

Date July 28, 2014

WHEREAS, the property located at 732 SE 28<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and an accessory building in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholder Ruthetta Hartzler was notified via personal service and Titleholder James Hartzler was notified via publication more than thirty days ago to repair or demolish the structures and as of this date have failed to abate the nuisance.

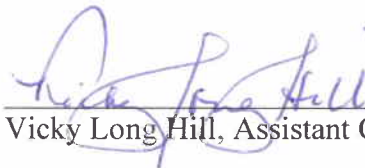
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The structures on the real estate legally described as Lot 8 in Block 17 in LARISON PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 732 SE 28<sup>th</sup> 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 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 structures.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
 \_\_\_\_\_  
 Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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 1 (C)**

**DATE OF NOTICE: May 21, 2014**

**DATE OF INSPECTION: July 30, 2007**

**CASE NUMBER:** COD2007-06171

**PROPERTY ADDRESS:** 732 SE 28TH ST

**LEGAL DESCRIPTION:** LOT 8 BLK 17 LARISON PLACE

RUTHETTA HARTZER  
 Title Holder  
 6901 SE 14TH ST LOT 87  
 DES MOINES IA 50320

JAMES HARTZER  
 Title Holder  
 2919 1ST ST  
 DES MOINES IA 50313

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. 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.

Dennis Rule

(515) 283-4114



Nid Inspector

DATE MAILED: 5/21/2014

MAILED BY: JDH

**Areas that need attention:** 732 SE 28TH ST

<p><b><u>Component:</u></b> Accessory Buildings  <b><u>Requirement:</u></b> Compliance with International Building Code  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Deteriorated  <b><u>Location:</u></b> Shed</p>
<p><b><u>Component:</u></b> Brick Chimney  <b><u>Requirement:</u></b> Compliance, Uniform Mechanics Code  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Cracked/Broken  <b><u>Location:</u></b> Roof</p>
<p><b><u>Component:</u></b> Electrical System  <b><u>Requirement:</u></b> Electrical Permit  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Improperly Installed  <b><u>Location:</u></b> Throughout</p>
<p><b><u>Component:</u></b> Shingles Flashing  <b><u>Requirement:</u></b> Building Permit  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Deteriorated  <b><u>Location:</u></b> Throughout</p>
<p><b><u>Component:</u></b> Chimney Liner  <b><u>Requirement:</u></b> Compliance, Uniform Mechanics Code  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Deteriorated  <b><u>Location:</u></b> Roof</p>
<p><b><u>Component:</u></b> Electrical Receptacles  <b><u>Requirement:</u></b> Electrical Permit  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Deteriorated  <b><u>Location:</u></b> Throughout</p>
<p><b><u>Component:</u></b> Electrical Lighting Fixtures  <b><u>Requirement:</u></b> Electrical Permit  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Not Supplied  <b><u>Location:</u></b> Throughout</p>
<p><b><u>Component:</u></b> Foundation  <b><u>Requirement:</u></b> Building Permit  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Deteriorated  <b><u>Location:</u></b> Throughout</p> <p>Structural Engineering Report may be required for foundation</p>

**Component:** Exterior Doors/Jams  
**Requirement:** Building Permit  
**Defect:** Deteriorated  
**Location:** Throughout  
**Comments:**

**BDH 1(C)**

**Component:** Stairs/Stoop  
**Requirement:** Compliance with International Building Code  
**Defect:** Deteriorated  
**Location:** Throughout  
**Comments:**

**Component:** Gas Lines  
**Requirement:** Mechanical Permit  
**Defect:** In disrepair  
**Location:** Utility Room  
**Comments:**

**Component:** Ground Fault Circuit Interrupters  
**Requirement:** Electrical Permit  
**Defect:** Not Supplied  
**Location:** Bathroom  
**Comments:**

**Component:** Ground Fault Circuit Interrupters  
**Requirement:** Electrical Permit  
**Defect:** Not Supplied  
**Location:** Kitchen  
**Comments:**

**Component:** Interior Stairway  
**Requirement:** Building Permit  
**Defect:** Improperly Installed  
**Location:** Attic  
**Comments:**

**Component:** Interior Stairway  
**Requirement:** Building Permit  
**Defect:** Improperly Installed  
**Location:** Basement  
**Comments:**

**Component:** Interior Walls /Ceiling  
**Requirement:** Compliance with International Building Code  
**Defect:** Deteriorated  
**Location:** Throughout  
**Comments:**

**Component:** Mechanical System  
**Requirement:** Mechanical Permit  
**Defect:** Improperly Installed  
**Location:** Basement  
**Comments:**

<b>Component:</b> Plumbing System	<b>Defect:</b> In disrepair
<b>Requirement:</b> Plumbing Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

**BDH** 1(c)

<b>Component:</b> Protective Covering/Junction Box	<b>Defect:</b> Not Supplied
<b>Requirement:</b> Electrical Permit	<b>Location:</b> Basement
<b>Comments:</b>	

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

<b>Component:</b> Smoke Detectors	<b>Defect:</b> Not Supplied
<b>Requirement:</b> Compliance with International Building Code	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Soffit/Facia/Trim	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Building Permit	<b>Location:</b> Main Structure
<b>Comments:</b>	

<b>Component:</b> Sub Floor	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Compliance with Int. Exiting Building Code	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Windows/Window Frames	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Complainece with Int Residential Code	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Wiring	<b>Defect:</b> Improperly Installed
<b>Requirement:</b> Electrical Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Exterior Walls	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Compliance with International Building Code	<b>Location:</b> Throughout
<b>Comments:</b>	

**Component:** Exterior Stairs  
**Requirement:**  
**Comments:**

**Defect:** Deteriorated  
**Location:** Unknown

**BDH 1 (c)**

**Component:** Stairs/Stoop  
**Requirement:** Compliance with International Building Code  
**Comments:**

**Defect:** Deteriorated  
**Location:** Unknown

**Component:** See Comments  
**Requirement:** Compliance with International Building Code  
**Comments:** exterior basement stairs

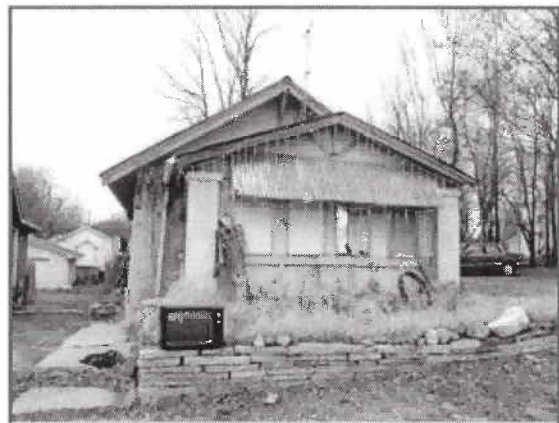
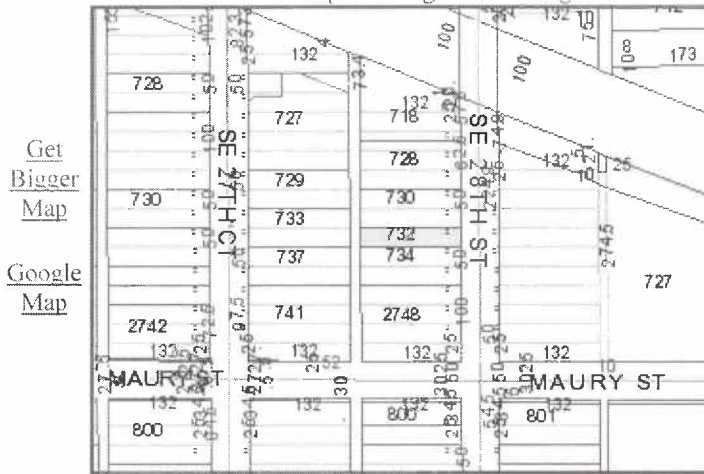
**Defect:** Deteriorated  
**Location:** Unknown



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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
050/02869-000-000	7824-12-209-017	0454	DM20/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines	30/SE Ag Business Park UR				
<b>Street Address</b>			<b>City State Zipcode</b>		
732 SE 28TH ST			DES MOINES IA 50317-1311		

Click on parcel to get new listing



Approximate date of photo 11/30/2006

<b>Mailing Address</b>
RUTHETTA HARTZER 6901 SE 14TH ST LOT 87 DES MOINES, IA 50320-1869

<b>Legal Description</b>
LOT 8 BLK 17 LARISON PLACE

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	HARTZER, JAMES	2006-12-21	12003/328	28.00
Title Holder #2	BOWANS, RUTHETTA			

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Residential	Full	2,600	3,300	0	5,900

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

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>

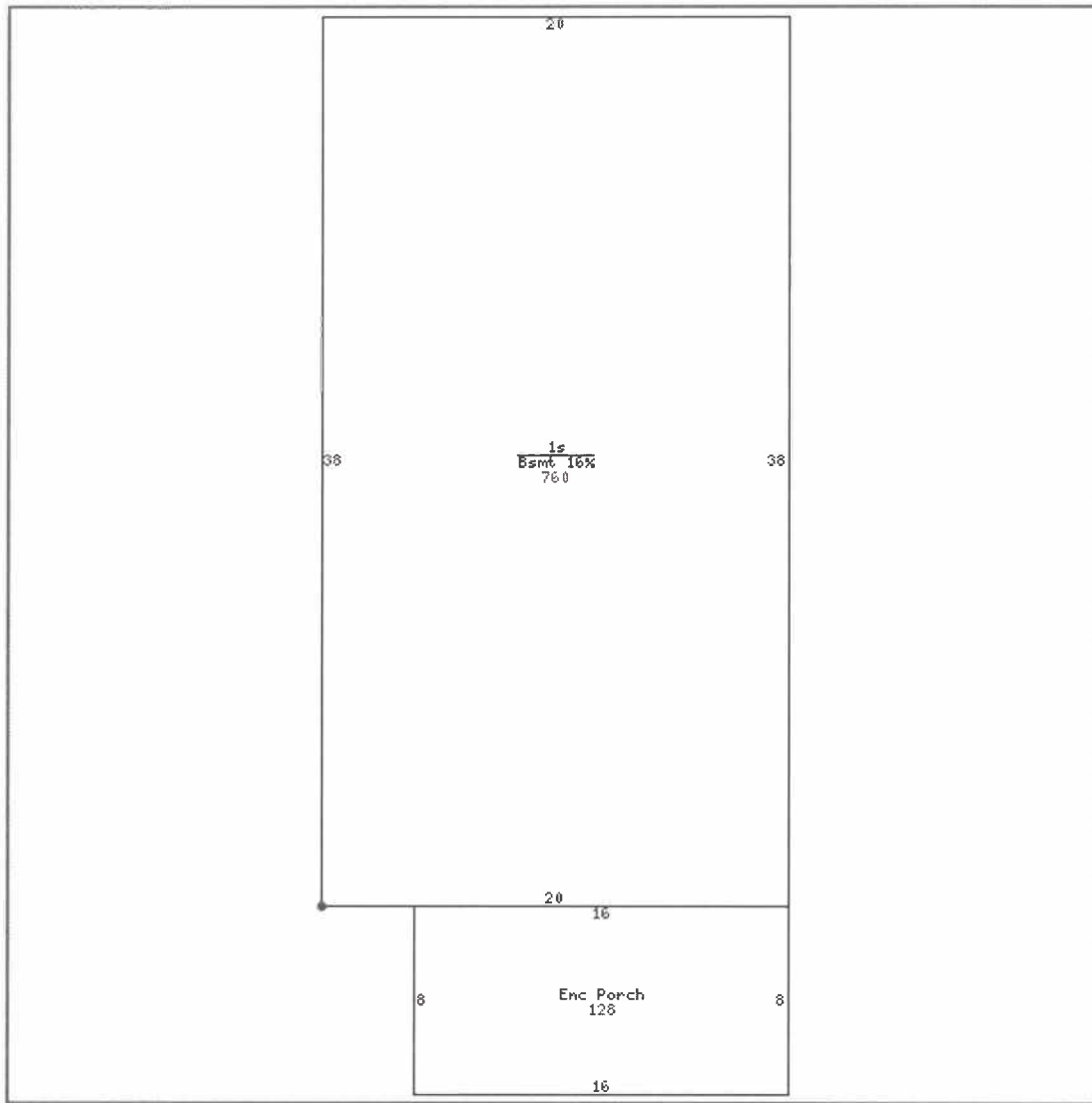


**BDH** 1(c)

R1-60	One Family, Low Density Residential District	Residential
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182		

<u>Land</u>					
<b>SQUARE FEET</b>	3,300	<b>FRONTAGE</b>	25.0	<b>DEPTH</b>	132.0
<b>ACRES</b>	0.076	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

<u>Residence # 1</u>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	S1/1 Story	<b>BLDG STYLE</b>	BG/Bungalow
<b>YEAR BUILT</b>	1925	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+05	<b>CONDITION</b>	VP/Very Poor	<b>TSFLA</b>	760
<b>MAIN LV AREA</b>	760	<b>BSMT AREA</b>	122	<b>ENCL PORCH</b>	128
<b>FOUNDATION</b>	C/Concrete Block	<b>EXT WALL TYP</b>	ST/Stucco	<b>ROOF TYPE</b>	GB/Gable
<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>BMT FL EARTH</b>	100	<b>HEATING</b>	A/Gas Forced Air
<b>AIR COND</b>	0	<b>BATHROOMS</b>	1	<b>BEDROOMS</b>	2
<b>ROOMS</b>	4				



