



Roll Call Number

Agenda Item Number

BDH 1-C

Date January 23, 2012

WHEREAS, the property located at 3109 4th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholders Robert J. Winters (deceased) and Billie M. Archer (deceased) and All Known and Unknown Heirs of said titleholders and Life Estate of H. Darwin Stinson were notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date have failed to abate the nuisance.

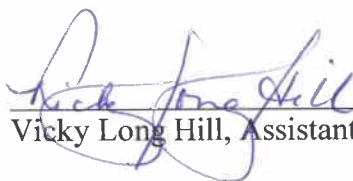
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure and garage structure on the real estate legally described as N 45F LOT 13 BLK 3 NORTHMORELAND, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3109 4th 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 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 and 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

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

BDH HC

DATE OF NOTICE: June 9, 2011

DATE OF INSPECTION: April 13, 2011

CASE NUMBER: COD2011-02590

PROPERTY ADDRESS: 3109 4TH ST

LEGAL DESCRIPTION: N 45F LOT 13 BLK 3 NORTHMORELAND

ROBERT J WINTERS
Title Holder
DECEASED

SCOTT L CHIDESTER
Heir
615 E PARK AVE APT 6
DES MOINES IA 50315

PATRICIA VANN CRAWFORD
Heir
5184 SCARBROUGH TRL W
STONE MOUNTAIN GA 30088

BOBBI K HANSON
Heir
3305 XENWOOD AVE S
MINNEAPOLIS MN 55416

DIANNA MALDONADO
Heir
615 E PORTER AVE
DES MOINES IA 50315

MARK STINSON
Heir
833 17TH ST
DES MOINES IA 50314

DEBRA VANHORNE
Heir
926 PLEASANT VIEW DR D
DES MOINES IA 50315

SUSAN WINTERS
Heir
3337 EATON MEWS CT
GREENWOOD IN 46143

H DARWIN STINSON C/O TAMMI M BLACKSTONE
Life Estate - ATTORNEY FOR THE EST
GAUDINEER, COMITO & GEORGE, LLP
3737 WESTOWN PARKWAY, STE 2D
WEST DES MOINES IA 50266

BILLIE M ARCHER
Title Holder
DECEASED

An inspection of the referenced property was conducted for its conformance with 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.

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.

Jim Nelson

(515) 283-4197


Nid Inspector

DATE MAILED: 6/9/2011

MAILED BY: TSY

Areas that need attention: 3109 4TH ST

Component:	Foundation	Defect:	In poor repair
Requirement:	Building Permit	Location:	Main Structure
Comments:	North wall needs building permit to correct.		

Component:	Mechanical System	Defect:	See Comments
Requirement:	Compliance, Uniform Mechanics Code	Location:	Main Structure
Comments:	Have licensed mehanical contractor check system		

Component:	Plumbing System	Defect:	See Comments
Requirement:	Compliance with Uniform Plumbing Code	Location:	Main Structure
Comments:	Have licensed plumbing contractor check out system		

Component:	Electrical System	Defect:	See Comments
Requirement:	Compliance with National Electrical Code	Location:	Main Structure
Comments:	have licensed electrical contractor check out system		

Component:	Interior Walls /Ceiling	Defect:	Collapsed
Requirement:		Location:	Throughout
Comments:			

Component:	Flooring	Defect:	Water Damage
Requirement:		Location:	Throughout
Comments:			

Component:	Shingles Flashing	Defect:	In poor repair
Requirement:		Location:	Main Structure
Comments:			

Component:	Interior Walls /Ceiling	Defect:	See Comments
Requirement:		Location:	Throughout
Comments:	Clean mold off interior walls		

Polk County Assessor 

[[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
070/03639-000-000	7924-27-280-019	0224	DM82/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
3109 4TH ST			DES MOINES IA 50313-4323		

Click on parcel to get new listing

Get Bigger Map

Google Map




Approximate date of photo 10/29/2004

Mailing Address
H DARWIN STINSON 3114 4TH ST DES MOINES, IA 50313-4324

Legal Description
N 45F LOT 13 BLK 3 NORTHMORELAND

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	WINTERS, ROBERT J	1993-01-06	6705/170	
Title Holder #2	ARCHER, BILLIE M			
Life Estate #1	STINSON, H DARWIN			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	13,700	77,700	0	91,400

