

**Date** May 20, 2013

WHEREAS, the property located at 5403 SW 8<sup>th</sup> Street, 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 on the date of inspection constituted not only a menace to health and safety but were also a public nuisance and that the detached garage structure rubbish has been removed by the City of Des Moines Public Works Department and the fire-damaged main structure now requires administrative removal; and

WHEREAS, the Titleholder Robert J. Hartman is deceased and Heirs Mary Ann Hartman, Angel Lea Hartman, Charity L. Hartman, Heather D. Hartman, and Faith Marie Jones have been served notice of the public nuisance and sent notice of administrative removal regarding the structure more than 14 days ago and have failed to abate the nuisance; and

WHEREAS, the Department of Engineering of the City of Des Moines shall take all necessary action to demolish and remove said main structure; and

WHEREAS, the City of Des Moines should collect the costs of said demolition as an assessment to be levied against the real estate.

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 on the real estate legally described as LOTS 3 & 4 BLK 2 HILLCREST, now included in and forming a part of the city of Des Moines, Polk County, Iowa, and locally known as 5403 SW 8<sup>th</sup> Street has previously been declared a public nuisance;

BE IT FURTHER RESOLVED:

That this matter be referred to the Department of Engineering to take all necessary action to demolish and remove said main structure as an administrative removal and the costs incurred for the demolition of the main structure located at 5403 SW 8<sup>th</sup> Street shall be collected by assessment against the real estate property.

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				
<b>TOTAL</b>				
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

NOTICE OF ADMINISTRATIVE REMOVAL

April 12, 2013

TITLEHOLDER: Robert J. Hartman – Deceased  
Heir -Mary Ann Hartman Offender # 767392  
Polk County Jail  
1985 NE 51<sup>st</sup> Pl  
Des Moines, IA 50313

LEGAL INTEREST: Heir – Angel Lea Hartman  
1420 Mattern Ave.  
Des Moines, IA 50316

Heir – Charity L. Hartman  
1524 E. 21<sup>st</sup> St.  
Des Moines, IA 50317

Heir – Heather D. Hartman  
1525 E. 21<sup>st</sup> St.  
Des Moines, I 50317

Heir – Faith Marie Jones  
309 W. 2<sup>nd</sup> Ave. Lot 3  
Indianola, IA 50125

Property located at: 5403 SW 8<sup>th</sup> St., Des Moines, IA 50315

Legally described as: LOTS 3 & 4 BLK 2 HILLCREST



COMMUNITY DEVELOPMENT  
DEPARTMENT  
NEIGHBORHOOD INSPECTION DIVISION  
ARMORY BUILDING  
602 ROBERT D. RAY DR.  
DES MOINES, IOWA 50309-1881  
(515) 283-4046

ALL-AMERICAN CITY 1949, 1976, 1981

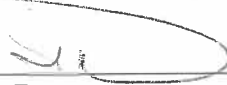
You are hereby notified that I, as the Housing Code Enforcement Officer of the City of Des Moines, have determined that the housing structure(s) on the above described real estate is a public nuisance and threatening to health and safety of the public. Accordingly, you are ordered to demolish and remove said structure(s), or cause it to be demolished and removed, and to level the ground upon which it stands within 14 days after receipt of this notice. In the event said structure is not removed and the ground leveled within that time period, the matter of its removal shall be considered and voted upon at a public hearing by the City Council sitting as the Des Moines Board of Health at its meeting in City Council Chambers, City Hall, East 1st and Locust Streets, at 4:30 p.m. on May 6th, 2013.

If you decide to remove the building(s), 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.

If you wish to present evidence in resistance to the above determination or to otherwise contest such intended action at such hearing, then you must file a written statement with the City Clerk within five (5) days of receipt of this notice by personal service or by certified mail setting forth the reasons why such action should not be ordered by the Board of Health. Failure to file such statement shall be deemed a waiver of your right to contest the proposed action to present evidence in resistance of the determination of the Housing Code Enforcement Officer.

At such hearing you have the right to be represented by an attorney, although it is not required. The hearing will be informal. If the Board of Health, upon such hearing, confirms the above determination, it shall order prompt demolition and removal and the leveling of such property and direct that all of the costs attendant to such action, including administrative costs, be either assessed against the property or collected from the owner. If the Board of Health, upon such hearing, determines that further time should be allowed for the owner to demolish and remove the structure it may extend the time within which such action shall be taken to a date certain but shall otherwise confirm the above determination and order the actions hereinabove set forth. If the Board of Health, upon such hearing, determines that such property should not be demolished, it will revoke such determination and direct such other action as it deems appropriate in the circumstances.

