



Roll Call Number

Agenda Item Number
BDH 1-C

Date July 23, 2012

WHEREAS, the property located at 325 Indiana Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged main structure and fire-damaged 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 Lincoln O. Allison (deceased), Ralph W. Maxwell, Jr., Heir, and Latrenda Maxwell, were notified 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The fire-damaged main structure and garage structure on the real estate legally described as LOT 34 RUTHERFURD HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 325 Indiana Avenue, 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 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 structures.

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-C

DATE OF NOTICE: May 4, 2012

DATE OF INSPECTION: August 16, 2011

CASE NUMBER: COD2011-05580

PROPERTY ADDRESS: 325 INDIANA AVE

LEGAL DESCRIPTION: LOT 34 RUTHERFURD HEIGHTS

LINCOLN O ALLISON- DECEASED
Title Holder

LATREDA MAXWELL & RALPH W MAXWELL JR
Heir
3406 MERRITT RD
MARSHALLTOWN IA 50158

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.

BDH 1-C

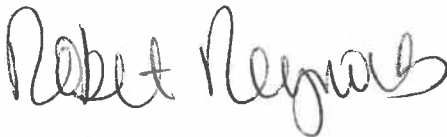
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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.

Robert Reynolds
(515) 283-4128



Nid Inspector

DATE MAILED: 5/4/2012

MAILED BY: TSY

Areas that need attention: 325 INDIANA AVE

<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Walls	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Roof	<u>Defect:</u>	Major sagging
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Floor Joists/Beams	<u>Defect:</u>	Water Damage
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Walls	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Protective Covering/Junction Box	<u>Defect:</u>	Holes or major defect
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Roof	<u>Defect:</u>	Holes or major defect
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	Missing
<u>Requirement:</u>		<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			

<u>Component:</u>	Bathroom Lavatory	<u>Defect:</u>	Smoke Damage
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Ductwork	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Mechanical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Electrical Lighting Fixtures	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Electrical Other Fixtures	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Electrical Receptacles	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Electrical System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Electrical System	<u>Defect:</u>	Smoke Damage
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	
<u>Comments:</u>			

<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	Fire damaged	BDH 1-C
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Floor Joists/Beams	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Flooring	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Flooring	<u>Defect:</u>	Water Damage	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	Water Damage	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Interior Stairway	<u>Defect:</u>	Water Damage	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Roof	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				

<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	Fire damaged	BDH 1-C
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Window Glazing/Paint	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Building Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Wiring	<u>Defect:</u>	Fire damaged	
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Wiring	<u>Defect:</u>	Smoke Damage	
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>		
<u>Comments:</u>				
<u>Component:</u>	Wiring	<u>Defect:</u>	Water Damage	
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>		
<u>Comments:</u>				



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

BDH 1-C

DATE OF NOTICE: September 16, 2011

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CASE NUMBER: COD2011-05580

PROPERTY ADDRESS: 325 INDIANA AVE

LEGAL DESCRIPTION: LOT 34 RUTHERFURD HEIGHTS

LINCOLN O ALLISON- DECEASED
Title Holder

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BDH

1-C

<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	Deteriorated
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Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.



Nid Inspector

DATE MAILED: 9/16/2011

MAILED BY: KMD

BDH 1-C**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
080/05966-000-000	7924-34-477-020	0537	DM79/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
325 INDIANA AVE			DES MOINES IA 50314		

Click on parcel to get new listing

Get Bigger Map
Google Map



Approximate date of photo 05/05/2006

Mailing Address

LINCOLN O ALLISON
311 INDIANA AVE
DES MOINES, IA 50314-3142

Legal Description

LOT 34 RUTHERFURD HEIGHTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	ALLISON, LINCOLN O SR	1997-09-23	7730/2	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	6,500	38,100	0	44,600