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

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Tax Information Pay Taxes

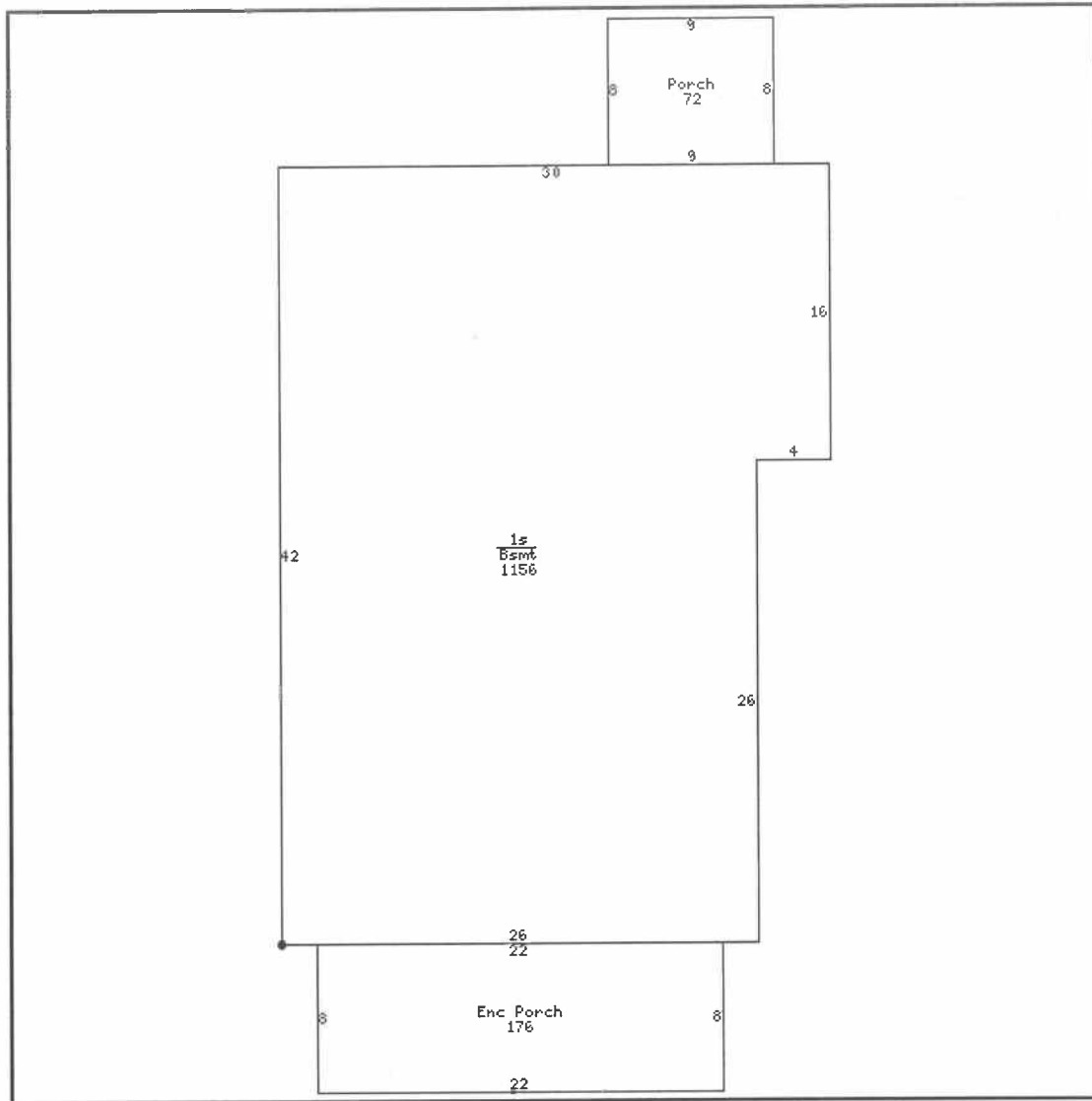
Taxable Value Credit	Name	Number	Info
Homestead	STINSON, H DARWIN	20078	
Military	STINSON, H DARWIN	52070	World War II

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	5,850	FRONTAGE	45.0	DEPTH	130.0
ACRES	0.134	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1916	# FAMILIES	1	GRADE	4
GRADE ADJUST	+00	CONDITION	VG/Very Good	TSFLA	1,156
MAIN LV AREA	1,156	BSMT AREA	1,156	OPEN PORCH	72
ENCL PORCH	176	FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	100	BATHROOMS	1	BEDROOMS	2
ROOMS	5				



