

Date October 10, 2011

WHEREAS, the property located at 1827 Franklin Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders Josephine Schmitt and Jerome J. Schmitt and Contract Buyer Sarah E. Toliver were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

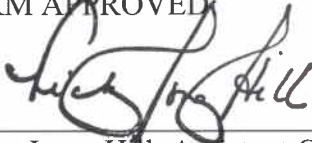
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure on the real estate legally described as LOT 9 BLK 7 NORWOOD PARK ADDITION TO NORTH DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1827 Franklin Avenue, 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 owners 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 main 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

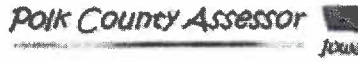
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

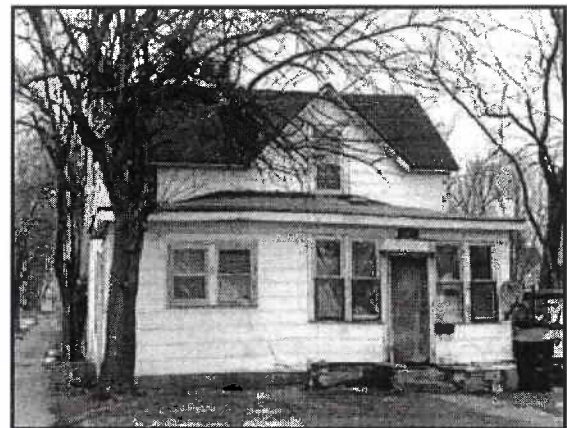
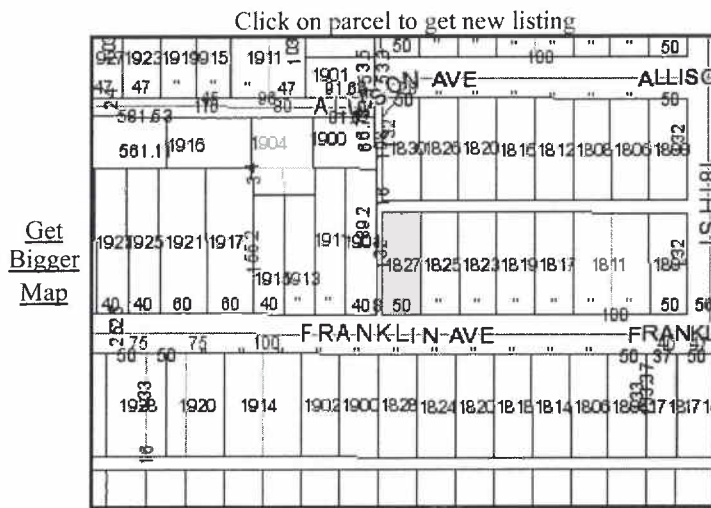
City Clerk

BDH TB



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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/04781-000-000	7924-33-229-029	0175	DM73/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1827 FRANKLIN AVE			DES MOINES IA 50314		



Approximate date of photo 02/15/2004

Mailing Address
JEROME SCHMITT 7208 NE 16TH CT ANKENY, IA 50021-8828

Legal Description
LOT 9 BLK 7 NORWOOD PARK ADDITION TO NORTH DES MOINES

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SCHMITT, JEROME J	1979-12-19	4980/284	6.05
Title Holder #2	SCHMITT, JOSEPHINE			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	7,700	21,400	0	29,100

