



**Roll Call Number**

**Agenda Item Number**

25I

**Date** April 20, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 4916 SW 13<sup>th</sup> STREET**

WHEREAS, the property located at 4916 SW 13<sup>th</sup> Street, 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, Fritzler Family Enterprises, LLC, and Mortgage Holder, Union State Bank, were notified more than thirty days ago to repair or demolish the main structure 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:

The main structure on the real estate legally described as Lot 10 in McKINLEY HEIGHTS NO. 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4916 SW 13<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(s) 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:

/s/ Megan Norberg  
Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

**CERTIFICATE**

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

# 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>	4916 SW 13TH ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	120/03283-000-000	<b>Geoparcels</b>	7824-28-101-016	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM42/B	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Patrick Zaines, ICA 515-286-3832		

## Map and Current Photos - 1 Record

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

[Bigger Map](#) [Polk County GIS](#)  
[Google Map](#) [Pictometry](#)

**Photo Processed on 2015-09-04 a**

## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	FRITZLER FAMILY ENTERPRISES LLC	2018-05-08	16912/889

## Legal Description and Mailing Address

LOT 10 MC KINLEY HEIGHTS NO 3	PYRAMID PROPERTY GROUP 4407 SW 9TH ST DES MOINES, IA 50315-3909
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$24,200	\$51,600	\$75,800
		Adj	\$24,200	\$44,240	\$68,440
Assessor Adjustments to Value					
<u>Urban Revitalization Plan 1</u>	Residential	2014-2023	-\$0	-\$7,360	-\$7,360
Market Adjusted Cost Report					

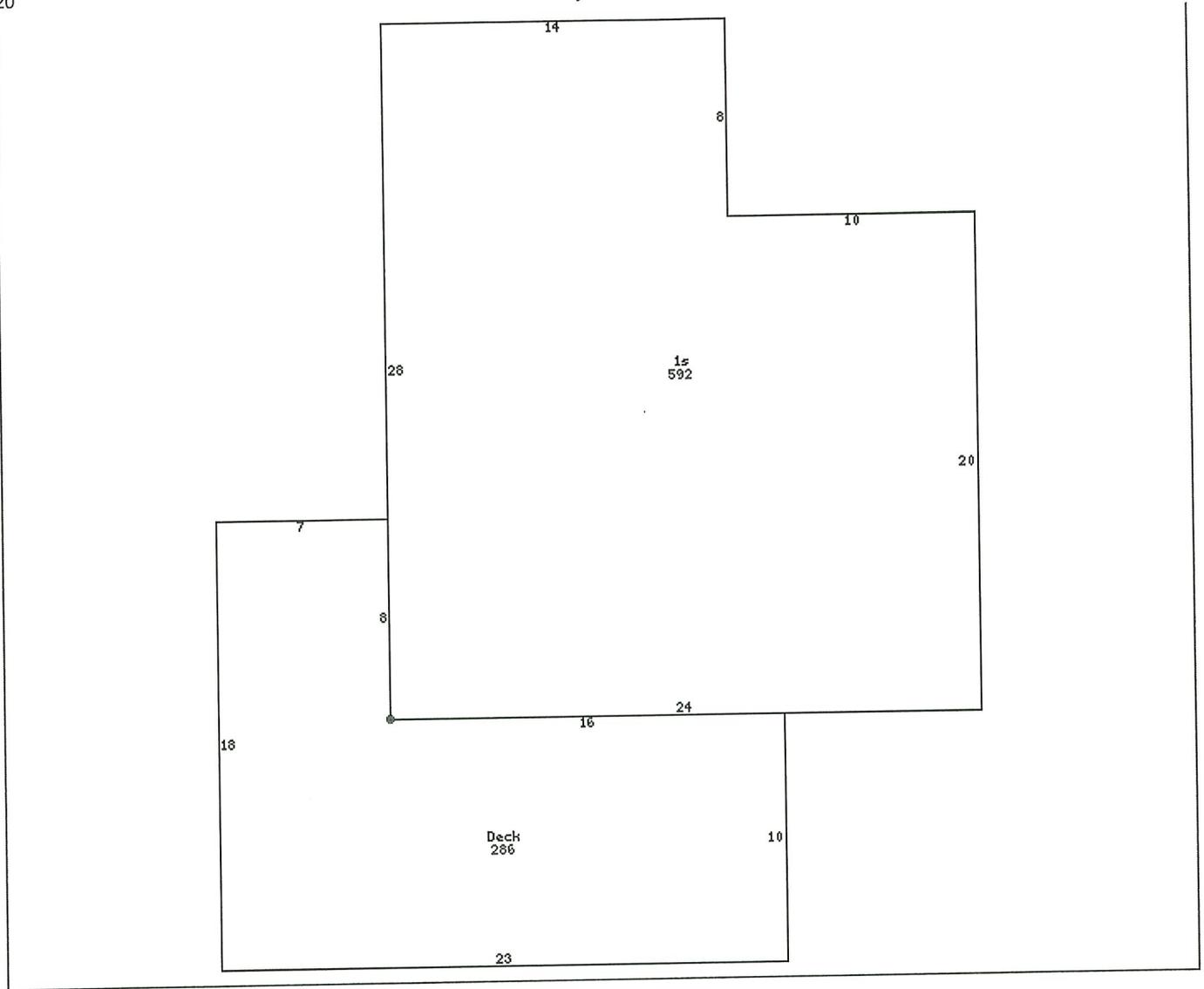
## Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
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>	8,400	<b>Acres</b>	0.193	<b>Frontage</b>	60.0
<b>Depth</b>	140.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1954	<b>Number Families</b>	1	<b>Grade</b>	5+05
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	592	<b>Main Living Area</b>	592
<b>Deck Area</b>	286	<b>Foundation</b>	Poured Concrete	<b>Exterior Wall Type</b>	Vinyl 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>	2
<b>Rooms</b>	5				