If you have any questions, please call the Housing Code Enforcement Office at 283-4046. A copy of the violation report is attached.

  
\_\_\_\_\_  
Su Donovan  
Housing Code Enforcement Administrator



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

**BDH 1**

**DATE OF NOTICE:** April 12, 2013

**DATE OF INSPECTION:** October 12, 2012

**CASE NUMBER:** COD2012-06195

**PROPERTY ADDRESS:** 5403 SW 8TH ST

**LEGAL DESCRIPTION:** LOTS 3 & 4 BLK 2 HILLCREST

MARY ANN HARTMAN OFFENDER # 767392  
Heir - POLK COUNTY JAIL  
1985 NE 51ST PL  
DES MOINES IA 50313

ANGEL LEA HARTMAN  
Heir  
1420 MATTERN AVE  
DES MOINES IA 50316

CHARITY L HARTMAN  
Heir  
1524 E 21ST ST  
DES MOINES IA 50317

HEATHER D HARTMAN  
Heir  
1525 E 21ST ST  
DES MOINES IA 50317

FAITH MARIE JONES  
Heir  
309 W 2ND AVE LOT 3  
INDIANOLA IA 50125

ROBERT J HARTMAN  
Title Holder  
DECEASED

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.

Chris Reindl  
(515) 283-4797



Nid Inspector

DATE MAILED: 4/12/2013

MAILED BY: TSY

**Areas that need attention:** 5403 SW 8TH ST

<b>Component:</b> Electrical Service <b>Requirement:</b> Electrical Permit <b>Comments:</b>	<b>Defect:</b> Fire damaged <b>Location:</b> Throughout
<b>Component:</b> Plumbing System <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> Fire damaged <b>Location:</b> Throughout
<b>Component:</b> Mechanical System <b>Requirement:</b> Mechanical Permit <b>Comments:</b>	<b>Defect:</b> Fire damaged <b>Location:</b> Throughout
<b>Component:</b> 00 <b>Requirement:</b> Building Permit <b>Comments:</b> Structure smoke and fire damage throughout.	<b>Defect:</b> Fire damaged <b>Location:</b> Throughout
<b>Component:</b> Accessory Buildings <b>Requirement:</b> Building Permit <b>Comments:</b> Fire Damage.	<b>Defect:</b> Fire damaged <b>Location:</b> Garage



**Polk County Assessor**

111 Court Avenue #195  
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386  
polkweb@assess.co.polk.ia.us

Location					
<b>Address</b>	<b>5403 SW 8TH ST</b>				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	120/02539-000-000	<b>Geoparcel</b>	7824-28-254-002	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM41/Z	<b>Submarket</b>	South Des Moines
<b>Appraiser</b>	Patrick Zaimes, ICA 515-286-3832				

**Map and Current Photos - 1 Record**

**Click on parcel to get a new listing**

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

**Photo Processed on 2008-03-03 a**

[Historical Photos](#)

**Ownership - 1 Record**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	HARTMAN, ROBERT J	1999-02-25	8149/567 <sup>2</sup>

**Legal Description and Mailing Address**

LOTS 3 & 4 BLK 2 HILLCREST	ROBERT J HARTMAN 5403 SW 8TH ST DES MOINES, IA 50315
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**Current Values**

Type	Class	Kind	Land	Bldg	Total
Assessment Roll	Residential	Full	\$16,600	\$63,000	\$79,600
Current	Residential	Full	\$17,500	\$66,500	\$84,000

