARTIN, REG. AGENT  
 1818 LIBRARY ST., STE 300  
 RESTON VA 20190

HSBC BANK USA, NA  
 Mortgage Holder  
 JANET BURAK - SR. EXEC VP  
 452 5TH AVE  
 NEW YORK NY 10018

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.

Vince Travis

(515) 283-4077

*Vince Travis*  
Nid Inspector

DATE MAILED: 9/23/2010

MAILED BY: TSY

**Areas that need attention:** 1519 E 12TH ST

<p><b><u>Component:</u></b> Accessory Buildings  <b><u>Requirement:</u></b> Building Permit   <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Fire damaged   <b><u>Location:</u></b> Garage</p>
<p><b><u>Component:</u></b> Accessory Buildings  <b><u>Requirement:</u></b> Building Permit   <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Structurally Unsound   <b><u>Location:</u></b> Garage</p>
<p><b><u>Component:</u></b> Exterior Walls  <b><u>Requirement:</u></b> Building Permit   <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Fire damaged   <b><u>Location:</u></b> Garage</p>



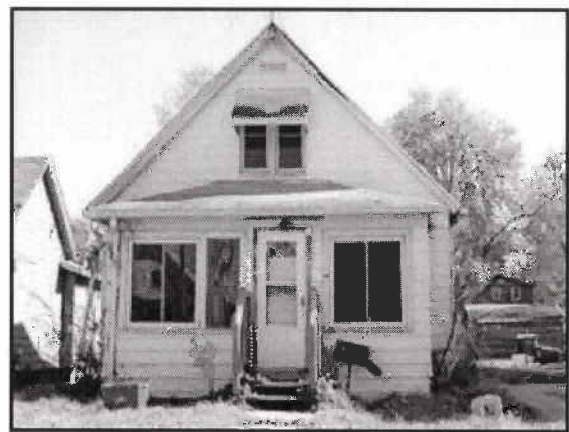
**Polk County Assessor** Iowa

[ 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
110/01345-000-000	7924-35-426-006	0239	DM87/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1519 E 12TH ST			DES MOINES IA 50316-2211		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 10/29/2008

Mailing Address
ELIZABETH J HICKEY 4032 HUBBELL AVE APT 271 DES MOINES, IA 50317-4408

Legal Description
N 35 F LOT 170 CAPITAL PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	HICKEY, ELIZABETH J	1989-12-07	6180/920	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	8,300	35,500	0	43,800

