



## Roll Call Number

Agenda Item Number  
**BDH 1-C**

Date April 15, 2015

WHEREAS, the property located at 2711 Franklin 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 Titleholder, First Trust and Savings Bank, 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 Lot 60 in NORTH UNIVERSITY PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2711 Franklin 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				

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:** February 9, 2015

**DATE OF INSPECTION:** January 22, 2015

**CASE NUMBER:** COD2008-04099

**PROPERTY ADDRESS:** 2711 FRANKLIN AVE

**LEGAL DESCRIPTION:** LOT 60 NORTH UNIVERSITY PARK

FIRST TRUST AND SAVINGS BANK  
Title Holder  
ATTN: ROSS STUEDEMANN, PRES.  
102 AUGUSTA AVE  
OXFORD IA 52322

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. The violations noted must be corrected within 30 days from data of 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.

Kevin King

(515) 283-4559



Nid Inspector

DATE MAILED: 2/9/2015

MAILED BY: JDH

**Areas that need attention:** 2711 FRANKLIN AVE

<b><u>Component:</u></b>	Foundation	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Permit Required	<b><u>Location:</u></b>	Main Structure
<b><u>Comments:</u></b>	New building permit required.		
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Looking through windows		
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Looking through windows		
<b><u>Component:</u></b>	Flooring	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Looking through windows		
<b><u>Component:</u></b>	Plumbing System	<b><u>Defect:</u></b>	
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Checked by licensed contractor with permit		
<b><u>Component:</u></b>	Electrical System	<b><u>Defect:</u></b>	
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Checked by licensed contractor with permit		
<b><u>Component:</u></b>	Mechanical System	<b><u>Defect:</u></b>	
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>	Checked by licensed contractor with permit		
<b><u>Component:</u></b>	See Comments	<b><u>Defect:</u></b>	See Comments
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	
<b><u>Comments:</u></b>	Not a complete interior inspection		

**BDH 1-C**

*Polk County Assessor*   
Iowa

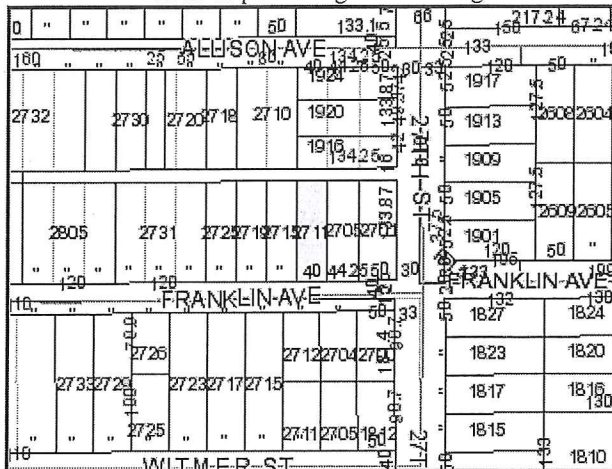
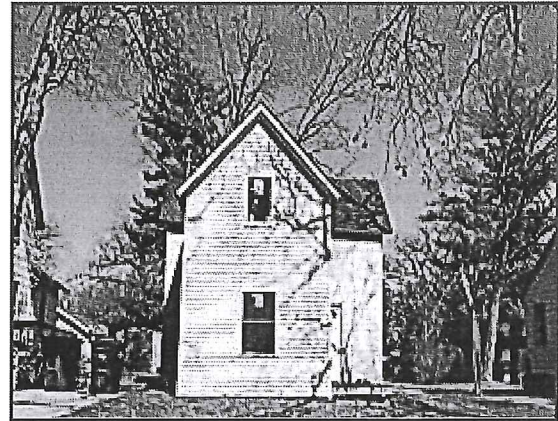
[ [Home](#) ] [ [General Query](#) ] [ [Legal Query](#) ] [ [HomeOwner Query](#) ] [ [Book/Page Query](#) ] [ [Commercial Query](#) ] [ [Res Sales Query](#) ] [ [Comm Sales Query](#) ] [ [Help](#) ]