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

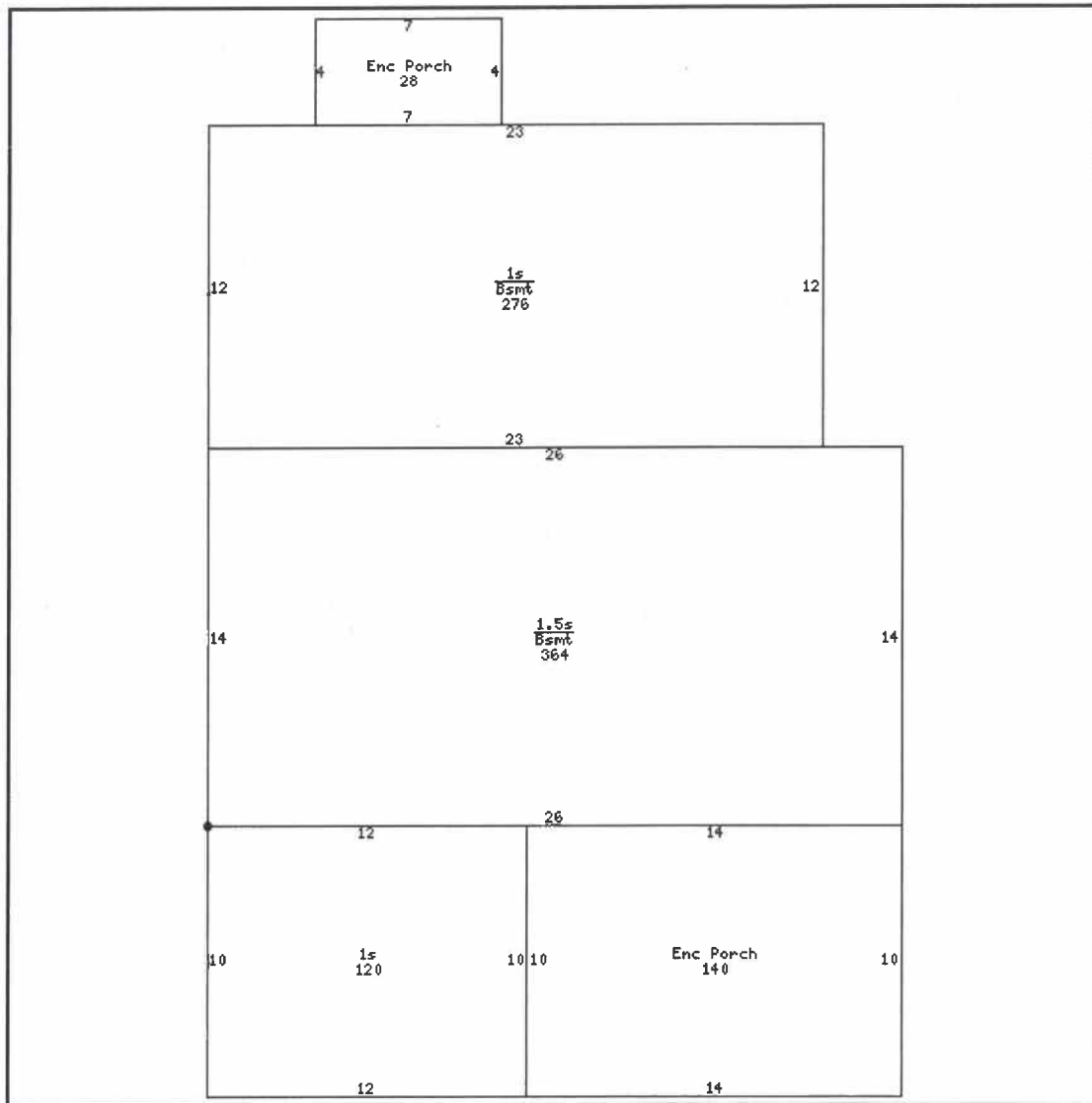
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no 14361		

Source: City of Des Moines Community Development **Published:** 2011-05-25 **Contact:** Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	6,600	FRONTAGE	50.0	DEPTH	132.0
ACRES	0.152	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SH/1.5 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1895	# FAMILIES	1	GRADE	5
GRADE ADJUST	+05	CONDITION	PR/Poor	TSFLA	1,004
MAIN LV AREA	760	UPPR LV AREA	244	BSMT AREA	640
ENCL PORCH	168	FOUNDATION	M/Masonry	EXT WALL TYP	AS/Asbestos
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	1	BEDROOMS	2
ROOMS	5				

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SCHMITT, JEROME J	TOLIVER, SARAH	1998-05-01	21,000	C/Contract	8378/615
SCHMITT, JEROME J	HOWARD, DELORES A	1991-02-25	18,000	C/Contract	6349/555
CRITER, DOROTHY	DADY, FAYE L	1989-08-25	13,250	C/Contract	6142/709
UNKNOWN	CRITER, DOROTHY J	1989-05-01	250	C/Contract	6103/451

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2011	Assessment Roll	Residential	Full	7,700	21,400	0	29,100
2009	Assessment Roll	Residential	Full	8,300	22,300	0	30,600
2007	Assessment Roll	Residential	Full	7,900	21,400	0	29,300
2005	Assessment Roll	Residential	Full	5,800	20,000	0	25,800
2003	Assessment Roll	Residential	Full	4,690	28,740	0	33,430

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2001	<u>Assessment Roll</u>	Residential	Full	4,480	20,630	0	25,110
1999	Assessment Roll	Residential	Full	4,350	12,560	0	16,910
1997	Assessment Roll	Residential	Full	3,770	10,890	0	14,660
1995	Assessment Roll	Residential	Full	3,420	9,870	0	13,290
1989	Assessment Roll	Residential	Full	2,960	8,540	0	11,500

[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



BDH 1B

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

DATE OF NOTICE: July 18, 2011

DATE OF INSPECTION:

July 13, 2011

CASE NUMBER: COD2011-04829

PROPERTY ADDRESS: 1827 FRANKLIN AVE

LEGAL DESCRIPTION: LOT 9 BLK 7 NORWOOD PARK ADDITION TO NORTH DES MOINES

SARAH E TOLIVER
Contract Buyer
2640 COTTAGE GROVE APT 1
DES MOINES IA 50311

JOSEPHINE SCHMITT & JEROME J SCHMITT
Title Holder
7208 NE 16TH CT
ANKENY IA 50021-8828

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 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.