Detached # 101									
OCCUPANCY	GAR/Garage	CONSTR TYPE		FR/Frame		MEASCODE		D/Dimensions	
MEASURE1	30	MEASURE2	24	STORY HEIGHT	1				
GRADE	4	YEAR BUILT	1982	CONDITION	NM/Normal				

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2011	Assessment Roll	Residential	Full	13,700	77,700	0	91,400
2009	Assessment Roll	Residential	Full	15,200	83,000	0	98,200
2007	Assessment Roll	Residential	Full	15,000	82,000	0	97,000
2005	Board Action	Residential	Full	12,300	63,600	0	75,900

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2005	<u>Assessment Roll</u>	Residential	Full	12,300	63,600	0	75,900
2003	<u>Board Action</u>	Residential	Full	10,570	59,730	0	70,300
2003	<u>Assessment Roll</u>	Residential	Full	10,570	64,860	0	75,430
2001	<u>Assessment Roll</u>	Residential	Full	8,830	53,030	0	61,860
1999	Assessment Roll	Residential	Full	6,620	52,030	0	58,650
1997	Assessment Roll	Residential	Full	6,200	48,720	0	54,920
1995	Assessment Roll	Residential	Full	5,480	43,060	0	48,540
1993	Assessment Roll	Residential	Full	4,740	37,260	0	42,000
1990	Assessment Roll	Residential	Full	4,740	32,760	0	37,500

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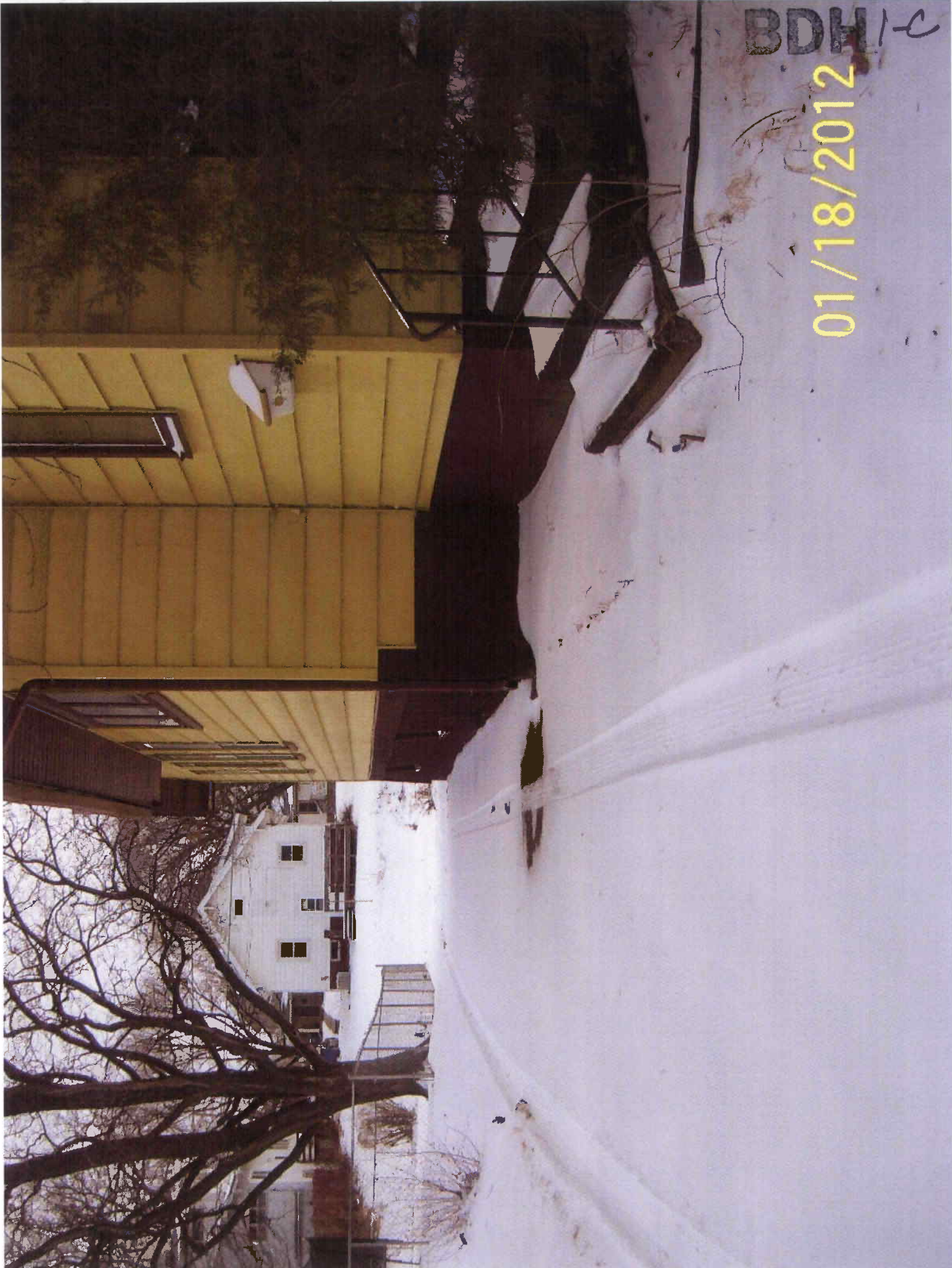
Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us

