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**Date** November 18, 2019

#### RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF PUBLIC WORKS SEWER REPAIR SCHEDULE NO. 2019-03, ACTIVITY ID 20-1111-000, AND PROVIDING FOR THE PAYMENT THEREOF

WHEREAS, pursuant to its powers and duties as set out in Chapter 364, Code of Iowa, the City had given notice to the property owner and an opportunity to cure, and where the property owner failed to cure and the City performed the required action to abate the public nuisance, and now the City seeks, as provided in 364.12, Code of Iowa, to assess the costs of such action against the property set out on the attached Public Works Sewer Repair, Schedule No. 2019-03, Activity ID 20-1111-000, for collection in the same manner as a property tax.

NOW, THEREFORE BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached Public Works Sewer Repair, Schedule No. 2019-03, Activity ID 20-1111-000, is hereby approved and adopted with the amounts shown thereon assessed and levied against such property for collection in the same manner as a property tax.

BE IT FURTHER RESOLVED: That said assessment shall be payable in five equal annual installments and shall bear interest at the rate of 3.67% percent per annum, from the date of the acceptance of this assessment schedule; the one installment of each assessment with interest on the whole assessment from date of acceptance of this schedule by the Council, shall become due and payable on July 1, 2020, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after first date of publication of the Notice to Property Owners of filing of the schedule of assessments.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said schedule to the County Treasurer of Polk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Des Moines Register, a newspaper printed wholly in the English language, published in Des Moines, Iowa, and of general circulation in Des Moines, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the City Engineer shall send by regular mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

Roll Call Number		Agenda Item Number
Date November 18, 2019		
Moved by	to adopt.	
FORM APPROVED: <u>Xathleen Vanderpool by UD</u> Kathleen Vanderpool		

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Kathleen Vanderpool Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD	1			
TOTAL				
MOTION CARRIED			AP	PROVED
				Mayor

|--|

I, P. Kay Cmelik, 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

### ASSESSMENT SCHEDULE NO 2019-03

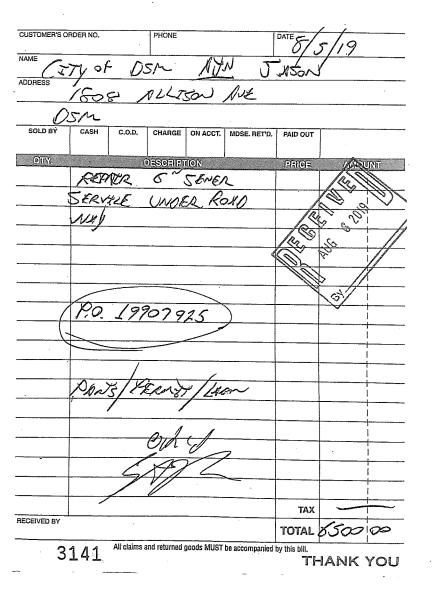
Public Works Sewer Repair ACT 5	26070 PW071001					PAGE DATE		1 5/6/2019
DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE		COST		AS	TO BE SESSED
080/04774-000-000 LOT 3 BLK 7 NORWOOD PARK ADDITION TO NORTH DES	40-00011-00	1808 ALLISON AVE T1 QUANG M NGUYEN	8/5/2019	\$	6,500.00	\$ 100.00	\$	6,600.00
		1808 ALLISON AVE DES MOINES, IA 50314						·
		TOTALS		¢	6,500.00	\$ 100.00	¢	6 600 00

6.600.00

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7019 MONROE CT. URBANDALE, IA 50322 Cell: 515-249-8233



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#### OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1808 Allison Ave. Des Moines, IA 50314

#### VIA REGULAR AND CERTIFIED MAIL

TO: In T Nguyen,

Please be advised that the City of Des Moines' Department of Public Works has inspected your property locally known as **1808 Allison Ave**, Des Moines, Iowa, and legally described as (LOT 3 BLK 7 NORWOOD PARK ADDITION TO NORTH DES MOINES). Upon inspection, the Public Works Department has determined that a public nuisance exists on your property adjacent to the City right-of-way by reason of a faulty sewer service, which is creating a hazardous condition in the public roadway which is undermining or will undermine the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

You are hereby **ORDERED** to abate this nuisance by the repair of your sewer service within <u>14</u> days of the date of this Notice. If you fail to take this action within 14 days of the date of this Notice, as required by Des Moines Municipal Code Chapter 42, Article VI, you shall be deemed liable for the nuisance and the City of Des Moines Public Works Department may enter upon your property and may make or cause to be made the necessary sewer repairs within your property, including all other actions required to abate the nuisance, and assess the cost and repairs thereof to you and against your property, which expenses shall be certified as a lien against your property and collected in the same manner as a property tax, following administrative hearing if requested and in accordance with Iowa Code Section 364.12(3)(a) and (h) and Des Moines Municipal Code Chapter 42, Article VI.

If you have any questions about this Notice, please contact our Sewer Operations Manager, Steve Johnson at (515) 237-1359. Please contact the City's Permit and Development Center, located at City Armory Building, 602 Robert D. Ray Drive, Des Moines, Iowa 50309, or by phone at (515) 283-4200, prior to beginning work to abate the nuisance in order to determine if any permits are required for the corrective work.