<u>District/Parcel</u>	<u>GeoParcel</u>	<u>Map</u>	<u>Nbhd</u>	<u>Jurisdiction</u>	<u>Status</u>
080/04869-000-000	7924-33-102-043	0119	DM65/Z	DES MOINES	ACTIVE
<u>School District</u>	<u>Tax Increment Finance District</u>	<u>Bond/Fire/Sewer/Cemetery</u>			
1/Des Moines					
<u>Street Address</u>			<u>City State Zipcode</u>		
2711 FRANKLIN AVE			DES MOINES IA 50310-5449		

Click on parcel to get new listing

Get  
Bigger  
Map

Google  
Map

Approximate date of photo 03/13/2012

**Mailing Address**

FIRST TRUST AND SAVINGS BANK  
2711 FRANKLIN AVE  
DES MOINES, IA 50310-5449

**Legal Description**

LOT 60 NORTH UNIVERSITY PARK

<u>Ownership</u>	<u>Name</u>	<u>Recorded</u>	<u>Book/Page</u>	<u>RevStamps</u>
Title Holder #1	FIRST TRUST AND SAVINGS BANK	2014-08-29	15305/778	

<u>Assessment</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
Assmt Roll	Residential	Full	11,800	31,700	0	43,500
Current	Residential	Full	11,300	30,300	0	41,600

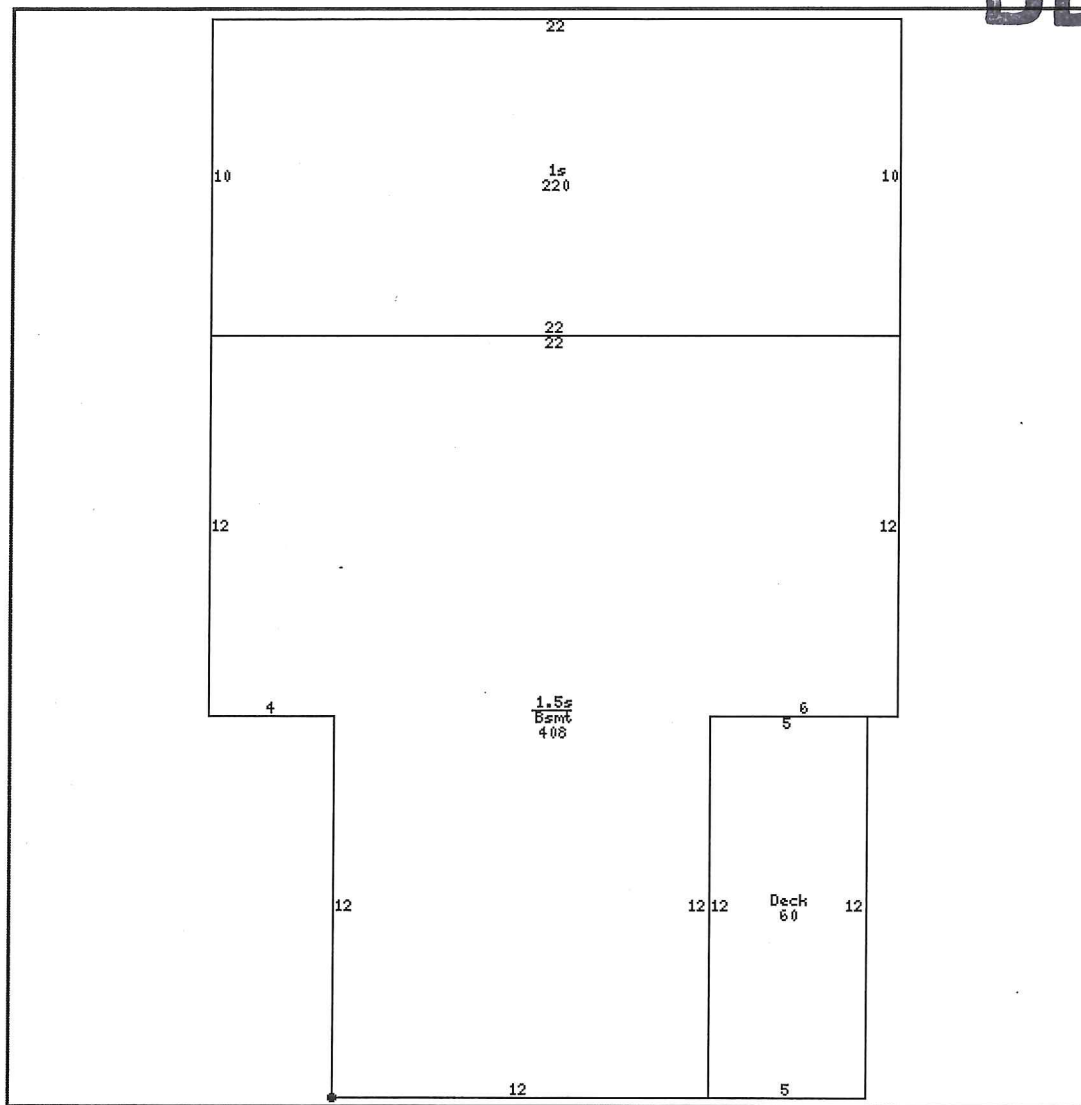
[Market Adjusted Cost Report](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer](#)  
[Tax Information](#) [Pay Taxes](#)