3/09 456



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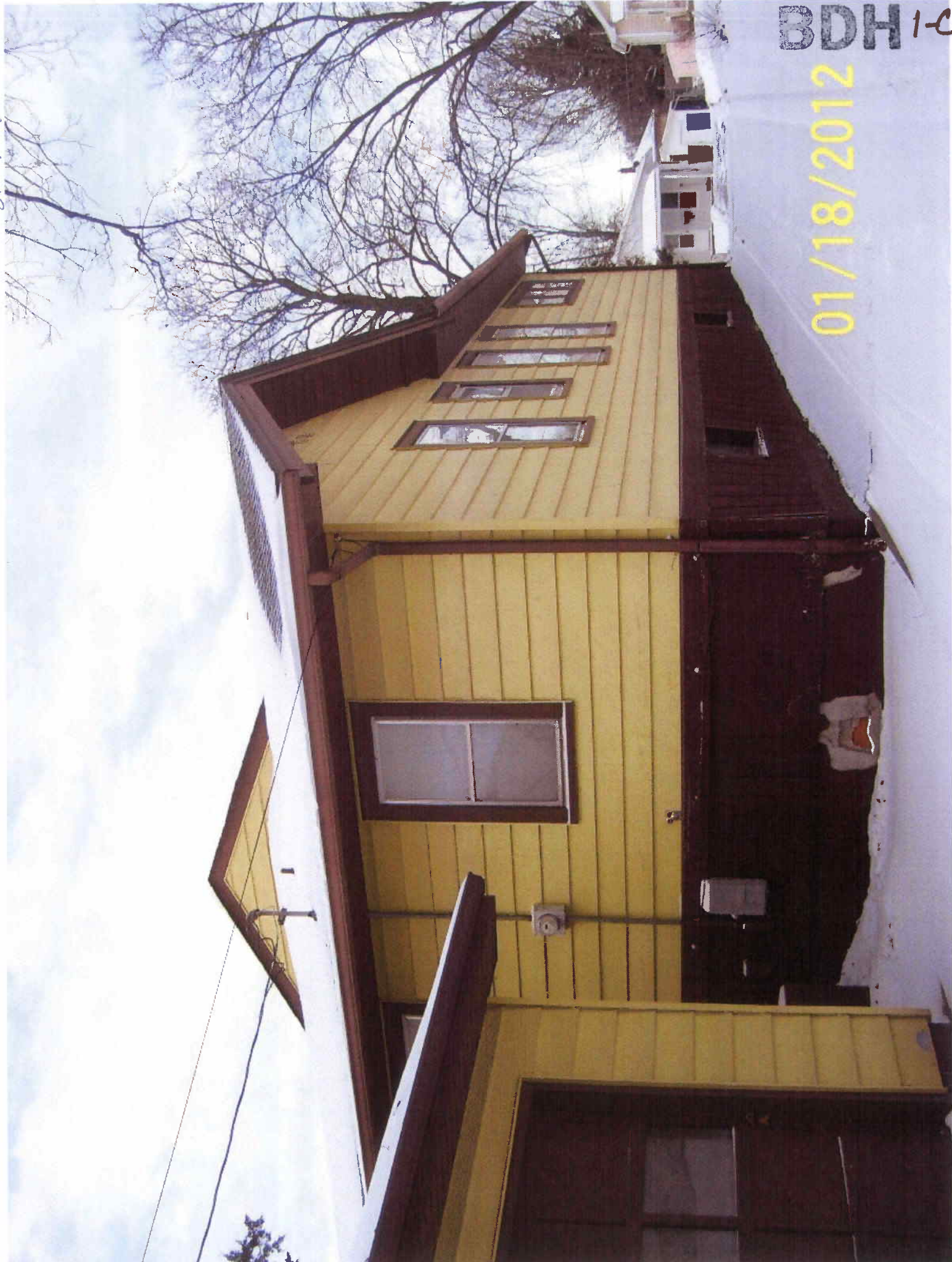
134 6015
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3109 4st