You or your duly authorized agent, as identified in a notarized statement provided by you, may file a written request for an administrative hearing regarding this determination of a public nuisance. If you decide to make a request for an administrative hearing, you are required to either hand-deliver such request or send such request via regular mail (postmarked by official U.S. postal service cancellation and not by postage meter) within seven (7) calendar days of the date of this Notice to: City Clerk, City of Des Moines, Iowa, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. Such request for administrative hearing must be in writing and must include your name, address, electronic mail (e-mail) address, and daytime telephone number, and must include the same contact information for any attorney and/or agent duly authorized by you to represent you at the administrative hearing, and must include the basis for your appeal of the determination in this Notice. If you request an administrative hearing, you and your attorney or agent, if identified, will receive notice of the date and time of the hearing at either the address, e-mail address or phone number provided in your request for hearing at least three (3) business days in advance of the hearing. Failure to request a hearing within seven (7) calendar days from the date of this Notice shall be deemed a waiver of your right to contest the validity of the determination of nuisance, and abatement by the City may proceed as indicated herein. For further information, please see Des Moines Municipal Code Section 42-358.02.

Dated this 13<sup>th</sup> day of June, 2018, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

BY:

Department of Public Works + 216 SE 5th Street + Des Moines + IA + 50307

24-HOUR CALL CENTER: 515.283.4950 • F 515.237.1655 • www.dmgov.org



### OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1808 Allison Ave. Des Moines, IA 50314

#### VIA REGULAR AND CERTIFIED MAIL

TO: Quang M Nguyen,

Please be advised that the City of Des Moines' Department of Public Works has inspected your property locally known as **1808 Allison Ave**, Des Moines, Iowa, and legally described as (**LOT 3 BLK 7 NORWOOD PARK ADDITION TO NORTH DES MOINES**). Upon inspection, the Public Works Department has determined that a public nuisance exists on your property adjacent to the City right-of-way by reason of a faulty sewer service, which is creating a hazardous condition in the public roadway which is undermining or will undermine the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

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If you have any questions about this Notice, please contact our Sewer Operations Manager, Steve Johnson at (515) 237-1359. Please contact the City's Permit and Development Center, located at City Armory Building, 602 Robert D. Ray Drive, Des Moines, Iowa 50309, or by phone at (515) 283-4200, prior to beginning work to abate the nuisance in order to determine if any permits are required for the corrective work.

You or your duly authorized agent, as identified in a notarized statement provided by you, may file a written request for an administrative hearing regarding this determination of a public nuisance. If you decide to make a request for an administrative hearing, you are required to either hand-deliver such request or send such request via regular mail (postmarked by official U.S. postal service cancellation and not by postage meter) within seven (7) calendar days of the date of this Notice to: City Clerk, City of Des Moines, Iowa, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. Such request for administrative hearing must be in writing and must

include your name, address, electronic mail (e-mail) address, and daytime telephone number, and must include the same contact information for any attorney and/or agent duly authorized by you to represent you at the administrative hearing, and must include the basis for your appeal of the determination in this Notice. If you request an administrative hearing, you and your attorney or agent, if identified, will receive notice of the date and time of the hearing at either the address, e-mail address or phone number provided in your request for hearing at least three (3) business days in advance of the hearing. Failure to request a hearing within seven (7) calendar days from the date of this Notice shall be deemed a waiver of your right to contest the validity of the determination of nuisance, and abatement by the City may proceed as indicated herein. For further information, please see Des Moines Municipal Code Section 42-358.02.

Dated this 13<sup>th</sup> day of June, 2018, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

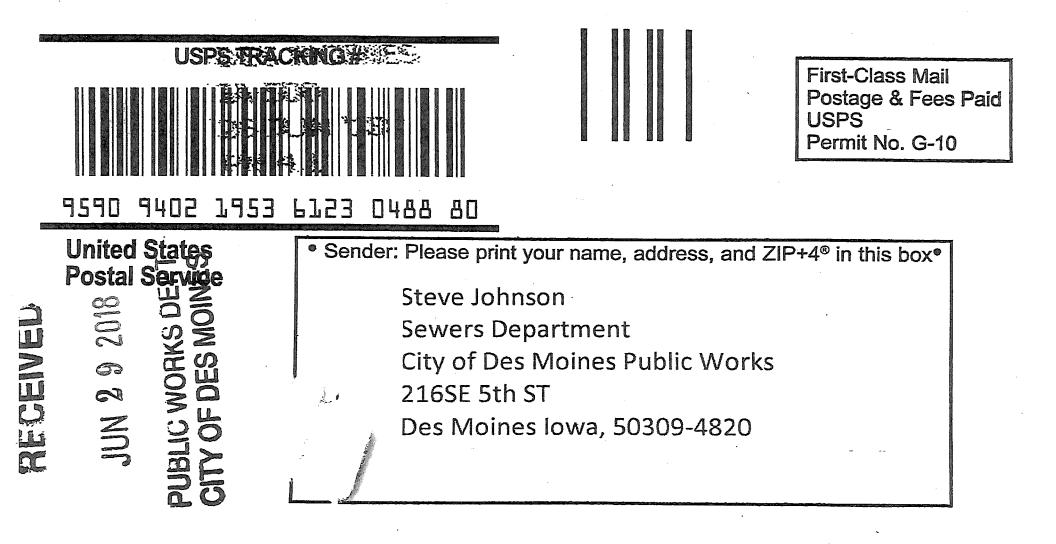
BY:

Department of Public Works • 216 SE 5th Street • Des Moines • IA • 50307

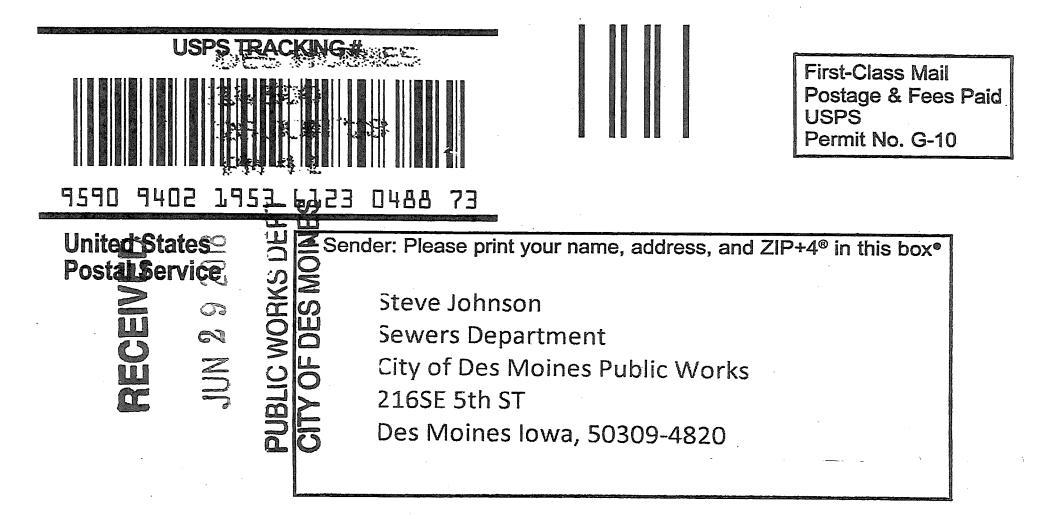
24-HOUR CALL CENTER: \$15.283.4950 \* F 515.237.1655 \* www.dmgov.org

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DEL	IVERY
Complete items 1, 2, and 3.	A. Signature	
Print your name and address on the reverse so that we can return the card to you.	X	Agent Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from iter	
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1808 Allison Ave		
Des moines, IA 50314		
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	Certified Mail Restricted Delivery	Return Receipt for Aerchandise
2. Article Number (Transfer from service label)	□ Collect on Delivery Restricted Delivery □ S	Signature Confirmation™
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PS For: 7811, July 2015 PSN 7530-02-000-9053	- Dome	estic Return Receipt
		. <b>4</b>

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3.	A. Signature
Print your name and address on the reverse so that we can return the card to you.	X Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from item 1?  Yes
Quang M. Nguyen 1808 Allison Ave	If YES, enter delivery address below:
· · · · · · · · · · · · · · · · · · ·	
Des Moines, IA 50314	
9590 9402 1953 6123 0488 73	3. Service Type       □ Priority Mail Express®         □ Adult Signature       □ Registered Mail™         □ Adult Signature Restricted Delivery       □ Registered Mail™         □ Certified Mail®       □ Receipt for
	<ul> <li>□ Collect on Delivery</li> <li>□ Collect on Delivery Restricted Delivery</li> <li>□ Signature Confirmation™</li> </ul>
2. Article Number (Transfer from service label) 7011 1150 0001 5367	□ Signature Confirmation
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt





**BECKER CONSTRUCTION** 

7019 MONROE CT. URBANDALE, IA 50322 Cell: 515-249-8233

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### 1714 NE 61st PL Des Moines, IA 50313

#### Name

City of Des Moines Department of Public Works ATTN: Steve Johnson 216 SE 5th St Des Moines, IA 50309

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 Date
 Estimate #

 11/2/18
 1531

# Job Address 1808 Allison Ave Des Moines, IA

Description	Qty	Rate	Total
Replace sanitary sewer from curb to main in street	1	6,200.00	6,200.00
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hank you for the opportunity		Total	\$6,200.00

### Rhiner's Plumbing Co., Inc.

## 15201 Hickman Rd., Clive Iowa 50325

#### PROPOSAL

**DATE:** OCT 18, 2018

# TO: CITY DM PUBLIC WORKS

#### ATTN: STEVE JOHNSON

PROJECT QUOTED: 1808 ALLISON AVE

WE PROPOSE TO SUPPLY, LABOR, EQUIPMENT AND MATERIAL TO PERFORM THE FOLLOWING WORK BASED.

**REPAIR SEWER WITH 4" CAST IRON PIPE** 

BID:

\$14,612.00

BID INCLUDES: PLUMBING PERMIT, BARRICADES, INSPECTION, SHORING AND PLATE.