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

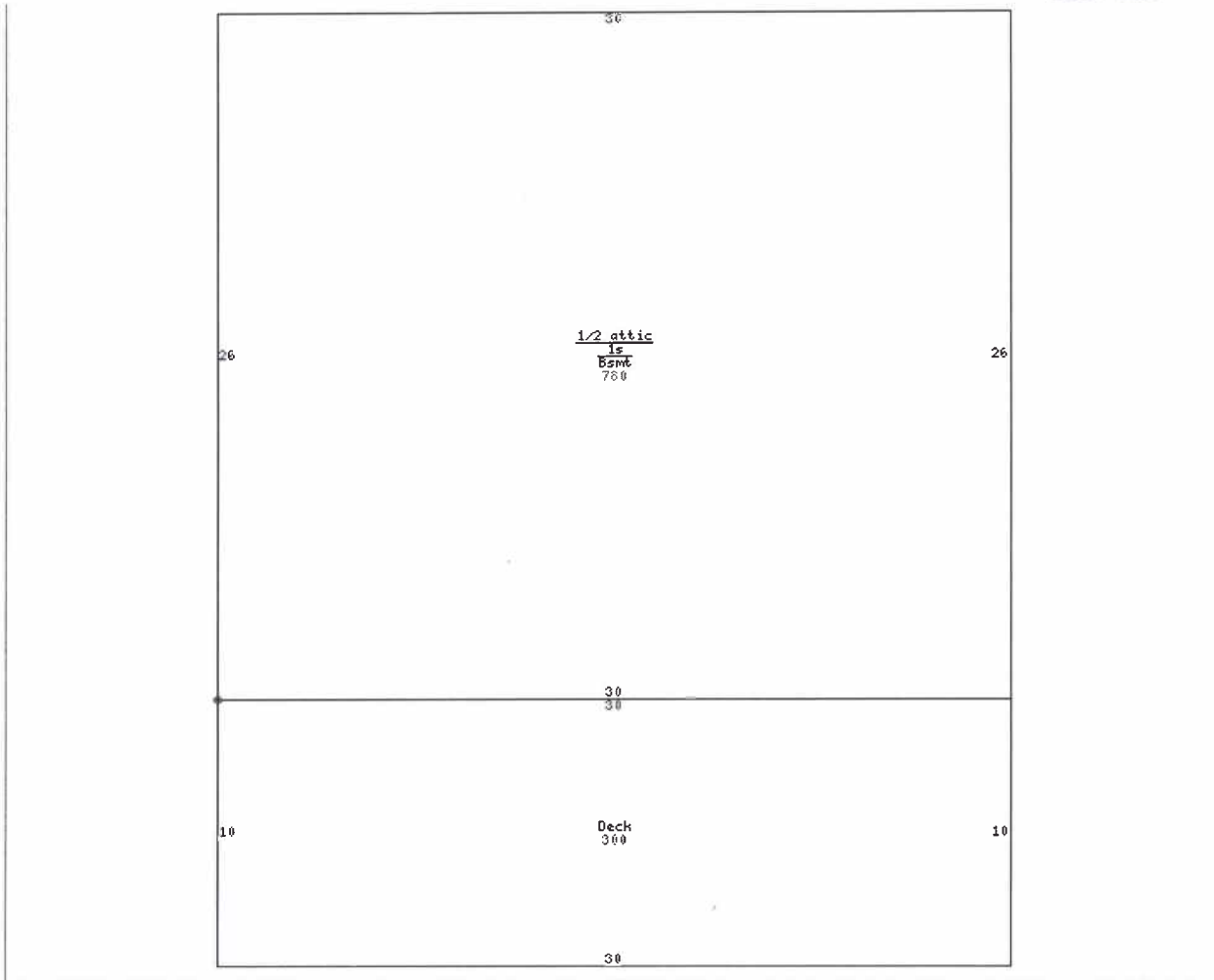
**Auditor Adjustments to Value**

Category	Name	Information
Homestead Credit	HARTMAN, ROBERT	Application #49932

**BDH** 1

Category		Name		Information	
Military Exemption		HARTMAN, ROBERT		Vietnam Application #57666	
<b>Zoning - 1 Record</b>					
Zoning	Description			SF	Assessor Zoning
R1-60	One Family, Low Density Residential District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	6,900	<b>Acres</b>	0.158	<b>Frontage</b>	50.0
<b>Depth</b>	138.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>▣ Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story Finished Attic	<b>Building Style</b>	Conventional
<b>Year Built</b>	1940	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1053	<b>Main Living Area</b>	780
<b>Attic Finished Area</b>	273	<b>Basement Area</b>	780	<b>Deck Area</b>	300
<b>Foundation</b>	Concrete Block	<b>Exterior Wall Type</b>	Metal Siding	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	100
<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	3	<b>Rooms</b>	6





**Detached Structures - 1 Record**

Detached Structure #101					
Occupancy	Garage	Construction Type	Masonry	Measurement Code	Dimensions
Measure 1	18	Measure 2	18	Story Height	1
Grade	4	Year Built	1945	Condition	Normal

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HARTMAN, FERNE A	HARTMAN, ROBERT J	<u>1999-02-12</u>	\$43,010	Deed	8149/567