Sales - 6 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FULMER, MARINEE	FRITZLER FAMILY ENTERPRISES, LLC	<u>2018-05-03</u>	\$50,000	Deed	<u>16912/889</u>
ALEGIANT LLC	FULMER. MARINEE	<u>2013-04-01</u>	\$45,000	Contract	<u>14763/870</u>
SECRETARY OF HOUSING AND URBAN DEVELOPMENT	ALEGIANT, LLC	<u>2012-07-31</u>	\$21,100	Deed	<u>14379/675</u>
NATIONWIDE ADVANTAGE MORTGAGE COMPANY	SECRETARY OF HOUSING AND URBAN DEVELOPMENT	<u>2011-11-28</u>	\$66,200	Deed	<u>14168/997</u>
UHLMAN, ALICE	KLEEN, TIFFANY	<u>2005-07-29</u>	\$59,900	Deed	<u>11212/720</u>
UHLMAN, ROBERT J ESTATE	UHLMAN, ALICE C	<u>2000-04-14</u>	\$45,000	Deed	<u>8479/181</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
FULMER, MARINEE FULMER, TIMOTHY	FRITZLER FAMILY ENTERPRISES LLC	2018-05-03	2018-05-08	Warranty Deed	<u>16912/889</u>
ALEGIANT LLC	FULMER, MARINEE	2018-04-30	2018-05-08	Warranty Deed	<u>16912/887</u>
ALEGIANT LLC	FULMER, MARINEE	2013-03-29	2013-04-30	Contract	<u>14763/870</u>
SECRETARY OF HOUSING AND URBAN DEVELOPMENT	ALEGIANT, LLC	2012-07-31	2012-08-03	Special Warranty Deed	<u>14379/675</u>

**Permits - 3 Records**

Year	Type	Permit Status	Application	Description
2014	Pickup	No Add	2014-03-03	review value/abatement filed
2013	Permit	Complete	2012-10-31	addition/deck (256 sf)
2008	Permit	No Add	2007-02-21	addition/fence