**THIS PRICE DOES NOT INCLUDE:** ENGINEERING, BONDING ,SOILS COMPACTION TESTING, IMPORT/EXPORT OF SOILS, REMOVAL OR REPLACEMENT OF ASPHALT OR CONCRETE EXCEPT WHERE NOTED. NO SEEDING/SODDING, EROSION CONTROL, UTILITIES CONNECTION AND NO SYSTEMS DEVELOPMENT FEES.

ALL **PRIVATE** UTILITIES ARE THE OWNER'S RESPONSIBILITY TO HAVE LOCATED. THIS QUOTE VALID FOR 30 DAYS ONLY. <u>Sign and return one copy to initiate work.</u>

Bid includes shoring jacks and trench boxes needed for the safety of the workmen. This is for our protection as well as yours.

PROPOSAL SIGNED BY

DON SMITH Superintendent Site Utilities Dept. PH: (515) 987-1800, FAX: (515) 987-1546 Cell: (515) 729-3458

ACCEPTANCE		
SIGNED BY:		
DATE:	-	
Home Phone:		
Work Phone:		
Cell Phone:		 

#### 11/5/2018

#### Polk County Assessor 080/04774-000-000

## Polk County Assessor

111 Court Avenue #195 Des Moines, IA 50309-0904 (515) 286-3014 Fax (515) 286-3386 polkweb@assess.co.polk.ja.us

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Address	1808	ALLISON	IAVE					
City	r j	DES MOIN	JES	Zip		50314	4 Jurisdictio	n Des Moines
District/Parcel	080/0	)4774-000-	000	Geoparcel	7924	-33-229-01	3 Statu	s <u>Active</u>
School		Des Moi	nes Nb	hd/Pocket		DM73/2	Z Tax Authorit Grou	- 1
Submarket	Nortl	hwest Des Mc	ines	Appraiser	John (	Catron 515-286 302		
			M	ap and Cur	rent l	Photos - 1 R	ecord	
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LOT 3 BLK 7 MOINES	NORV	WOOD PA	RK ADI	DITION TO	) NOR	TH DES	QUANG M NO 1808 ALLISOI DES MOINES	
				Curre	ent Va	lues		
Туре		Class Residenti		Ki	nd ull	Lan \$7,00		<b>Total</b> \$49,100

#### Auditor Adjustments to Value

Category	Name	Information
2018 Homestead Credit	NGUYEN, QUANG M	Application <u>#355355</u>

http://web.assess.co.polk.ia.us/cgi-bin/web/tt/infoqry.cgi?tt=card/card&dp=08004774000000&

### 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

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City		DES	MO	INÉS			Zip				5031	4	Jurisdicti	on	Des Moines
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School		D	es M	oines	Nbh	d/P	ocket	DM7		M73/	z	Tax Author Gro		DEM-C-DEM- 77131	
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Туре	Class	Kind	Land	Bldg	Total				
2018 Value	Residential	Full	\$7,000	\$42,100	\$49,100				
Market Adjusted Cost Report									

#### Auditor Adjustments to Value

Category	Name	Information
2017 Homestead Credit	NGUYEN, QUANG M	Application <u>#355355</u>

http://web.assess.co.polk.ia.us/cgi-bin/web/tt/infoqry.cgi?tt=card/card&dp=080047740000... 6/13/2018

			Zoning - 1 I	Record			
Zoning		and an	Description		SF	Ass	essor Zoning
R1-60	On	e Family, Low	Density Residential Di	strict		R	lesidential
,		, ,	Conditional	Zoning			
			Docket_no	<u>14361</u>			
City of Des	Moine	es Community.	Development Planning	g and Urban Des	ign 515 2	83-4182	(2012-03-20)
			Land				•
Square Feet 6,600 Acres 0.152 Frontage					50.0		
D	epth	132.0	Topography	Normal	S	hape	Rectangle
Vac	cancy No Unbuildable No						
			Residences -	1 Record			
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Оссира	ıcy	Single Family	Residence Type	1 Story	Bı	uilding Style	Bungalow
Year B	uilt	1951	Number Families	1		Grade	5+05
Conditi	ion	Normal	Total Square Foot Living Area	768	Main	Living Area	768
Basem Ai	ent rea	768	Foundation	Concrete Block		cterior l Type	Metal Siding
Roof Ty	pe	Gable	<b>Roof</b> Material	Asphalt Shingle	н	eating	Gas Forced Air
Condition	Air ing	100	Number Bathrooms	1	Bed	rooms	2
Roo	ms	4					· · · · · · · · · · · · · · · · · · ·

http://web.assess.co.polk.ia.us/cgi-bin/web/tt/infoqry.cgi?tt=card/card&dp=080047740000... 6/13/2018

Polk County Assessor 080/04774-000-000

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Occupancy	Garage	Construction	Frame	Measurement	Dimensions				
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Grade	5	Year Built	1951	Condition	Below				
GLAUC		L'un Duilt			Normal				
Sales - 3 Records									