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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	5,360	FRONTAGE	40.0	DEPTH	134.0
ACRES	0.123	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S2/2 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1897	YEAR REMODEL	2012	# FAMILIES	1
GRADE	4	GRADE ADJUST	-10	CONDITION	NM/Normal
TSFLA	901	MAIN LV AREA	628	UPPR LV AREA	273
BSMT AREA	408	DECK AREA	60	FOUNDATION	B/Brick
EXT WALL TYP	VN/Vinyl Siding	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	100	BATHROOMS	1
BEDROOMS	3	ROOMS	5		

**BDH 1-C**

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
HEARN, DAN	BAKRI, BASIM	<u>2005-04-01</u>	14,000	D/Deed	11005/460
GUNDERSON, GILBERT P ESTATE	HEARN, DAN	<u>2001-12-06</u>	6,100	D/Deed	9074/829

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2014	P/Permit	CA/Cancel	2012-06-19	RD/FOUNDATION
2014	U/Pickup	CP/Complete	2011-11-03	RV/CHECK CONDITION
2013	P/Permit	PA/Pass	2012-06-19	RD/FOUNDATION
2013	U/Pickup	PR/Partial	2011-11-03	RV/CHECK CONDITION
2012	U/Pickup	PA/Pass	2011-11-03	RV/CHECK CONDITION
2012	P/Permit	NA/No Add	2010-08-30	RD/FOUNDATION

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2011	P/Permit	PA/Pass	2010-08-30	RD/FOUNDATION
2010	U/Pickup	CA/Cancel	2005-08-30	RV/PER SALE
2009	U/Pickup	PR/Partial	2005-08-30	RV/PER SALE
2008	U/Pickup	PP/Pass/Partial	2005-08-30	RV/PER SALE
2007	U/Pickup	PP/Pass/Partial	2005-08-30	RV/PER SALE
2006	U/Pickup	PR/Partial	2005-08-30	RV/PER SALE

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2014	<u>Assessment Roll</u>	Residential	Full	11,300	30,300	0	41,600
2013	<u>Assessment Roll</u>	Residential	Full	11,300	31,600	0	42,900
2011	<u>Assessment Roll</u>	Residential	Full	13,000	4,500	0	17,500
2009	<u>Assessment Roll</u>	Residential	Full	14,000	8,300	0	22,300
2007	<u>Assessment Roll</u>	Residential	Full	13,800	30,000	0	43,800
2006	<u>Assessment Roll</u>	Residential	Full	8,300	22,700	0	31,000
2005	<u>Assessment Roll</u>	Residential	Full	8,300	23,600	0	31,900
2003	<u>Assessment Roll</u>	Residential	Full	7,320	20,460	0	27,780
2001	<u>Assessment Roll</u>	Residential	Full	7,600	19,380	0	26,980
1999	Assessment Roll	Residential	Full	4,510	18,210	0	22,720
1997	Assessment Roll	Residential	Full	4,250	17,150	0	21,400
1995	Assessment Roll	Residential	Full	3,640	14,670	0	18,310
1993	Assessment Roll	Residential	Full	3,470	13,970	0	17,440
1991	Assessment Roll	Residential	Full	3,470	12,710	0	16,180
1991	Was Prior Year	Residential	Full	3,470	10,950	0	14,420

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

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