



Date October 24, 2011

WHEREAS, the property located at 1989 SW 9th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the collapsed retaining wall in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder Federal National Mortgage Association was notified more than thirty days ago to repair or demolish the retaining wall 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 retaining wall at the real estate legally described as BEG SE COR LT 114 THN N 86F W TO W LN OF LT 112 SELY TO POB LOTS 112,113 & 114 FIRST PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1989 SW 9th 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 abate such public nuisance.

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.

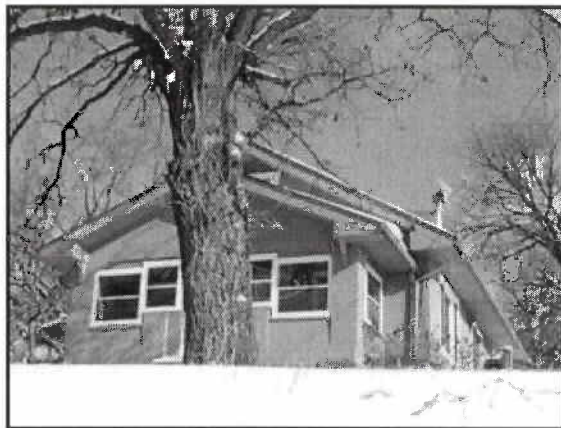
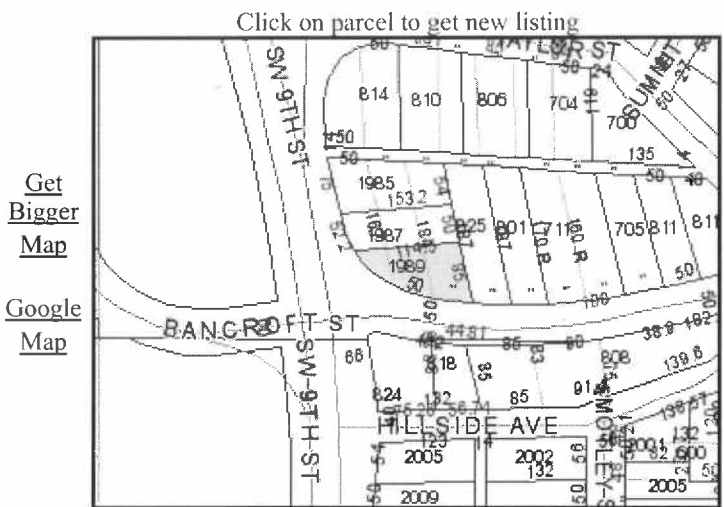
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ Mayor

_____ City Clerk

[[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
020/00302-000-000	7824-09-460-008	0565	DM26/A	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1989 SW 9TH ST			DES MOINES IA 50315-1103		



Approximate date of photo 01/17/2008

Mailing Address
FEDERAL NATIONAL MORTGAGE ASSOC POB 650043 DALLAS, TX 75265-0043

Legal Description
 BEG SE COR LT 114 THN N 86F W TO W LN OF LT 112 SELY TO POB LOTS 112,113 & 114
 FIRST PLAT
 OF CLIFTON HEIGHTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	FEDERAL NATIONAL MORTGAGE ASSOC	2010-07-28	13519/906	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	11,000	92,300	0	103,300
		Adj	11,000	69,300	0	80,300