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NGUYEN, LONG Q	NGUYEN, QUANG MINH	<u>2014-09-10</u>	\$54,000	Deed	<u>15331/967</u>
CASON JR., VDELL	NGUYEN, LONG Q	<u>2005-08-08</u>	\$39,000	Deed	<u>11222/742</u>
KELLOW, GENEVA A	JR, UDELL CASON	<u> 1990-02-17</u>	\$12,000	Deed	<u>6206/883</u>

#### **Recent Ownership Transfers**

GrantorGranteeInstrument DateRecording DateInstrument TypeBook/Pg	g
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http://web.assess.co.polk.ia.us/cgi-bin/web/tt/infoqry.cgi?tt=card/card&dp=080047740000... 6/13/2018

Grant	or	Grantee	Instru Date	ıment	Recording Date	g . Instrument Type	Book/Pg	
NGUYEN, LONG Q		NGUYEN, QUANG MINH	2015-	10-02	2015-10- 07	Warranty Deed Joint Tenancy	15761/37	
NGUY DIEU	· · ·	NGUYEN, IN THI						
NGUY LONG	Q	NGUYEN, QUANG MINH	2014-0	09-17 2014-09- 24		Contract	<u>15331/967</u>	
NGUY DIEU		NGUYEN, IN THI			2.1			
			Pe	rmits - 2	Records			
Year	Туре	Permit Sta	atus .	Ap	plication	Description		
2006	06 Pickup Complete 2005-11-03		1-03	addition/air conditioning				
1988	Pickup	complete 1987-05-19		5-19	recheck			
	Historical Values							

Yr	Туре	Class	Kind	Land	Bldg	Total			
2017	Assessment Roll	Residential	Full	\$7,000	\$42,100	\$49,100			
2015	Assessment Roll	Residential	Full	\$6,700	\$41,100	\$47,800			
2013	Assessment Roll	Residential	Full	\$6,500	\$40,700	\$47,200			
2011	Assessment Roll	Residential	Full	\$7,700	\$48,700	\$56,400			
2009	Assessment Roll	Residential	, Full	\$8,300	\$52,800	\$61,100			
2007	Assessment Roll	Residential	Full	\$7,900	\$50,600	\$58,500			
2006	Assessment Roll	Residential	Full	\$5,800	\$50,100	\$55,900			
2005	Assessment Roll	Residential	Full	\$5,800	\$48,800	\$54,600			
2003	Assessment Roll	Residential	Full	\$4,690	\$39,820	\$44,510			
2001	Assessment Roll	Residential	Full	\$4,480	\$28,750	\$33,230			
1999	Assessment Roll	Residential	Full	\$4,350	\$23,580	\$27,930			
1997	Assessment Roll	Residential	Full	\$3,770	\$20,450	\$24,220			
1995	Assessment Roll	Residential	Full	\$3,420	\$18,540	\$21,960			
1989	Assessment Roll	Residential	Full	\$2,960	\$16,040	\$19,000			

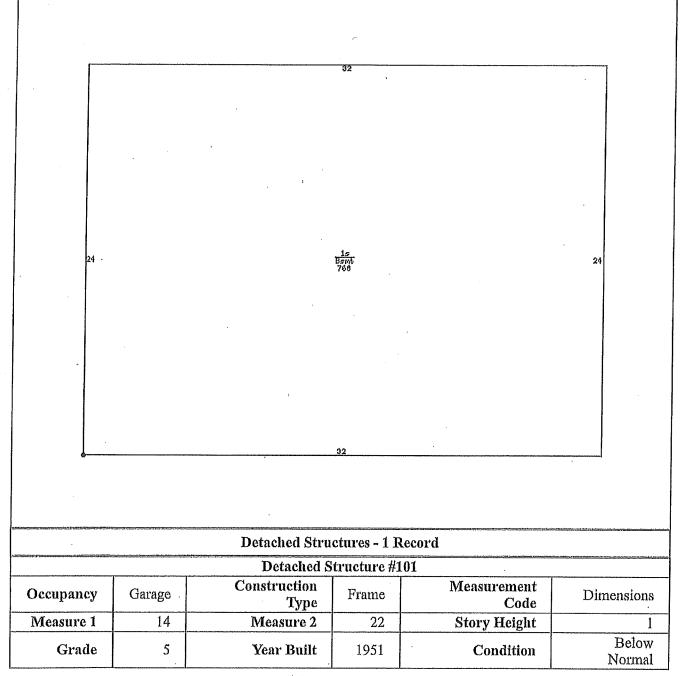
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11/5/2018

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Polk County Assessor 080/04774-000-000