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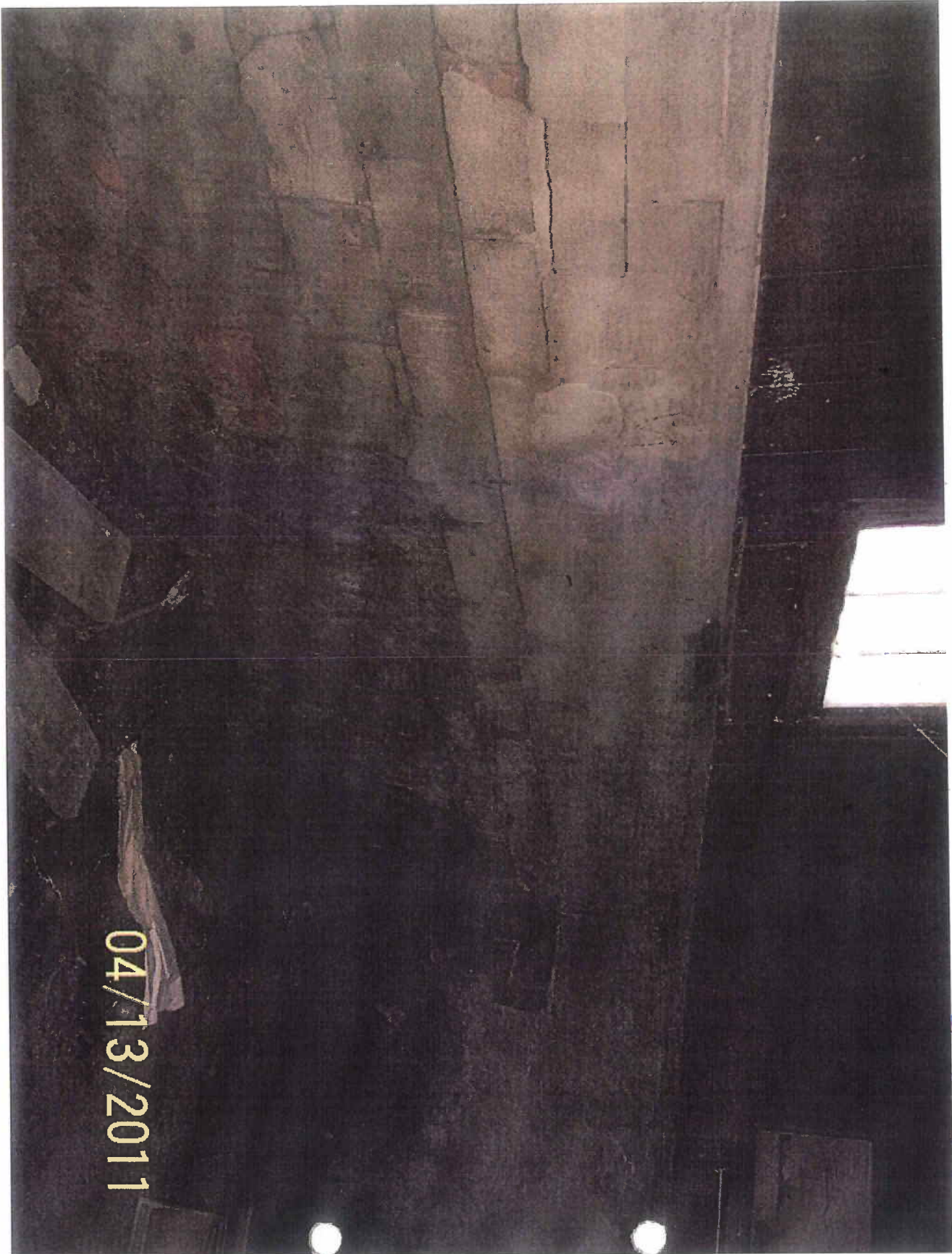
04/13/2011



04/13/2011

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