



Date February 25, 2013

WHEREAS, the property located at 210 E. Rose Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder Anthony C. Carter and Mortgage Holder Wells Fargo Bank, National Association, were notified more than thirty days ago to repair or demolish the 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 garage structure on the real estate legally described as LOT 36 SMITHS ACRES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 210 E. Rose 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 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 demolish and remove said 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



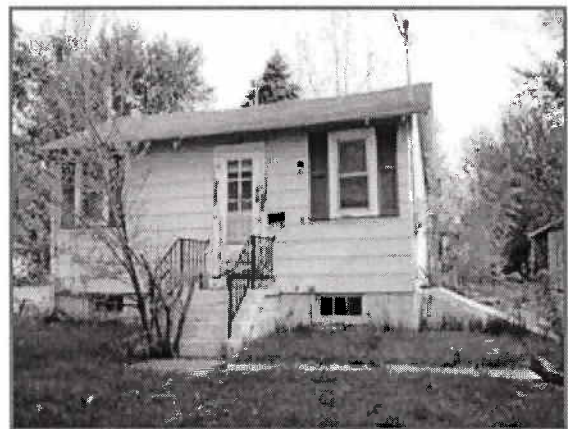
Polk County Assessor

[[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 |
|-----------------------|--------------------------------|--------------------------|--------------------------|--------------|--------|
| 010/04483-000-000 | 7824-22-151-034 | 0769 | DM37/Z | DES MOINES | ACTIVE |
| School District | Tax Increment Finance District | Bond/Fire/Sewer/Cemetery | | | |
| 1/Des Moines | | | | | |
| Street Address | | | City State Zipcode | | |
| 210 E ROSE AVE | | | DES MOINES IA 50315-7749 | | |

Click on parcel to get new listing

[Get Bigger Map](#)
[Google Map](#)



Approximate date of photo 05/14/2008

Mailing Address

ANTHONY C CARTER
 210 E ROSE AVE
 DES MOINES, IA 50315-7749

Legal Description

LOT 36 SMITHS ACRES

| Ownership | Name | Recorded | Book/Page | RevStamps |
|-----------------|-------------------|------------|-----------|-----------|
| Title Holder #1 | CARTER, ANTHONY C | 2000-07-03 | 8525/266 | 69.60 |

| Assessment | Class | Kind | Land | Bldg | AgBd | Total |
|------------|-------------|------|--------|--------|------|--------|
| Current | Residential | Full | 25,000 | 37,800 | 0 | 62,800 |

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

| Taxable Value Credit | Name | Number | Info |
|----------------------|------|--------|------|
|----------------------|------|--------|------|