BDH IE

Abatement	<u>J/Urban Revitalization</u>	added value 28,870	<u>Plan 1</u>	0	23,000	2003-2012
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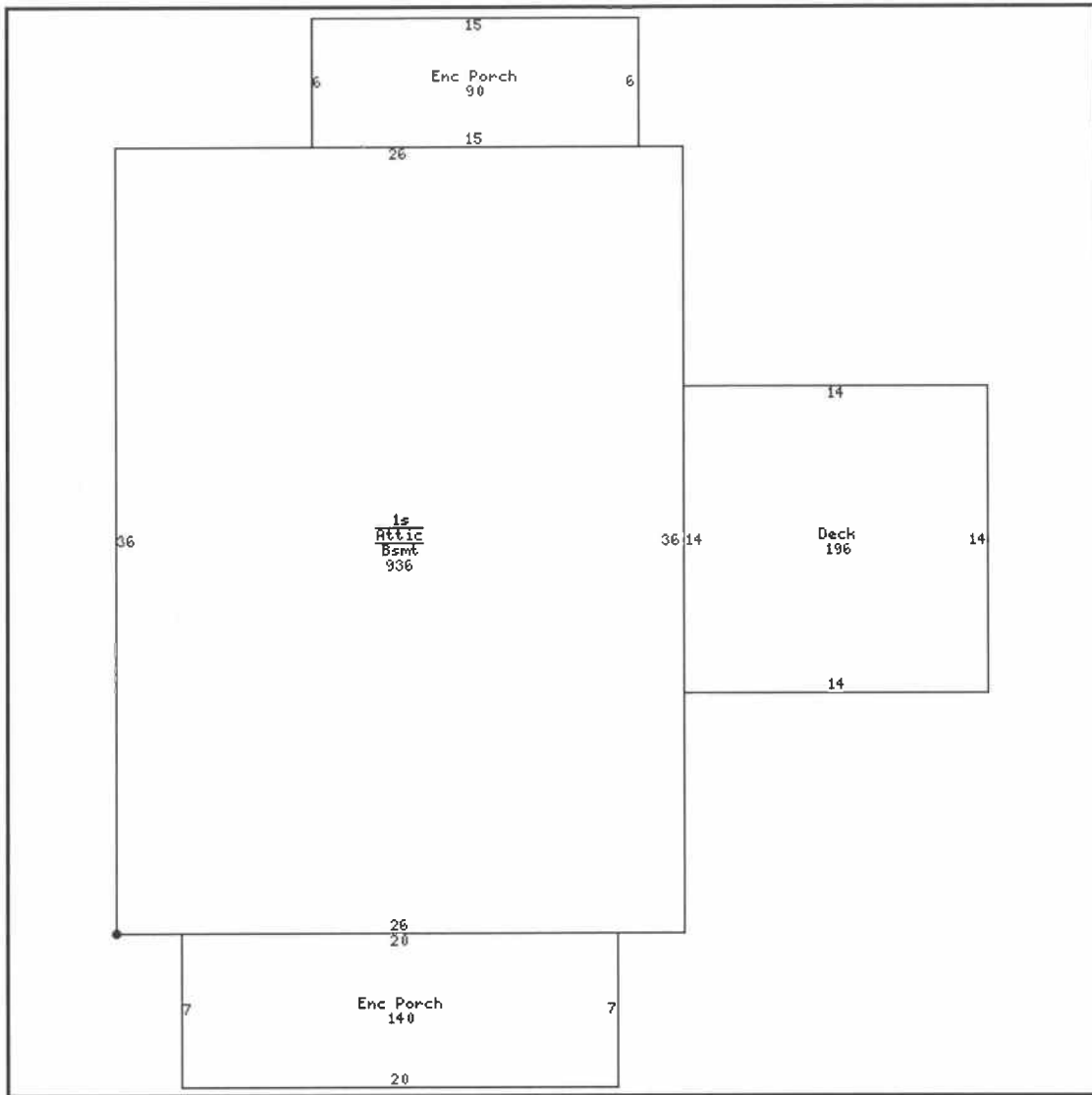
Market Adjusted Cost Report Assessment Roll Notice Estimate Taxes Polk County Treasurer
Tax Information Pay Taxes

Zoning	Description	SF	Assessor Zoning
R-4	Multiple Family Residential District		Multi-Family 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	7,691	ACRES	0.177	SHAPE	CI/Curved Irregular
TOPOGRAPHY	N/Normal				

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	FA/1 Story with Finished Attic	BLDG STYLE	ET/Early 20s
YEAR BUILT	1925	YEAR REMODEL	2002	# FAMILIES	1
GRADE	4	GRADE ADJUST	+00	CONDITION	AN/Above Normal
TSFLA	1,357	MAIN LV AREA	936	ATTIC FINISH	421
BSMT AREA	936	ENCL PORCH	230	DECK AREA	196
FOUNDATION	B/Brick	EXT WALL TYP	ST/Stucco	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	100
BATHROOMS	2	XTRA FIXTURE	1	BEDROOMS	3
ROOMS	5				