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

**BDH 1(B)**

Taxable Value Credit	Name	Number	Info
Homestead	HICKEY, ELIZABETH J	15199	

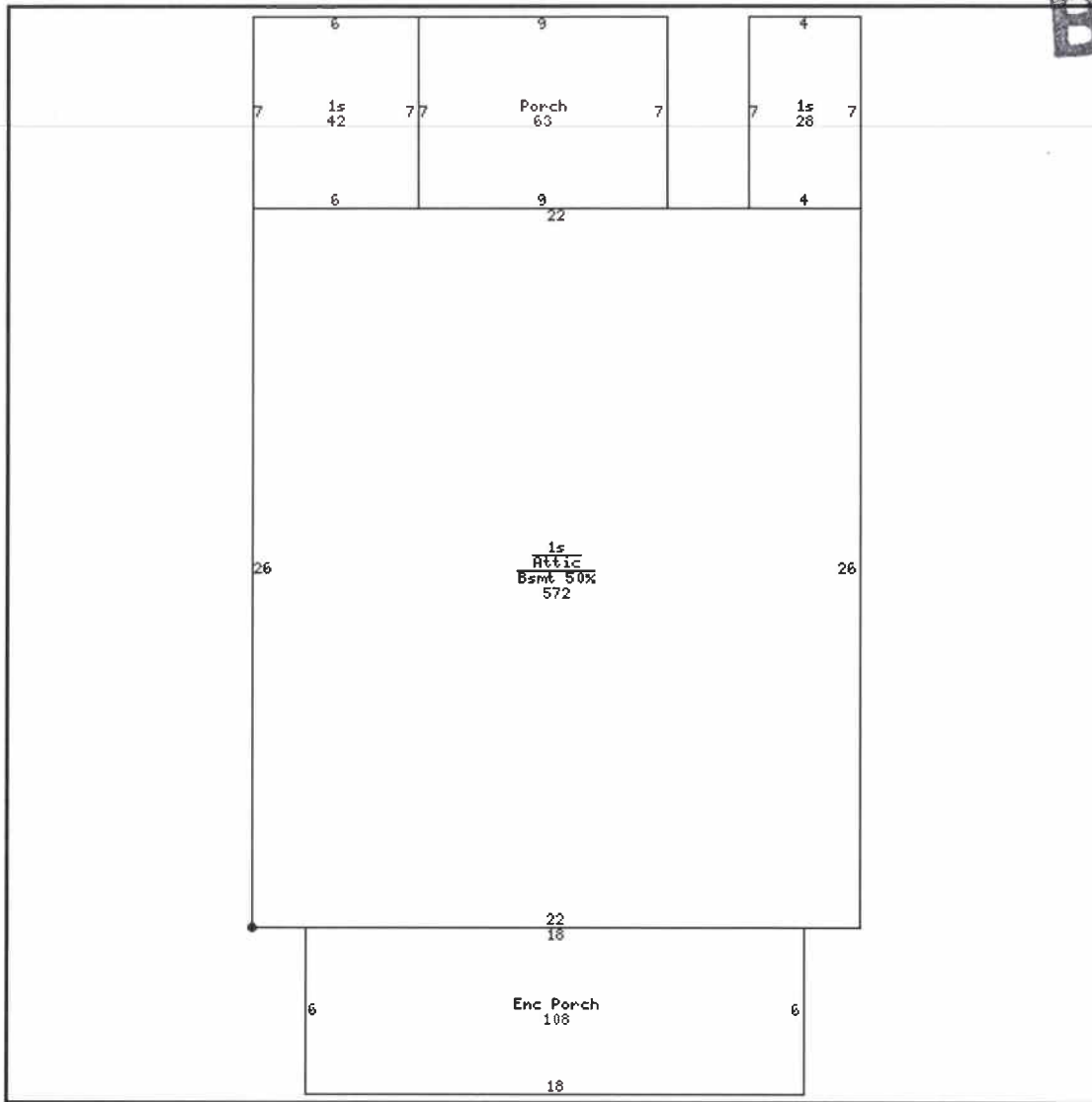
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no 14361		

**Source:** City of Des Moines Community Development **Published:** 2010-03-05 **Contact:** Planning and Urban Design 515 283-4200

Land					
<b>SQUARE FEET</b>	5,320	<b>FRONTAGE</b>	35.0	<b>DEPTH</b>	152.0
<b>ACRES</b>	0.122	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

Residence # 1					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	FA/1 Story with Finished Attic	<b>BLDG STYLE</b>	CV/Conventional
<b>YEAR BUILT</b>	1892	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+05	<b>CONDITION</b>	NM/Normal	<b>TSFLA</b>	842
<b>MAIN LV AREA</b>	642	<b>ATTIC FINISH</b>	200	<b>BSMT AREA</b>	286
<b>OPEN PORCH</b>	63	<b>ENCL PORCH</b>	108	<b>FOUNDATION</b>	B/Brick
<b>EXT WALL TYP</b>	MT/Metal Siding	<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle
<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0	<b>BATHROOMS</b>	1
<b>BEDROOMS</b>	3	<b>ROOMS</b>	5		

**BDH 1(6)**



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	14	MEASURE2	20	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1939	CONDITION	PR/Poor

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2009	Assessment Roll	Residential	Full	8,300	35,500	0	43,800
2007	Assessment Roll	Residential	Full	7,900	34,100	0	42,000
2005	Assessment Roll	Residential	Full	6,600	32,200	0	38,800
2003	Assessment Roll	Residential	Full	5,840	28,510	0	34,350

**BDH** / (CB)

2001	Assessment Roll	Residential	Full	6,070	27,470	0	33,540
1999	Assessment Roll	Residential	Full	5,830	20,790	0	26,620
1997	Assessment Roll	Residential	Full	5,060	18,030	0	23,090
1995	Assessment Roll	Residential	Full	4,760	16,970	0	21,730
1993	Assessment Roll	Residential	Full	4,380	15,600	0	19,980
1991	Assessment Roll	Residential	Full	4,380	13,720	0	18,100
1989	Assessment Roll	Residential	Full	4,380	12,420	0	16,800

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)