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

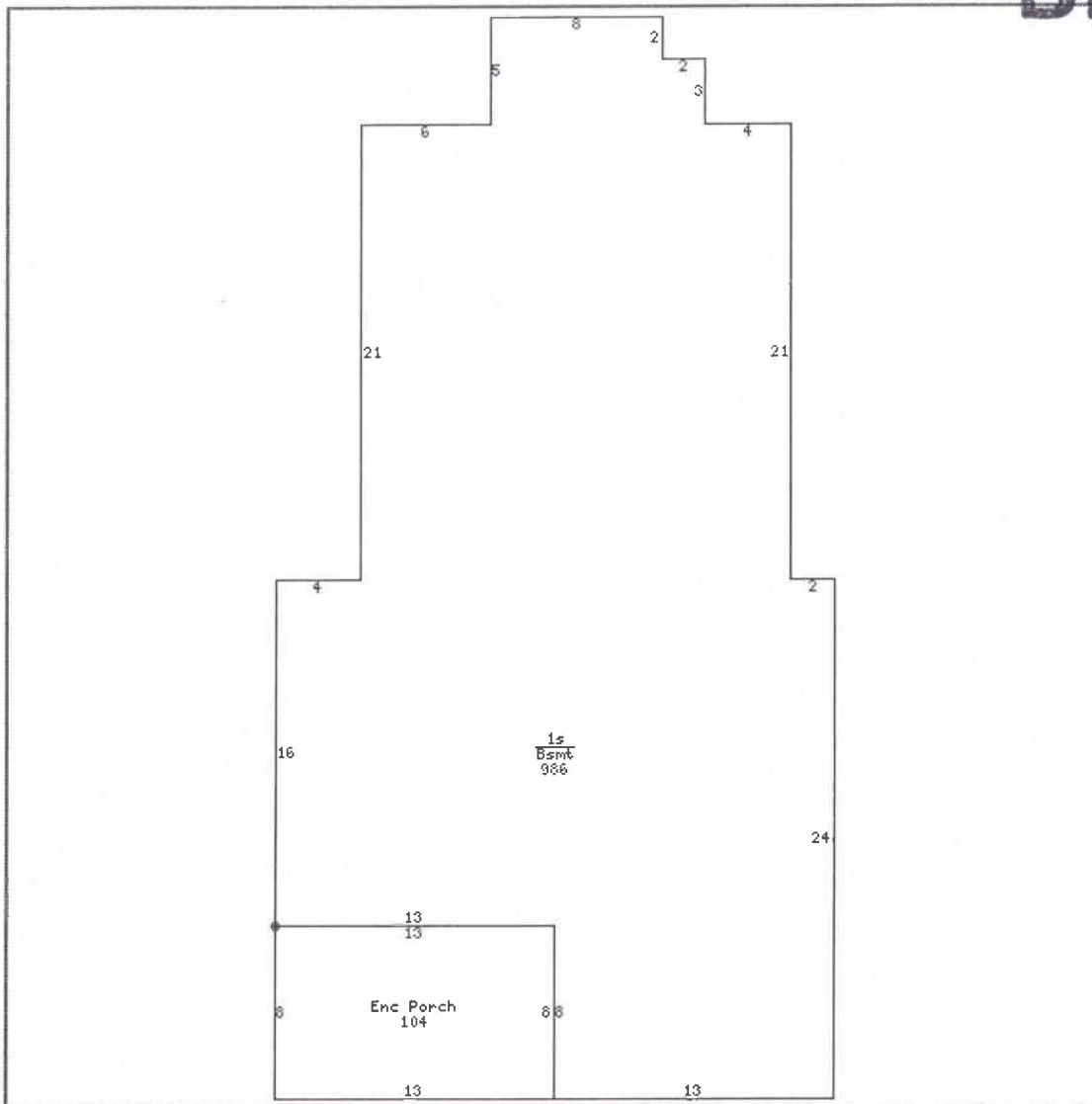
Zoning	Description	SF	Assessor Zoning
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BDH 1-C

R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no 14361		
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4200			

Land					
SQUARE FEET	9,337	FRONTAGE	47.0	DEPTH	197.0
ACRES	0.214	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1928	# FAMILIES	1	GRADE	4
GRADE ADJUST	-10	CONDITION	BN/Below Normal	TSFLA	986
MAIN LV AREA	986	BSMT AREA	986	ENCL PORCH	104
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	0
BATHROOMS	1	BEDROOMS	3	ROOMS	6

BDH 1-C**Detached # 101**

OCCUPANCY	GAR/Garage	CONSTR TYPE		FR/Frame		MEASCODE		D/Dimensions	
MEASURE1	24	MEASURE2	30	STORY HEIGHT				1	
GRADE	4	YEAR BUILT	1974	CONDITION				PR/Poor	

Year	Type	Status	Application	Permit/Pickup Description
1991	P/Permit	NA/No Add	1988-04-04	New Garage - Remove Old
1990	P/Permit	PA/Pass	1988-04-04	New Garage - Remove Old
1989	P/Permit	PA/Pass	1988-04-04	New Garage - Remove Old

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
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BDH 1-C

2011	Assessment Roll	Residential	Full	6,500	38,100	0	44,600
2009	Assessment Roll	Residential	Full	6,200	36,900	0	43,100
2007	Assessment Roll	Residential	Full	6,600	38,900	0	45,500
2005	Assessment Roll	Residential	Full	7,800	38,700	0	46,500
2003	Assessment Roll	Residential	Full	7,390	37,020	0	44,410
2001	Assessment Roll	Residential	Full	7,990	35,610	0	43,600
1999	Assessment Roll	Residential	Full	4,950	23,340	0	28,290
1997	Assessment Roll	Residential	Full	4,050	19,100	0	23,150
1995	Assessment Roll	Residential	Full	3,640	17,160	0	20,800
1989	Assessment Roll	Residential	Full	3,150	14,850	0	18,000

[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-1C



325 INDIANA
FRONT VIEW OF HOUSE.

BDH-1C

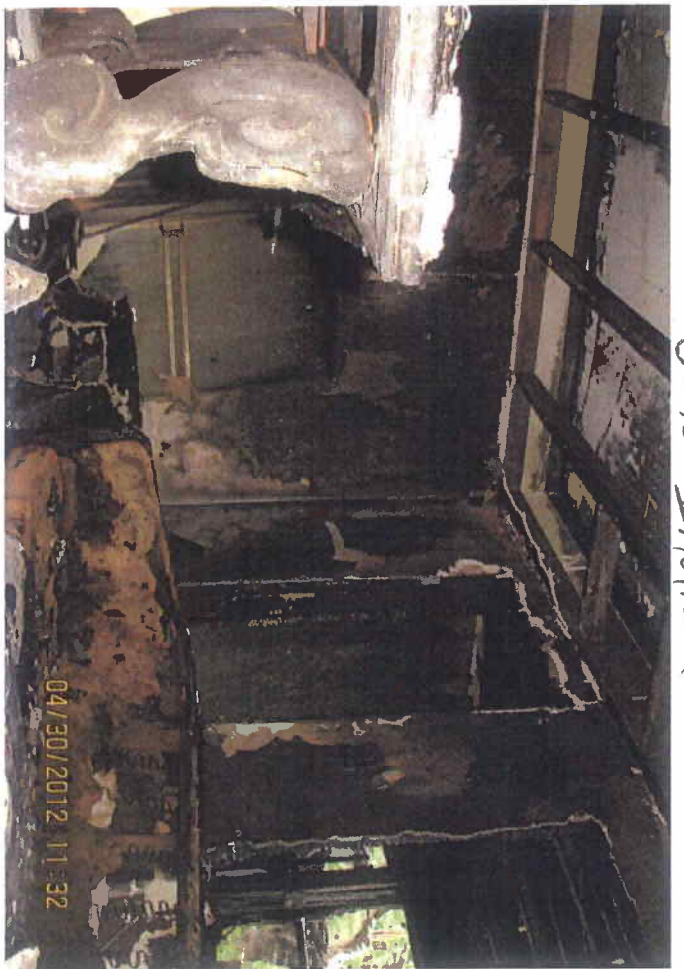
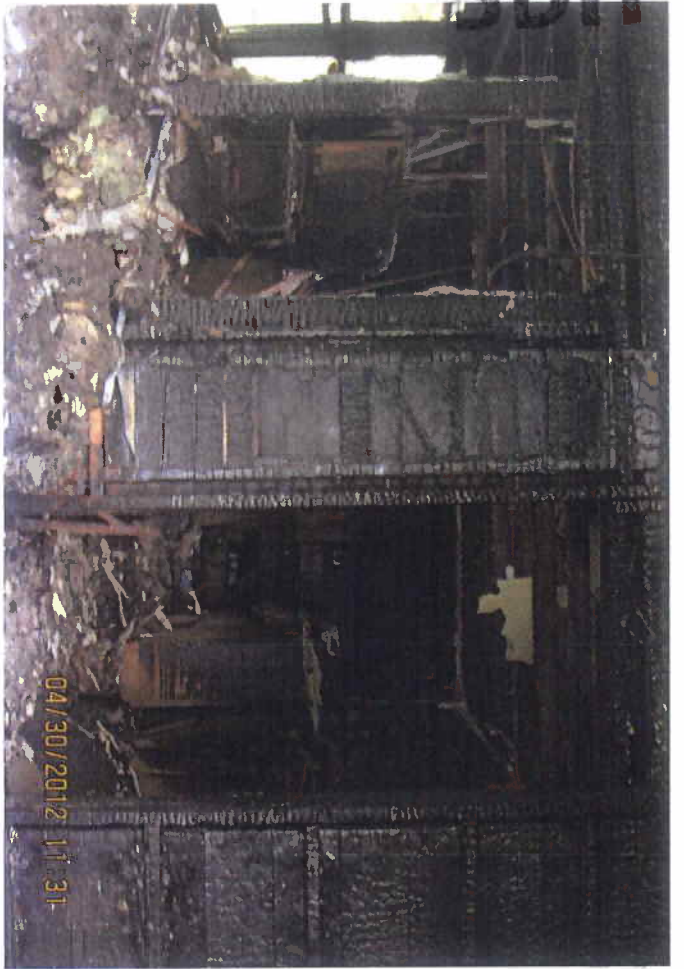


325 INDIANA
FRONT VIEW OF GARAGE.



325 INDIANA
REAR VIEW OF HOUSE.

BDH 1C



325 Indiana