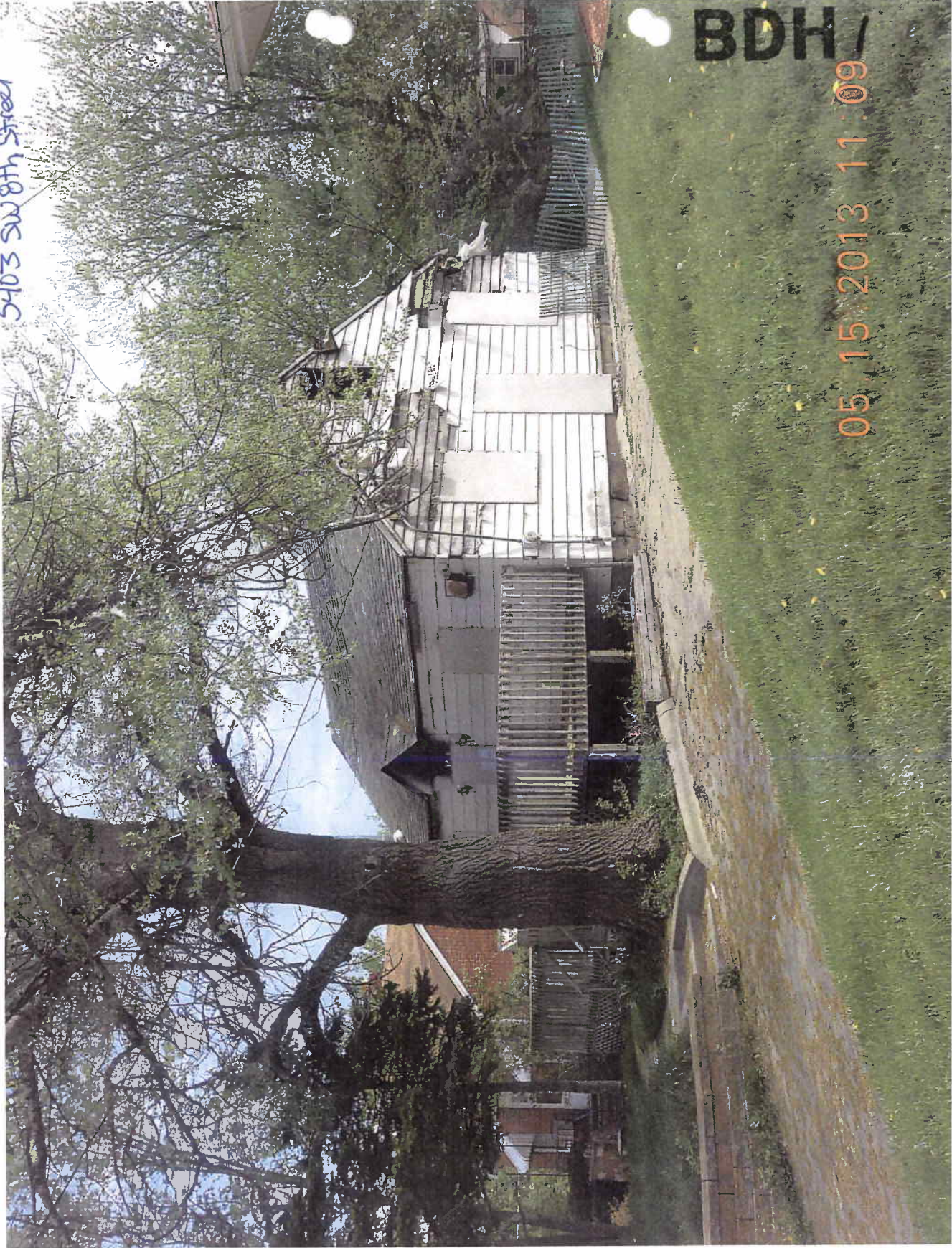
**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2011	<u>Assessment Roll</u>	Residential	Full	\$17,500	\$66,500	\$84,000
2009	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$67,700	\$85,600
2007	<u>Assessment Roll</u>	Residential	Full	\$18,500	\$73,100	\$91,600
2005	<u>Assessment Roll</u>	Residential	Full	\$13,900	\$71,200	\$85,100
2003	<u>Assessment Roll</u>	Residential	Full	\$11,560	\$59,870	\$71,430
2001	<u>Assessment Roll</u>	Residential	Full	\$9,950	\$53,170	\$63,120
1999	Assessment Roll	Residential	Full	\$6,170	\$42,100	\$48,270
1997	Assessment Roll	Residential	Full	\$5,730	\$39,130	\$44,860

Yr	Type	Class	Kind	Land	Bldg	Total
1995	Assessment Roll	Residential	Full	\$5,040	\$34,430	\$39,470
1993	Assessment Roll	Residential	Full	\$4,380	\$29,930	\$34,310
1991	Assessment Roll	Residential	Full	\$4,380	\$28,610	\$32,990
1991	Was Prior Year	Residential	Full	\$4,380	\$21,070	\$25,450

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5403 SW 28th Street



BDH

05.15.2013 11:09



5403 Swarth Street

05.15.2013 11:10

5403 SW 8th Street



05.15.2013 11:09

BDI



5103 SW 8th Street  
Opa  
Grove

BDH