		Zoning - 1	Record			و من او من
Zoning	an a	Description		SF		ssor Zoning
R1-60	One Family, Lo	w Density Residential D	Istrict		Re	sidential
		Conditional	Zoning			
	,	Docket_no				
City of Des M	Ioines Communi	ty Development Plannin	g and Urban De	<u>sign 515 2</u>	83-4182	(2012-03-20)
		Land	l			unuuu ka ka kaiseedi Talaa arii ka Yaka maada inga ka waxay dh
Square F	eet 6,600	Acres	0.152	From	ıtage	50.0
Dej	oth 132.0	Topography	Normal	S	hape	Rectangle
Vacar	Vacancy No Unbuildable No					
de desta for Esta in Esta de London de Anglandia (1997)		Residences -	1 Record			
		Residenc	e #1			
Occupancy	Single Family	Residence Type	e 1 Story	]	Building Style	Bungalow
Year Built	1951	Number Families	1		Grade	5+05
Condition	Normal	Total Square Foot Living Area		Main	ı Living Area	768
Basement Area	768	Foundation	Concrete Block		Exterior all Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle			Gas Forced Air
Air Conditioning	1 100	Number Bathrooms	1	Be	drooms	2
Rooms	4	· · · · · · · · · · · · · · · · · · ·				



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NGUYEN, LONG Q	NGUYEN, QUANG MINH	2014-09-10	\$54,000	Deed	<u>15331/967</u>
CASON JR., VDELL	NGUYEN, LONG Q	<u>2005-08-08</u>	\$39,000	Deed	<u>11222/742</u>
KELLOW, GENEVA A	JR, UDELL CASON	<u>1990-02-17</u>	\$12,000	Deed	<u>6206/883</u>

#### **Recent Ownership Transfers**

Grantor Grante	Instrument Date	Recording Date	Instrument Type	Book/Pg
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http://web.assess.co.polk.ia.us/cgi-bin/web/tt/infoqry.cgl?tt=card/card&dp=08004774000000&

11/5/2018

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#### Polk County Assessor 080/04774-000-000

Grant	:0X'	Grantee	Inst Dat	trument e	Recor Date	ding	Ins Tyj	trument pe	Book/Pg	
NGUY LONC	-	NGUYEN, QUANG MINH	201.	5-10-02	2015-10- 07		Warranty Deed Joint		<u>15761/37</u>	
NGUY DIEU	· · ·	NGUYEN, IN THI		ν.			Tenancy			
NGUY LONG	· ·	NGUYEN, QUANG MINH	2014	4-09-17	2014-09-		Contract		15331/967	
NGUY DIEU	· ·	NGUYEN, IN THI			24					
			Pe	ermits - 2	Records					
Year	Туре	Permit S	ltatus	App	lication		***************	Descriptio	)11	
2006	Pickup	Complete		2005-11	-03	addi	addition/air conditioning			
1988	Pickup	Complete		1987-05	-19	rech	recheck			
			E	listorical	Values					
Yr	Туре		Class		Kind	$\mathbf{L}$	and	Bldg	Total	
2017	Acces	sment Roll	Resident	ial	Full	\$7	000	\$42 100	\$49 100	

Yr	Туре	Class	Kind	Land	Bldg	Total
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This lemplate was last modified on Sal Mar 4 12:31:48 2017 .



#### OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1808 Allison Ave Des Moines, IA 50314

#### VIA REGULAR AND CERTIFIED MAIL

#### TO: In T Nguyen,

You have already received notice that an inspection by the Public Works Department of the City of Des Moines found that a nuisance exists in front of your property locally known as **1808 Allison Ave**, Des Moines, Iowa, and legally described as (LOT 3 BLK 7 NORWOOD PARK ADDITION TO NORTH DES **MOINES**) by reason of a faulty sewer service which is creating a hazardous condition in the public roadway by possible undermining of the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

I spoke with Nathan Mole October 31<sup>st</sup>, 2018, and told him I was in the process of receiving estimates for the repair of your private sewer. I told him I would send you the results.

I have now received three estimates and have included copies for your review. The low bid is from Becker Construction for \$6,000. This is an estimate and the costs are subject to change based upon the conditions of the repair.

Prior to proceeding, I wanted you to be aware of the competitive bid costs of the repairs. Unless we hear from you by November 22<sup>nd</sup>, 2018, we will plan to award the project to Becker Construction, with all costs to be assessed against your property. If you have any questions, please contact me at 237-1359.

org

Dated this 5<sup>th</sup> day of November 2018, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

scjohnson@dmgov.

BY:

Department of Public Works • 216 SE 5th Street • Des Moines • IA • 50307

24-HOUR CALL CENTER: 515.283.4950 • F 515.237.1655 • www.dmgov.org

Digitally signed by: scjobnso DN: CN = scjobnson@dmgo



#### OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1808 Allison Ave Des Moines, IA 50314

#### VIA REGULAR AND CERTIFIED MAIL

#### TO: Quang M Nguyen,

You have already received notice that an inspection by the Public Works Department of the City of Des Moines found that a nuisance exists in front of your property locally known as 1808 Allison Ave, Des Moines, Iowa, and legally described as (LOT 3 BLK 7 NORWOOD PARK ADDITION TO NORTH DES **MOINES**) by reason of a faulty sewer service which is creating a hazardous condition in the public roadway by possible undermining of the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

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Dated this 5<sup>th</sup> day of November 2018, at Des Moines, Iowa.

Jonathan Gano	
Public Works Director	
City of Des Moines, Iowa	

BY:

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sciohnson@dmgov.