Detached # 101

OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	18	MEASURE2	20	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1981	CONDITION	AN/Above Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
RIETZ, JAMES P	O'CONNOR, TYLER M	<u>2007-08-28</u>	127,000	D/Deed	12355/351
WELLS FARGO BANK IA, N.A.	RIETZ, JAMES P	<u>2002-04-11</u>	52,000	D/Deed	9116/748

BDH ME

PEDERSEN, MILO J	REESE, BRIAN J.	<u>1996-08-29</u>	55,900	D/Deed	7476/418
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Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	2011-02-28	AD/Addition MISC Cost Estimate 36000
2003	P/Permit	CP/Complete	2002-05-14	AD/AIR CONDITIONING
1989	U/Pickup	NA/No Add	1988-08-23	OFP Now EFP

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2011	<u>Assessment Roll</u>	Residential	Full	11,000	92,300	0	103,300
			Adj	11,000	69,300	0	80,300
2009	<u>Assessment Roll</u>	Residential	Full	11,400	98,700	0	110,100
			Adj	11,400	75,700	0	87,100
2007	<u>Assessment Roll</u>	Residential	Full	11,300	97,500	0	108,800
			Adj	11,300	74,500	0	85,800
2005	<u>Assessment Roll</u>	Residential	Full	8,900	89,600	0	98,500
			Adj	8,900	66,600	0	75,500
2003	<u>Assessment Roll</u>	Residential	Full	7,990	79,960	0	87,950
			Adj	7,990	56,960	0	64,950
2001	<u>Assessment Roll</u>	Residential	Full	7,630	51,090	0	58,720
1999	Assessment Roll	Residential	Full	14,890	41,670	0	56,560
1997	Assessment Roll	Residential	Full	13,260	37,110	0	50,370
1995	Assessment Roll	Residential	Full	12,050	31,610	0	43,660
1993	Assessment Roll	Residential	Full	11,260	28,740	0	40,000
1991	Assessment Roll	Residential	Full	10,240	29,760	0	40,000
1991	Was Prior Year	Residential	Full	10,240	23,740	0	33,980

[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



**PUBLIC NUISANCE
 NOTICE OF INSPECTION
 PERMIT AND DEVELOPMENT CENTER
 COMMUNITY DEVELOPMENT DEPARTMENT
 CITY OF DES MOINES, IOWA**



DATE OF NOTICE: July 20, 2011

DATE OF INSPECTION: June 09, 2011

CASE NUMBER: COD2010-02650

LEGAL INTEREST HOLDERS:	
Title Holder	FEDERAL NATIONAL MORTGAGE ASSOCIATI ATTN: LEGAL DEPARTMENT 3900 WISCONSIN AVE NW WASHINGTON, DC 20016

PROPERTY ADDRESS: 1989 SW 9TH ST
LEGAL DESCRIPTION: BEG SE COR LT 114 THN N 86F W TO W LN OF LT 112 SELY TO POB LOTS 112,113 & 114 FIRST PLAT OF CLIFTON HEIGHTS

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 Chapter 26-277 of 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 an agreement voluntarily authorizing the City to do so. However, you will be responsible for all costs associated with the abatement of the public nuisance. The City may seek a personal judgment against you for the costs of removal and assess those costs against the property.

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.

Robert Mezera
BUILDING INSPECTOR
Permit and Development Center

DATE MAILED: 7/20/2011

MAILED BY: CJC

BDHIE

Areas that need attention: 1989 SW 9TH ST

ID/Entered: 2011/06/27 08:40:33.7280

Complied:

Component: 66

Defect: Collapsed

Requirement: Building Permit

Location: Unknown

Comments: Collapsed retaining wall has been removed and now existing grade is collapsing onto public sidewalk.