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$24,200	\$51,600	\$75,800
			Adj	\$24,200	\$44,240	\$68,440
2017	<u>Assessment Roll</u>	Residential	Full	\$21,400	\$49,100	\$70,500
			Adj	\$21,400	\$41,740	\$63,140
2015	<u>Assessment Roll</u>	Residential	Full	\$19,400	\$45,200	\$64,600
			Adj	\$19,400	\$37,840	\$57,240
2014	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$42,200	\$60,100
			Adj	\$17,900	\$34,840	\$52,740
2013	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$42,200	\$60,100
2011	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$35,800	\$53,700
2009	<u>Assessment Roll</u>	Residential	Full	\$18,800	\$37,700	\$56,500
2007	<u>Assessment Roll</u>	Residential	Full	\$20,200	\$38,500	\$58,700
2005	<u>Assessment Roll</u>	Residential	Full	\$16,500	\$33,400	\$49,900
2003	<u>Assessment Roll</u>	Residential	Full	\$14,310	\$29,120	\$43,430
2001	<u>Assessment Roll</u>	Residential	Full	\$13,980	\$25,740	\$39,720
1999	Assessment Roll	Residential	Full	\$9,590	\$19,910	\$29,500
1997	Assessment Roll	Residential	Full	\$8,950	\$18,590	\$27,540
1995	Assessment Roll	Residential	Full	\$7,900	\$16,400	\$24,300
1993	Assessment Roll	Residential	Full	\$7,070	\$14,680	\$21,750
1991	Assessment Roll	Residential	Full	\$7,070	\$13,900	\$20,970
1991	Was Prior Year	Residential	Full	\$7,070	\$11,200	\$18,270



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

25I

**DATE OF NOTICE: February 4, 2020**

**DATE OF INSPECTION:**

**CASE NUMBER:** COD2019-07977

**PROPERTY ADDRESS:** 4916 SW 13TH ST

**LEGAL DESCRIPTION:** LOT 10 MC KINLEY HEIGHTS NO 3

FRITZLER FAMILY ENTERPRISES LLC  
Title Holder - CRARY,HUFF,RING,HART,&STROM,RA  
329 PIERCE STREET, SUITE 200  
SIOUX CITY IA 51101

UNION STATE BANK - JEFF NOLAN - PRESIDENT  
Mortgage Holder  
6305 MILLS CIVIC PKWY SUITE 31  
WEST DES MOINES IA 50266

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 60-192 and 60-191 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 date of notice. Failure to correct these violations will result in a request to the City Council 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 COMPONETS 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.

Neighborhood Inspection Division

(515) 283-4046



Nid Inspector

DATE MAILED: 2/4/2020

MAILED BY: TSY

**Areas that need attention:** 4916 SW 13TH ST

<b>Component:</b>	Bathroom Lavatory	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		

<b>Component:</b>	Electrical System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with National Electrical Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have Electrical System inspected for proper safe working order and provide receipt of service from licensed electrical contractor.		

<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Extensive damage to west side of structure. Have licensed contractor inspect damage and follow recommendations.		

<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Extensive damage to west side of. Have licensed contractor inspect damage and follow recommendations.		

<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		

<b>Component:</b>	Mechanical System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance, Uniform Mechanics Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have Mechanical System inspected for proper safe working order and provide receipt of service from licensed mechanical contractor.		

<b>Component:</b>	Plumbing System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with Uniform Plumbing Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have Plumbing System inspected for proper safe working order and provide receipt of service from licensed plumbing contractor.		

<b>Component:</b>	Roof	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		

<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		
<b><u>Component:</u></b>	Shingles Flashing	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		
<b><u>Component:</u></b>	Soffit/Facia/Trim	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		
<b><u>Component:</u></b>	Trusses	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		
<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Extensive damage throughout. Have licensed contractor inspect damage and follow recommendations.		

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4916 SW 13th St



12/02/2019 11:05

AST

top

4916 SW 13th St



04/07/2020 08:09

851

4916 Sw 13th St

top



04/07/2020 08:08