BDH/A

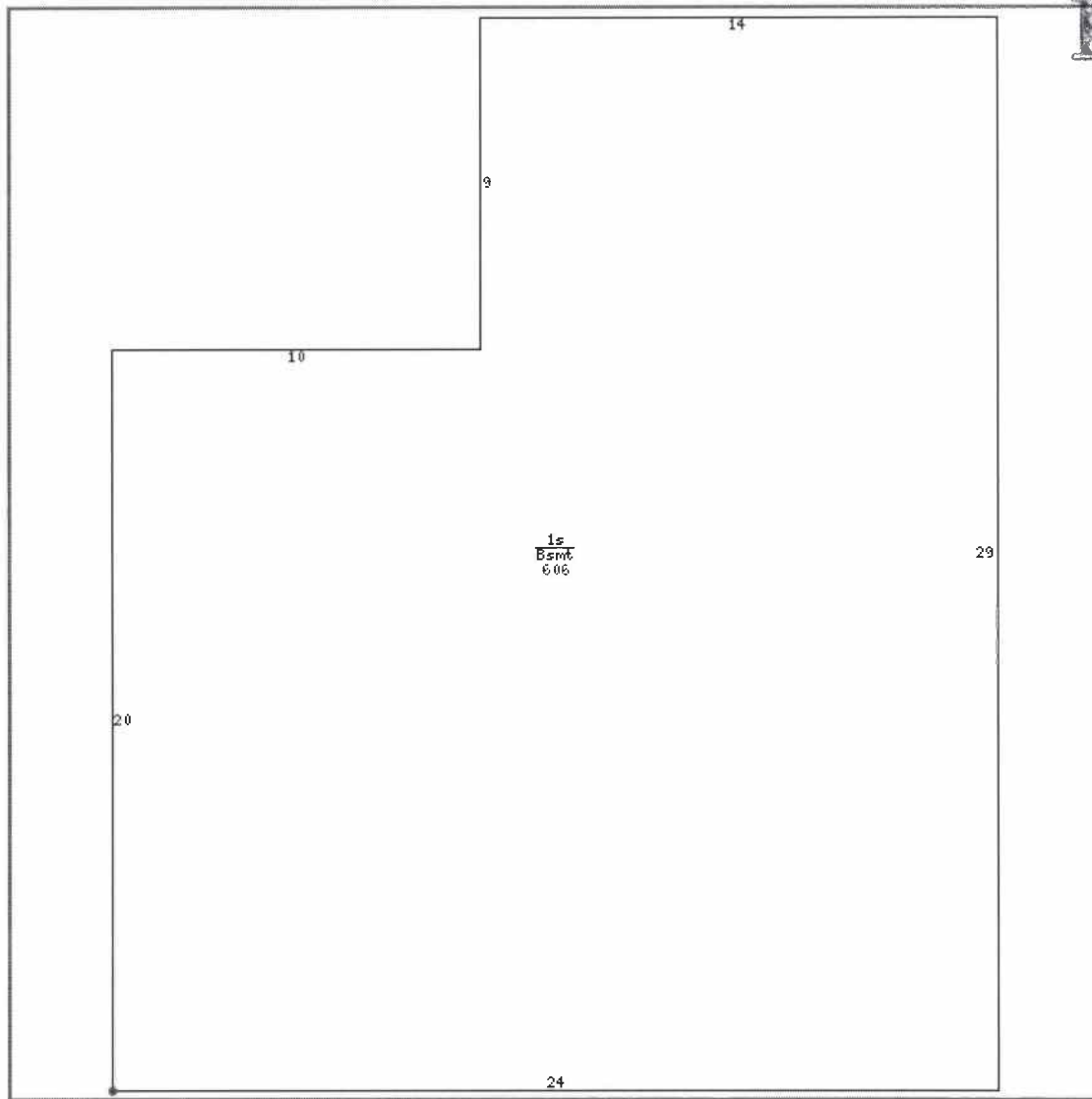
| | | |
|-----------|-------------------|-------|
| Homestead | CARTER, ANTHONY C | 77626 |
|-----------|-------------------|-------|

| Zoning | Description | SF | Assessor Zoning |
|--------|--|----|-----------------|
| R1-70 | One Family, Low Density Residential District | | Residential |

Source: City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

| Land | | | | | |
|--------------------|--------|-----------------|--------------|-------------------|----------|
| SQUARE FEET | 19,120 | FRONTAGE | 80.0 | DEPTH | 239.0 |
| ACRES | 0.439 | SHAPE | RC/Rectangle | TOPOGRAPHY | N/Normal |

| Residence # 1 | | | | | |
|---------------------|------------------|-------------------|------------|--------------------|-------------------|
| OCCUPANCY | SF/Single Family | RESID TYPE | S1/1 Story | BLDG STYLE | BG/Bungalow |
| YEAR BUILT | 1936 | # FAMILIES | 1 | GRADE | 5 |
| GRADE ADJUST | +00 | CONDITION | NM/Normal | TSFLA | 606 |
| MAIN LV AREA | 606 | BSMT AREA | 606 | FOUNDATION | P/Poured Concrete |
| 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 | 4 | | |



BDH1-A

Detached # 101

| | | | | | |
|------------------|------------|--------------------|----------|---------------------|--------------|
| OCCUPANCY | GAR/Garage | CONSTR TYPE | FR/Frame | MEASCODE | D/Dimensions |
| MEASURE1 | 12 | MEASURE2 | 22 | STORY HEIGHT | 1 |
| GRADE | 5 | YEAR BUILT | 1936 | CONDITION | PR/Poor |

| <u>Seller</u> | <u>Buyer</u> | <u>Sale Date</u> | <u>Sale Price</u> | <u>Instrument</u> | <u>Book/Page</u> |
|-------------------------|----------------------|-------------------|-------------------|-------------------|------------------|
| SCHILLERBERG, EDWARD | CARTER, ANTHONY | <u>2000-06-14</u> | 44,000 | D/Deed | 8535/266 |
| FAZIO DEVELOPMENT, CORP | SCHILLERBERG, EDWARD | <u>1998-05-26</u> | 42,000 | D/Deed | 7915/75 |
| | | | | | |