BDH

10/20/2011 08:34

1980 CIVIL ENGINEERING

BDH 11

10/20/2011 08:34



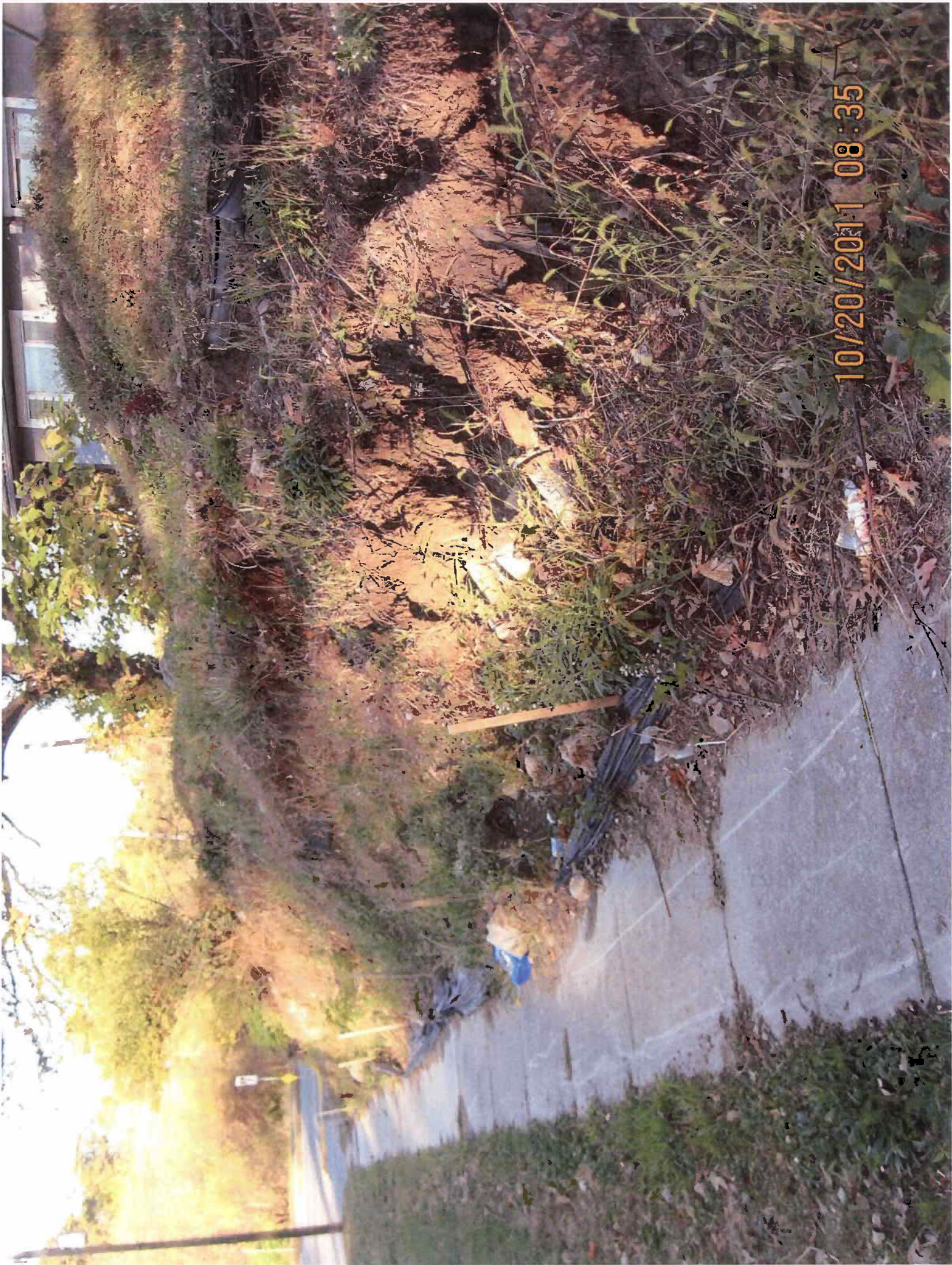
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P. 1 10 20 11



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