



Date October 22, 2012

WHEREAS, the property located at 318 E. Holcomb Avenue, 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 Titleholder Robert Tavenner was notified via publication and All Known and Unknown Heirs to Contract Buyers Paul Fausett and Peggy Fausett, including Dena Freeman a/k/a Dena M. Taylor, Bobbi Jo Fausett, and Paul E. Fausett 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.

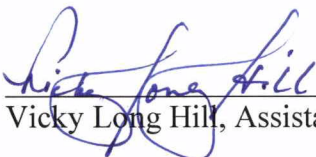
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure and garage structure on the real estate legally described as W 15 FT LOT 25 & ALL LOT 24 BLK 1 OLD ORCHARD BEACH, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 318 E. Holcomb 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 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				

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.

MOTION CARRIED APPROVED

Mayor

City Clerk



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

BDH 1-A

DATE OF NOTICE: August 19, 2010

DATE OF INSPECTION: June 29, 2010

CASE NUMBER: COD2010-04444

PROPERTY ADDRESS: 318 E HOLCOMB AVE

LEGAL DESCRIPTION: W 15 FT LOT 25 & ALL LOT 24 BLK 1 OLD ORCHARD BEACH

DENA FREEMAN A/K/A DENA M TAYLOR
Heir
226 E 16TH CT
DES MOINES IA 50316

PAUL FAUSETT & PEGGY FAUSETT
Contract Buyer
DECEASED

BOBBI JO FAUSETT
Heir
701 LOOMIS AVE APT 1
DES MOINES IA 50315

PAUL E FAUSETT
Heir
1525 E 22ND ST
DES MOINES IA 50317

ROBERT W TAVENNER
Title Holder
1525 E 22ND ST
DES MOINES IA 50317

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.

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: 8/19/2010

MAILED BY: JDH

Areas that need attention: 318 E HOLCOMB AVE

Component: Exterior Walls	Defect: Absence of paint
Requirement:	Location: Garage
Comments:	
Component: Electrical System	Defect: In poor repair
Requirement: Electrical Permit	Location: Garage
Comments:	
Component: Roof	Defect: In poor repair
Requirement:	Location: Garage
Comments:	
Component: Exterior Doors/Jams	Defect: In poor repair
Requirement:	Location: Garage
Comments:	
Component: Brick Chimney	Defect: In disrepair
Requirement:	Location: Main Structure
Comments:	
Component: Chimney Liner	Defect: In disrepair
Requirement: Mechanical Permit	Location: Main Structure
Comments:	
Component: Electrical Other Fixtures	Defect: In poor repair
Requirement: Electrical Permit	Location: Main Structure
Comments:	
Component: Electrical System	Defect: In poor repair
Requirement: Electrical Permit	Location: Main Structure
Comments: Update System	

BDH 1-A

Component: Exterior Doors
Requirement:
Defect: In poor repair
Location: Main Structure
Comments:

Component: Exterior Walls
Requirement:
Defect: Absence of paint
Location: Main Structure
Comments:

Component: Flooring
Requirement: Building Permit
Defect: Cracked/Broken
Location: Main Structure
Comments:

Component: Floor Joists/Beams
Requirement: Building Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Furnace
Requirement: Mechanical Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Interior Stairway
Requirement:
Defect: In poor repair
Location: Main Structure
Comments:

Component: Interior Walls /Ceiling
Requirement:
Defect: Cracked/Broken
Location: Main Structure
Comments:

Component: Mechanical System
Requirement: Mechanical Permit
Defect: In poor repair
Location: Main Structure
Comments:

Component: Plumbing System
Requirement: Plumbing Permit
Defect: In poor repair
Location: Main Structure
Comments:

