



Roll Call Number

Agenda Item Number
BDH (CF)

Date September 22, 2014

WHEREAS, the property located at 617 Porter Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Elizabeth A Varisco aka Elizabeth A Olson, Martha J Gathercole and Theodore R Gathercole Sr, were notified via personal service and Contract Buyer, Rodney Wolford dba Wolford Corporation, was notified via personal service more than thirty days ago to repair or demolish the main structure and as of this date has 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 on the real estate legally described as Lots 42 and 43 in Block 4 in HILLCREST, an Official Replat, in Polk County, Iowa, and locally known as 617 Porter 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 structure.

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				

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(F)

DATE OF NOTICE: March 25, 2014

DATE OF INSPECTION: July 20, 2012

CASE NUMBER: COD2012-04039

PROPERTY ADDRESS: 617 PORTER AVE

LEGAL DESCRIPTION: LOTS 42 & 43 BLK 4 HILLCREST

ELIZABETH A VARISCO A/K/A ELIZABETH A OLSON
Title Holder
4821 CEDAR DR
WEST DES MOINES IA 50266

RODNEY WOLFORD D/B/A WOLFORD CORP
Contract Buyer
32035 CHESTNUT LN
SORRENTO FL 32776-9442

MARTHA J GATHERCOLE
Title Holder
11175 NE 46TH AVE
MITCHELLVILLE IA 50169

THEODORE R GATHERCOLE
Title Holder
11175 NE 46TH AVE
MITCHELLVILLE IA 50169

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.



Nid Inspector

DATE MAILED: 3/25/2014

MAILED BY: JDH

Areas that need attention: 617 PORTER AVE

<p>Component: Roof Requirement: Building Permit Comments:</p>	<p>Defect: Deteriorated Location: Throughout</p>
<p>Component: Stairs/Stoop Requirement: Comments:</p>	<p>Defect: Incorrectly sized Location: Throughout</p>
<p>Component: Windows/Window Frames Requirement: Comments:</p>	<p>Defect: Cracked/Broken Location: Throughout</p>
<p>Component: See Comments Requirement: Comments: Exterior siding needs repaired</p>	<p>Defect: In poor repair Location: Throughout</p>
<p>Component: Foundation Requirement: Engineering Report Comments:</p>	<p>Defect: Structurally Unsound Location: Throughout</p>
<p>Component: Soffit/Facia/Trim Requirement: Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>
<p>Component: Exterior Doors/Jams Requirement: Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments:</p>	<p>Defect: In disrepair Location: Throughout</p>

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Component: Electrical System	Defect: In disrepair
Requirement: Electrical Permit	Location: Throughout
Comments:	

Component: Mechanical System	Defect: In disrepair
Requirement: Mechanical Permit	Location: Throughout
Comments:	

Component: Interior Walls /Ceiling	Defect: In disrepair
Requirement:	Location: Throughout
Comments:	

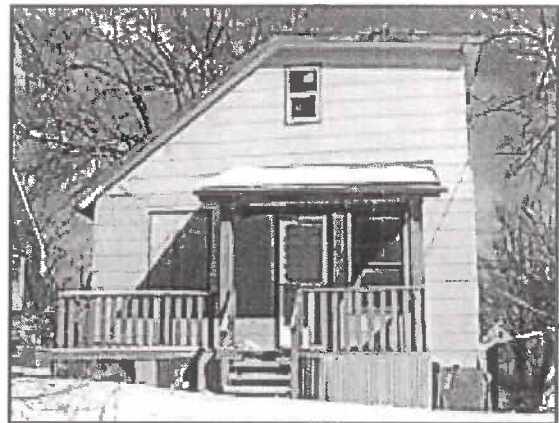
BDH 1(F)



[[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
120/02634-000-000	7824-28-256-017	B131	DM41/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
617 PORTER AVE			DES MOINES IA 50315		

Click on parcel to get new listing



Approximate date of photo 02/27/2008

Mailing Address
MARTHA J GATHERCOLE POB 392 MITCHELLVILLE, IA 50169-0392

Legal Description
LOTS 42 & 43 BLK 4 HILLCREST

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	GATHERCOLE, MARTHA J	1998-07-16	7958/714	
Title Holder #2	VARISCO, ELIZABETH A			
Title Holder #3	GATHERCOLE, THEODORE R SR			
Contract Buyer #1	WOLFORD CORP	2002-10-09	9373/34	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	16,800	16,800	0	33,600

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Market Adjusted Cost Report Estimate Taxes Polk County Treasurer Tax Information Pay Taxes

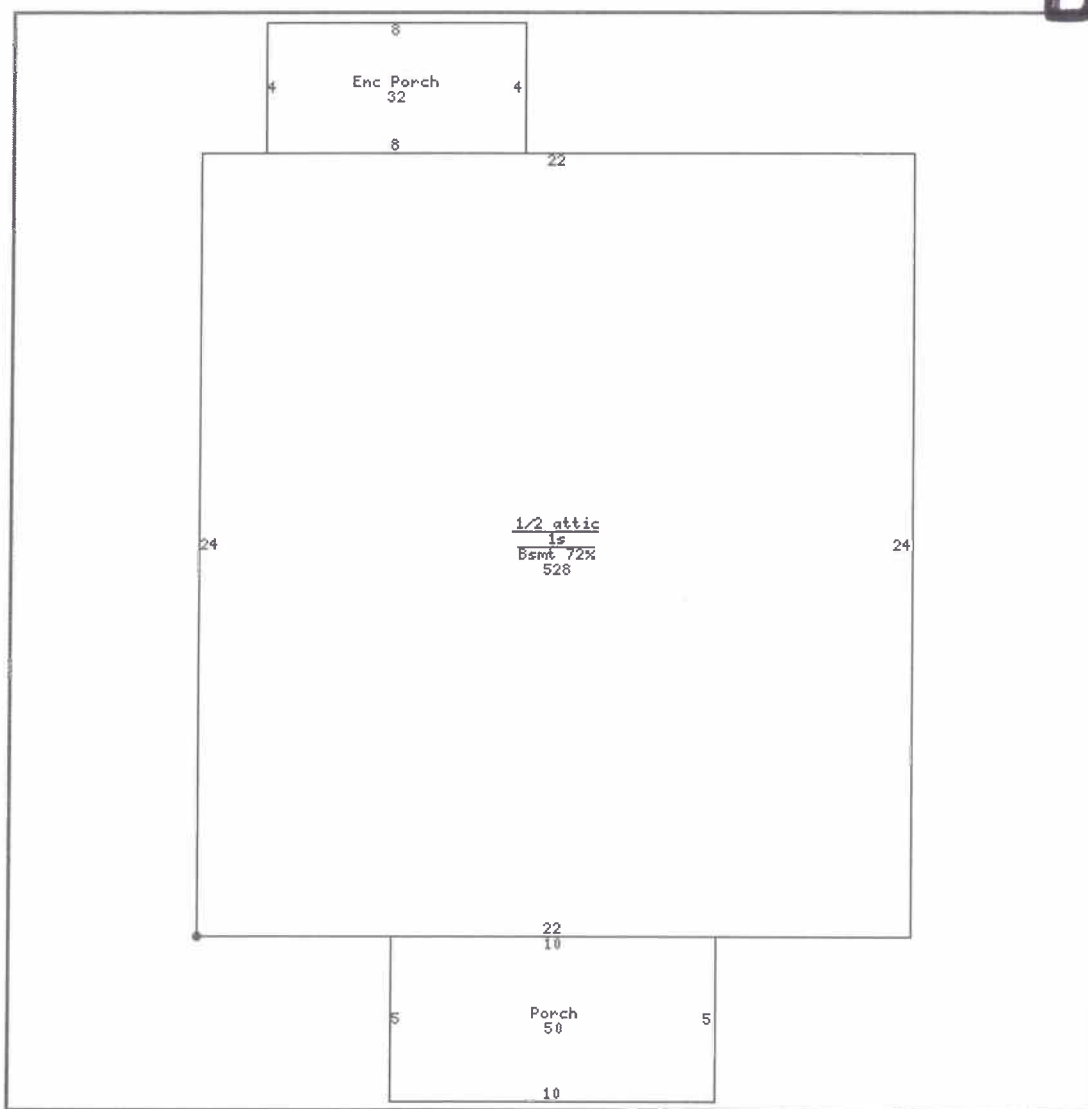
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

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

Land					
SQUARE FEET	7,000	FRONTAGE	50.0	DEPTH	140.0
ACRES	0.161	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	FA/1 Story with Finished Attic	BLDG STYLE	CV/Conventional
YEAR BUILT	1912	# FAMILIES	1	GRADE	4
GRADE ADJUST	-10	CONDITION	PR/Poor	TSFLA	713
MAIN LV AREA	528	ATTIC FINISH	185	BSMT AREA	380
OPEN PORCH	50	ENCL PORCH	32	FOUNDATION	P/Poured Concrete
EXT WALL TYP	CO/Composition	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
BEDROOMS	2	ROOMS	4		

BDH (F)



<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
617 PORTER TRUST	JOHNSON, TERRY L	2000-08-06	54,900	C/Contract	8584/575
GATHERCOLE, THEODORE R, ET AL	617 PORTER TRUST	2000-08-16	35,000	C/Contract	8584/572

<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	16,800	16,800	0	33,600
2011	Assessment Roll	Residential	Full	17,700	17,400	0	35,100
2009	Assessment Roll	Residential	Full	18,200	31,300	0	49,500
2007	Assessment Roll	Residential	Full	18,400	30,200	0	48,600
2005	Assessment Roll	Residential	Full	13,900	28,600	0	42,500
2003	Assessment Roll	Residential	Full	12,000	24,670	0	36,670

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2001	Assessment Roll	Residential	Full	10,320	21,230	0	31,550
1999	Assessment Roll	Residential	Full	9,340	19,080	0	28,420
1997	Assessment Roll	Residential	Full	8,680	17,730	0	26,410
1995	Assessment Roll	Residential	Full	7,640	15,600	0	23,240
1993	Assessment Roll	Residential	Full	6,640	13,560	0	20,200
1991	Assessment Roll	Residential	Full	6,640	12,780	0	19,420
1991	Was Prior Year	Residential	Full	6,640	9,410	0	16,050

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

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6017 Porter Ave



09/16/2014

BDH 10/15

617 Porter Ave

09/18/2014



BDH 1CF

617 Porter Ave

09/18/2014



BDH 10
617 Porter Ave



09/16/2014