24-HOHR CALL CEMIER: 515 283 4950 x E 515 237 1455 x



#### OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

RE: 1808 Allison Des Moines, IA 50314

#### VIA REGULAR AND CERTIFIED MAIL

#### TO: In T Nguyen:

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Due to your failure to abate the condition within the time set forth in said prior notice, the City has abated the nuisance by making the necessary sewer repairs within your property at the cost shown on the attached invoice. This invoice was the cost provided by the lowest responsive, responsible bidder, including any change orders.

You are hereby directed to make full payment of the enclosed invoice within <u>14</u> calendar days of the date of this Notice. Said payment can be made by certified check or money order made payable to the City of Des Moines and mailed to the following address: City of Des Moines, Attn: Jason M. Underwood, Public Works Department, Operations Manager. If you fail to make such payment within 14 calendar days of the date of this Notice, the City of Des Moines Public Works Department and City Council may assess the full cost against your property, which cost shall be certified as a lien against your property and collected in the same manner as a property tax, following administrative hearing if requested and in accordance with Iowa Code Section 364.12(3)(a) and (h) and Des Moines Municipal Code Chapter 42, Article VI.

If you have any questions about this notice, please contact our Operations Manager, Jason M. Underwood at (515) 283-4968.

You or your duly authorized agent, as identified in a notarized statement provided by you, may file a written request for an administrative hearing on costs of abatement only, as set forth in this notice. If you decide to make a request for an administrative hearing, you are required to either hand-deliver such request or send such request via regular mail (U.S. postal service) within seven (7) calendar days of the date of this letter to: City Clerk, City of Des Moines, Iowa, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. Such request for administrative hearing must be in writing and must include your name, address, electronic mail (e-mail) address, and daytime telephone number, and must include the same contact information for any attorney and/or agent duly authorized by you to represent you at the administrative hearing, and must include the basis for contesting the determination. Failure to request a hearing within seven (7) calendar days from the date of this notice shall be deemed a waiver of your right to contest the validity of the determination of costs, and assessment of the abatement costs as shown on the attached invoice may proceed as indicated herein. For further information, please see Des Moines Municipal Code Section 42-358.02(b).

Department of Public Works + 216 SE 5th Street + Des Moines + IA + 50307

Dated this 7th day of August 2019, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

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Jason/M Underwood / Operations Manager

BY:

Department of Public Works + 216 SE 5th Street + Des Moines + IA + 50307

24-HOUR CALL CENTER: \$15.283.4950 + F 515.237.1555 + www.dmgov.org



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Deportment of Public Works + 216 SE 5th Street + Des Moines + IA + 50309

24-HOUR CALL CENTER: 515.283.4950 . F 515.237.1655 . www.dmgov.org

Dated this 7th day of August 2019, at Des Moines, Iowa.

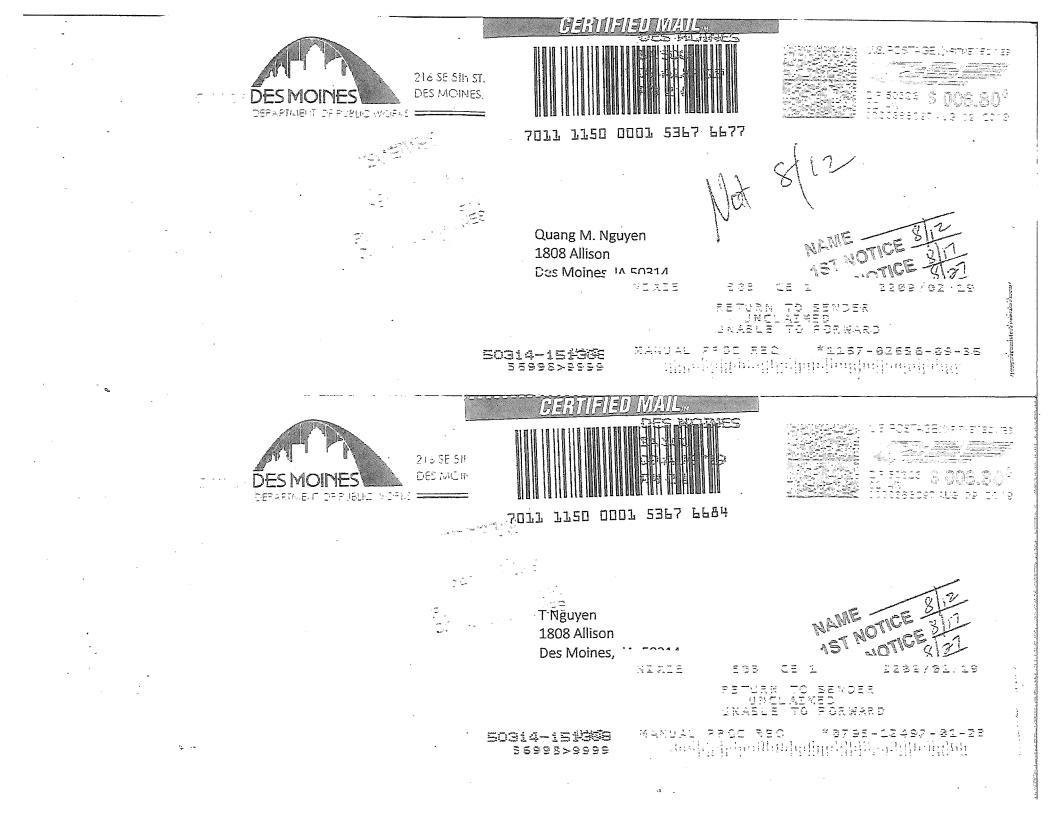
Jonathan Gano Public Works Director City of Des Moines, Iowa