Neighborhood Inspection Division

(515) 283-4208



Nid Inspector

DATE MAILED: 7/18/2011

MAILED BY: KMD

Areas that need attention: 1827 FRANKLIN AVE

Component:	Ductwork	Defect:	In poor repair
Requirement:	Compliance with Int Residential Code	Location:	Basement
Comments:			
Component:	Foundation	Defect:	Collapsed
Requirement:	Building Permit	Location:	Basement
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Unknown
Comments:			
Component:	Smoke Detectors	Defect:	Not installed as required
Requirement:	Compliance, International Property Maintenance Code	Location:	Throughout
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Absence of paint
Requirement:	Compliance with Int Residential Code	Location:	Throughout
Comments:			
Component:	Sub Floor	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Unknown
Comments:			
Component:	Window Glazing/Paint	Defect:	Absence of paint
Requirement:	Compliance with Int Residential Code	Location:	Throughout
Comments:			
Component:	Windows/Window Frames	Defect:	Absence of paint
Requirement:	Compliance with Int Residential Code	Location:	Throughout
Comments:			

1827 FRANKLIN SOUTH EXTERIOR



10/04/2011

1827 FRANKLIN EAST EXTERIOR

1-8
10/04/2011



1827 FRANKLIN NORTH EXTERIOR

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10/04/2011



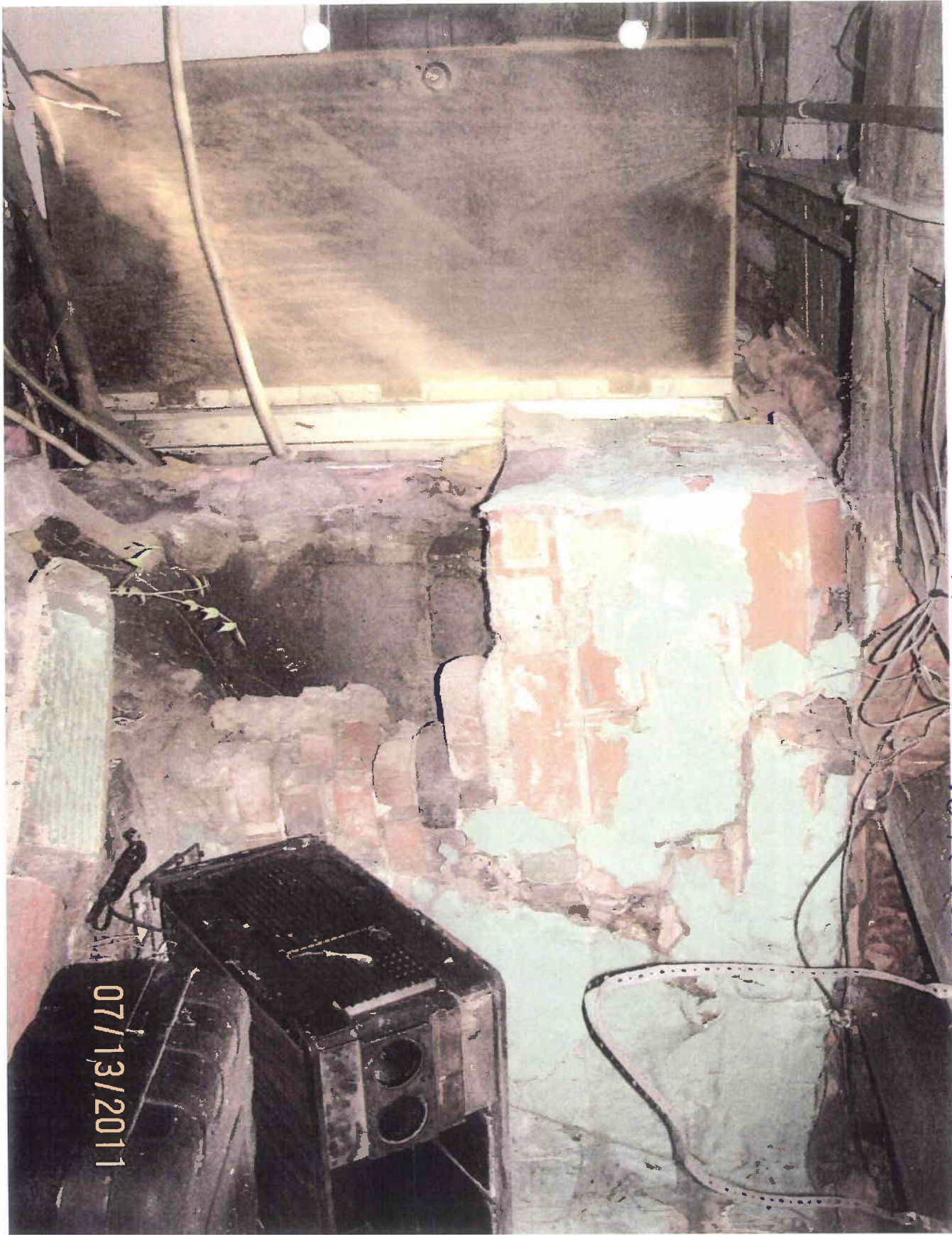
1827 FRANKLIN WEST EXTERIOR

BDH /

10/04/2011



BDH 1-B



BASEMENT WALL

1827 Franklin

07/13/2011



2nd Floor ceiling

1827 Franklin

07/13/2011