<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
HEADSPEATH, ELLA F ESTATE	HARTZNER, JAMES A	1994-07-22	18,000	C/Contract	7058/938

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2009	U/Pickup	CP/Complete	2008-04-17	RV/CHECK CONDITION

<u>Year</u>	<u>Type</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
2013	Assessment Roll	Residential	Full	2,600	3,300	0	5,900
2011	Assessment Roll	Residential	Full	2,600	3,900	0	6,500
2009	Assessment Roll	Residential	Full	2,700	5,400	0	8,100
2007	Assessment Roll	Residential	Full	2,700	18,600	0	21,300
2005	Assessment Roll	Residential	Full	1,800	28,900	0	30,700

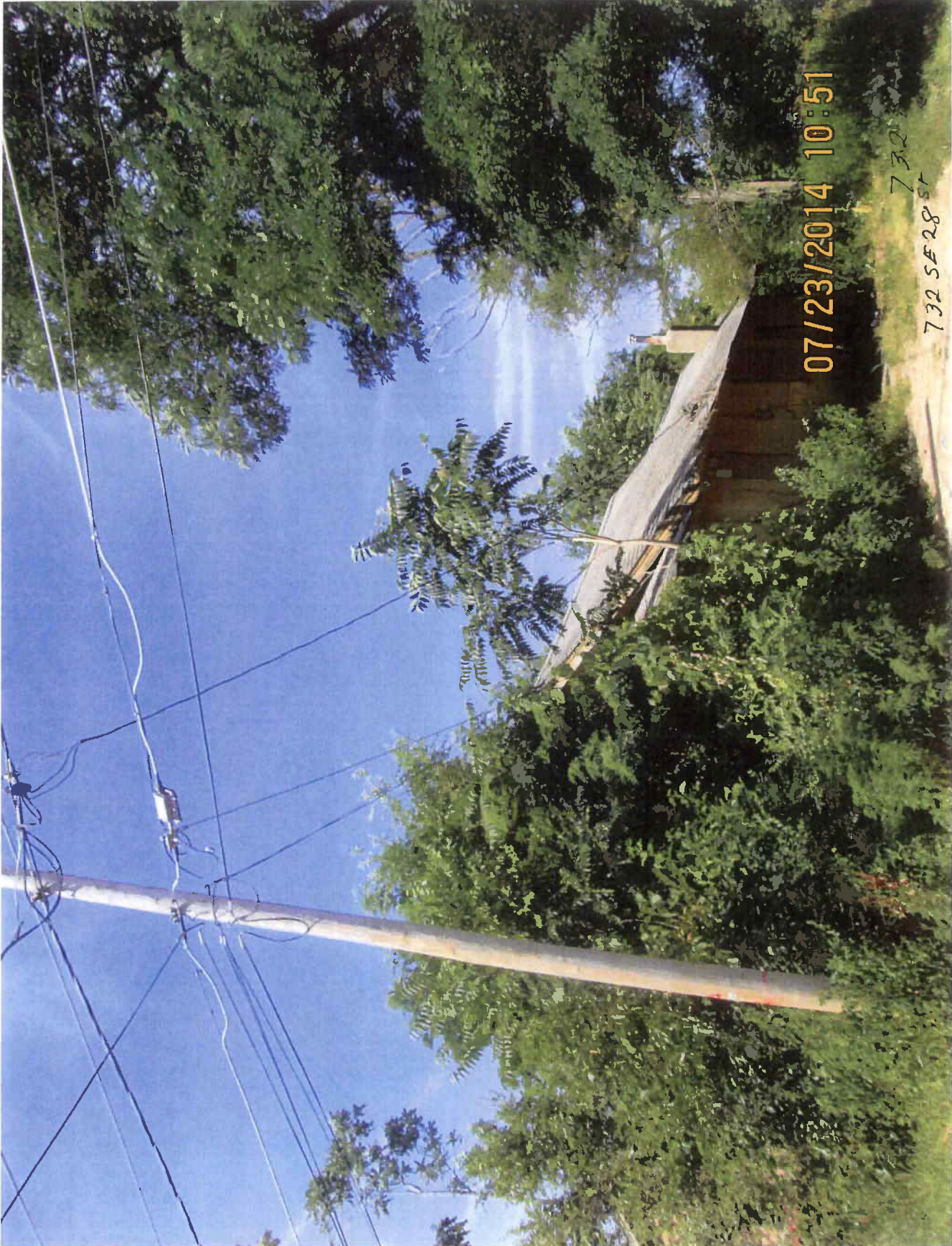
2003	Assessment Roll	Residential	Full	1,500	24,440	0	25,940
2001	Assessment Roll	Residential	Full	1,460	15,980	0	17,440
1999	Assessment Roll	Residential	Full	1,400	18,600	0	20,000
1995	Assessment Roll	Residential	Full	1,210	16,130	0	17,340
1993	Assessment Roll	Residential	Full	1,130	11,410	0	12,540
1993	Was Prior Year	Residential	Full	1,130	10,810	0	11,940

email this page

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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](mailto:polkweb@assess.co.polk.ia.us)