à

Jason M Underwood Operations Manager

BY:

Department of Public Works • 216 SE 5th Street • Des Molnes • IA • 50307





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Department of Public Works + 216 SE 5th Streef + Das Molnes + 1A + 50307

24-HOUR CALL CENTER: 515,283,4950 + F 515,237,1655 + www.dingov.org

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
Complete items 1, 2, and 3.	A. Signature	
Print your name and address on the reverse	x	🗖 Agent 🗆 Addressee
<ul> <li>so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from If YES, enter delivery address	
Quang Nguyen		•
1808 Allison		
Des Molnes, IA 50314		
9590 9402 1953 6123 0485 38	Service Type     Adult Signature     Adult Signature Restricted Delivery     Certified Mail®     Certified Mail®     Certified Mail Restricted Delivery     Collect on Delivery	Priority Mail Express®     Registered Mail <sup>Tot</sup> Registered Mail <sup>Tot</sup> Registered Mail Restricted     Delivery     Resturn Receipt for     Merchandise     Signature Confirmation <sup>TM</sup>
2. Article Number (Transfer from service label)	Collect on Delivery Restricted Delivery	Signature Confirmation     Restricted Delivery
7011 1150 0001 5367 E		
PS Form 3811, July 2015 PSN 7530-02-000-9053	Series Visioner Star 30	Domestic Return Receipt
PS Form 3811, July 2015 PSN 7530-02-000-9053	ระโยชัญงาษณะยะ หมะอย มุช สถา เซษองด์ประองจาย	
PS Form 3811, July 2015 PSN 7530-02-000-9053	COMPLETE THIS SECTION ON	
PS Form 3811, July 2015 PSN 7530-02-000-9053         PS Form 3811, July 2015 PSN 7530-02-000-9053         SENDER: COMPLETÉ THIS SECTION         © Complete items 1, 2, and 3.	COMPLETE THIS SECTION ON	DELIVERY
PS Form 3811, July 2015 PSN 7530-02-000-9053         SENDER: COMPLETE THUS SECTION         © Complete items 1, 2, and 3.         Print your name and address on the reverse so that we can return the card to you.         Attach this card to the back of the mailpiece,	COMPLETE THIS SECTION ON	DELIVERY
PS Form 3811, July 2015 PSN 7530-02-000-9053         SENDER: COMPLETE THIS SECTION         Complete items 1, 2, and 3.         Print your name and address on the reverse so that we can return the card to you.	GOMPLETE THIS SECTION ON I	DELIVERY Agent Addressee C. Date of Delivery Taitem 1?
PS Form 3811, July 2015 PSN 7530-02-000-9053  SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  Article Addressed to:  Maguyee	Selection of the select	DELIVERY Agent Addressee C. Date of Delivery Taitem 1?
PS Form 3811, July 2015 PSN 7530-02-000-9053         Image: Sender and address of the reverse so that we can return the card to you.         Image: Address of the mailplece, or on the front if space permits.	Selection of the select	DELIVERY Agent Addressee C. Date of Delivery Taitem 1?
PS Form 3811, July 2015 PSN 7530-02-000-9053  SENDER: COMPLETE THIS SECTION  Complete items 1, 2, and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  Attach Addressed to:  Maguyen	Selection of the select	DELIVERY Agent Addressee C. Date of Delivery Taitem 1? Yes
PS Form 3811, July 2015 PSN 7530-02-000-9053 SENIDER: COMPLETE THUS SECTION Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: T Nguyen 1808 AlliSOM	Selection of the select	DELIVERY

rom 3811, July 2015 PSN 7530-02-000-9053

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Domestic Return Receipt

Dated this 10th day of September 2019, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

Jason Underwood Х Jason M Underwood Operations Manager

BY:

Department of Public Works + 216 SE Sth Street + Der Molnes + IA + 50307

24-HOUR CALL CENTER: 515.283.4750 + F 515.237.1655 + www.dmgov.org



#### OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

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#### VIA REGULAR AND CERTIFIED MAIL

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Department of Public Works + 216 SE 5th Skeet + De: Maines + IA + 50307

24-HOUR CALL CENTER: 515.283.4950 . F 515.237.1655 . www.dmg.ov.org

Dated this 10th day of September 2019, at Des Moines, Iowa.

Jonathan Gano Public Works Director City of Des Moines, Iowa

Jason Underwood Х Jason M Underwood Operations Manager

BY:

Department of Public Works + 216 SE 8th Street + Des Moines + IA + \$0307

24-HOUR CALL CENTER: 515.283.4950 • F 515.237.1655 • www.chmgov.org