BDH 1-A

| | | | | | |
|-------------------------------|------------------------|-------------------|--------|--------|----------|
| FAZIO, SONIA | FAZIO DEVELOPMENT CORP | <u>1998-02-04</u> | 34,700 | D/Deed | 7822/240 |
| SAMUEL W RANDALL GUARDIANSHIP | FAZIO, SONIA | <u>1991-06-28</u> | 20,000 | D/Deed | 6440/40 |

| Year | Type | Status | Application | Permit/Pickup Description |
|------|----------|-----------|-------------|---------------------------|
| 1998 | P/Permit | NA/No Add | 1998-01-13 | AL/REMODEL |
| 1997 | U/Pickup | PA/Pass | 1997 | AL/REMODEL |

| Year | Type | Class | Kind | Land | Bldg | AgBd | Total |
|------|------------------------|-------------|------|--------|--------|------|--------|
| 2011 | <u>Assessment Roll</u> | Residential | Full | 25,000 | 37,800 | 0 | 62,800 |
| 2009 | <u>Assessment Roll</u> | Residential | Full | 24,800 | 38,100 | 0 | 62,900 |
| 2007 | <u>Assessment Roll</u> | Residential | Full | 26,100 | 40,100 | 0 | 66,200 |
| 2005 | <u>Assessment Roll</u> | Residential | Full | 22,300 | 35,200 | 0 | 57,500 |
| 2003 | <u>Assessment Roll</u> | Residential | Full | 21,440 | 34,070 | 0 | 55,510 |
| 2001 | <u>Assessment Roll</u> | Residential | Full | 20,330 | 29,190 | 0 | 49,520 |
| 1999 | Assessment Roll | Residential | Full | 14,730 | 21,950 | 0 | 36,680 |
| 1997 | Assessment Roll | Residential | Full | 12,970 | 19,320 | 0 | 32,290 |
| 1995 | Assessment Roll | Residential | Full | 12,000 | 17,880 | 0 | 29,880 |
| 1993 | Assessment Roll | Residential | Full | 10,620 | 15,820 | 0 | 26,440 |
| 1991 | Assessment Roll | Residential | Full | 10,110 | 14,500 | 0 | 24,610 |
| 1991 | Was Prior Year | Residential | Full | 10,110 | 12,550 | 0 | 22,660 |

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

BDH 1-A

DATE OF NOTICE: January 14, 2013

DATE OF INSPECTION: July 20, 2012

CASE NUMBER: COD2012-04120

PROPERTY ADDRESS: 210 E ROSE AVE

LEGAL DESCRIPTION: LOT 36 SMITHS ACRES

ANTHONY C CARTER
 Title Holder
 210 E ROSE AVE
 DES MOINES IA 50315-7749

WELLS FARGO BANK, NATIONAL ASSOCIATION
 Mortgage Holder
 CORP. SERV. COMP. - REG. AGENT
 505 5TH AVE SUITE 729
 DES MOINES IA 50309

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.

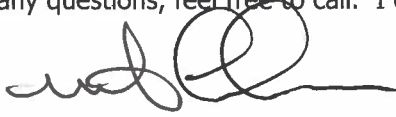
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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 (515) 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.

Mike F Lehman
(515) 283-4299



Nid Inspector

DATE MAILED: 1/14/2013

MAILED BY: TSY

Areas that need attention: 210 E ROSE AVE

| | |
|---|--|
| <p>Component: Windows/Window Frames Requirement: Compliance, International Property Maintenance Code Comments:</p> | <p>Defect: Cracked/Broken Location: Garage</p> |
| <p>Component: Exterior Walls Requirement: Building Permit Comments:</p> | <p>Defect: In poor repair Location: Garage</p> |
| <p>Component: Roof Requirement: Building Permit Comments:</p> | <p>Defect: Holes or major defect Location: Garage</p> |
| <p>Component: Shingles Flashing Requirement: Compliance, International Property Maintenance Code Comments:</p> | <p>Defect: In poor repair Location: Garage</p> |
| <p>Component: Soffit/Facia/Trim Requirement: Compliance, International Property Maintenance Code Comments:</p> | <p>Defect: In poor repair Location: Garage</p> |

710 E. Dose PRE-COUNCIL INS. PICS.



BDH

02/20/2013

210 E. ROSE PRE-COUNTY INS. PICS



BDFIA

02/20/2013