BDH 104



07/23/2014 10:51

732  
732 SE 28 ST

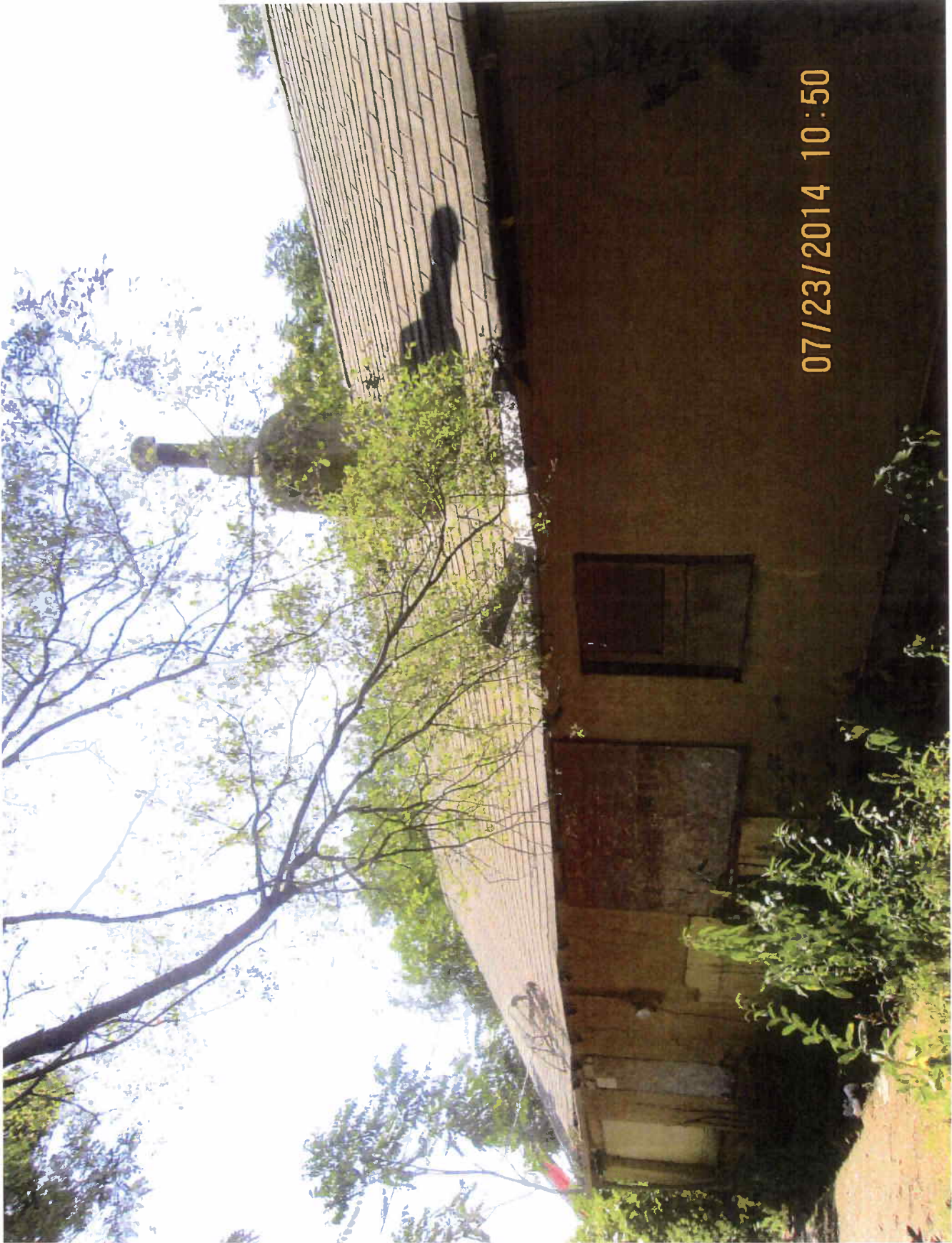
BDH 1CC)



07/23/2014 10:52

732 SE 285

BDH 100)



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BDH 1(C)



732 SE 28 ST





732 SE 28 St



732 SE 28<sup>st</sup>



732 SE 28<sup>th</sup>