



Roll Call Number

Agenda Item Number

12

Date April 5, 2021

RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF
PUBLIC WORKS SEWER REPAIR AT 1235 11th STREET,
SCHEDULE NO. 2021-02, 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 has given notice to the property owner and an opportunity to cure, and where the property owner failed to cure and instead requested the City complete the abatement action, and where 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. 2021-02, 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. 2021-02, 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 2.03% 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, 2021, 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

12

Date April 5, 2021

Moved by _____ to adopt.

SLN

FORM APPROVED: s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy 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

12

ASSESSMENT SCHEDULE NO 2021-02

Public Works Sewer Repair ACT 526070 PW071001

PAGE 1
DATE 3/29/2021

DESCRIPTION OF PROPERTY	GeoParcel Number	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
080/04193-004-000	7924-34-382-032	40-00017-00	1235 11TH ST T1 XAM, JOY	1/8/2021	\$ 9,750.00	\$ 100.00	\$ 9,850.00
EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE			T2 XAM, AMY 1235 11TH St DES MOINES, IA 50314-2346				
TOTALS					\$ 9,750.00	\$ 100.00	\$ 9,850.00

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST PROPERTIES FOR SEWER REPAIR
SCHEDULE NO. 2021-02
ACTIVITY ID 20-1111-000**

To: The Owners of the following described real estate situated in the City of Des Moines, Iowa:
LOCAL AND LEGAL DESCRIPTION

**080/04193-004-000 1235 11TH ST EX PARCEL I BK 12367 PG 151- PARCEL
A BK 11685 PG 994 BNG S 49.46F N
86.46F LOT 5 MC HENRY PLACE**

You are hereby notified that the schedule of assessments against said property for Activity ID 20-1111-000, (Public Works Sewer Repair) now being assessed on Schedule 2021-02, has been adopted and levied by the City Council of Des Moines, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Polk County, Iowa.

Assessments exceeding \$100.00 are payable in five equal annual installments, with interest on the unpaid balance, all as provided in Sections 384.60 and 384.65, City Code of Iowa.

You are further notified that assessments may be paid in full or in part without interest at the office of the County Treasurer of Polk County, Iowa, at any time within thirty days after the date of the first publication of this Notice of the Filing of the Schedule of Assessments with the County Treasurer. Unless said assessments are paid in full within said thirty-day period, all unpaid assessments will draw annual interest at 2.03 percent (commencing on the date of the adoption of the assessment schedule) computed to the December 1st next following the due dates of the respective installments. Each installment will be delinquent after September 30th following its due date on July 1st of each year. Property owners may elect to pay any annual installment semiannually in advance.

All said properties have been assessed for the cost of abating each nuisance: the amount of each assessment having been set out in the Schedule of Assessments, which is now on file in the office of the County Treasurer of Polk County, Iowa. For further information you are referred to said schedule of assessments.

LAST DAY TO PAY ASSESSMENT IN FULL OR IN PART AT THE POLK COUNTY TREASURER'S OFFICE WITHOUT INTEREST IS MAY 7, 2021.

IF YOU HAVE ANY QUESTIONS ON THIS ASSESSMENT, CALL 515-283-4231.

PUBLISHED IN THE DES MOINES REGISTER
4/7/2021 and 4/14/2021

NOTE: PLEASE MAIL THE ENCLOSED INSERT ALONG WITH YOUR PAYMENT TO:
POLK COUNTY TREASURER
POLK COUNTY ADMINISTRATIVE OFFICE BUILDING
111 COURT AVENUE
DES MOINES, IOWA 50309-2298

MAKE CHECK PAYABLE TO THE POLK COUNTY TREASURER.

PLEASE DO NOT SEND PAYMENT TO CITY OF DES MOINES.

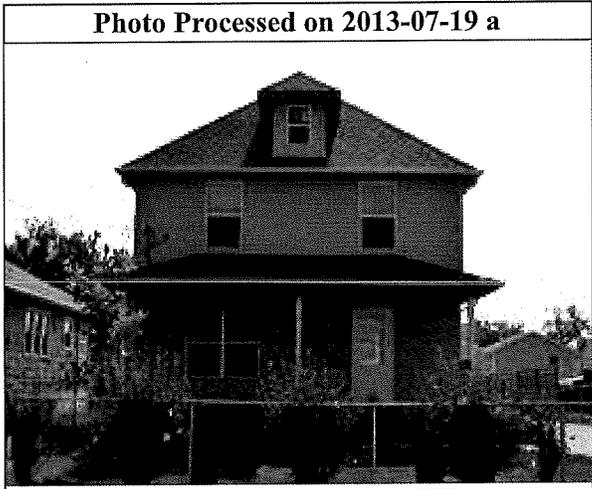
Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1235 11TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/04193-004-000	Geoparcel	7924-34-382-032	Status	Active
School	Des Moines	Nbhd/Pocket	DM76/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

<p style="text-align: center;">Click on parcel to get a new listing</p> <table border="1" style="width: 100%; text-align: center;"> <tr> <td>1246</td> <td rowspan="10" style="writing-mode: vertical-rl; transform: rotate(180deg);">11TH ST</td> <td>1251</td> <td>1246</td> </tr> <tr> <td>1242</td> <td>1240</td> </tr> <tr> <td>1238</td> <td>1245</td> <td>1238</td> </tr> <tr> <td>1234</td> <td>1239</td> <td>1236</td> </tr> <tr> <td>1230</td> <td>1235</td> <td>1232</td> </tr> <tr> <td>1226</td> <td>1231</td> <td>1228</td> </tr> <tr> <td></td> <td>1227</td> <td>1226</td> </tr> <tr> <td></td> <td>1223</td> <td>1224</td> </tr> </table> <p style="text-align: center;"> Bigger Map Polk County GIS Google Map Pictometry </p>	1246	11TH ST	1251	1246	1242	1240	1238	1245	1238	1234	1239	1236	1230	1235	1232	1226	1231	1228		1227	1226		1223	1224	<p style="text-align: center;">Photo Processed on 2013-07-19 a</p> 
1246	11TH ST		1251	1246																					
1242			1240																						
1238			1245	1238																					
1234			1239	1236																					
1230			1235	1232																					
1226			1231	1228																					
			1227	1226																					
			1223	1224																					

Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	XAM, JOY	2009-05-12	13035/683
Title Holder	2	XAM, AMY		

Legal Description and Mailing Address

-EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE	JOY XAM 1235 11TH ST DES MOINES, IA 50314-2346
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$8,100	\$120,800	\$128,900

Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2020 Homestead Credit	XAM, JOY	Application #233552

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

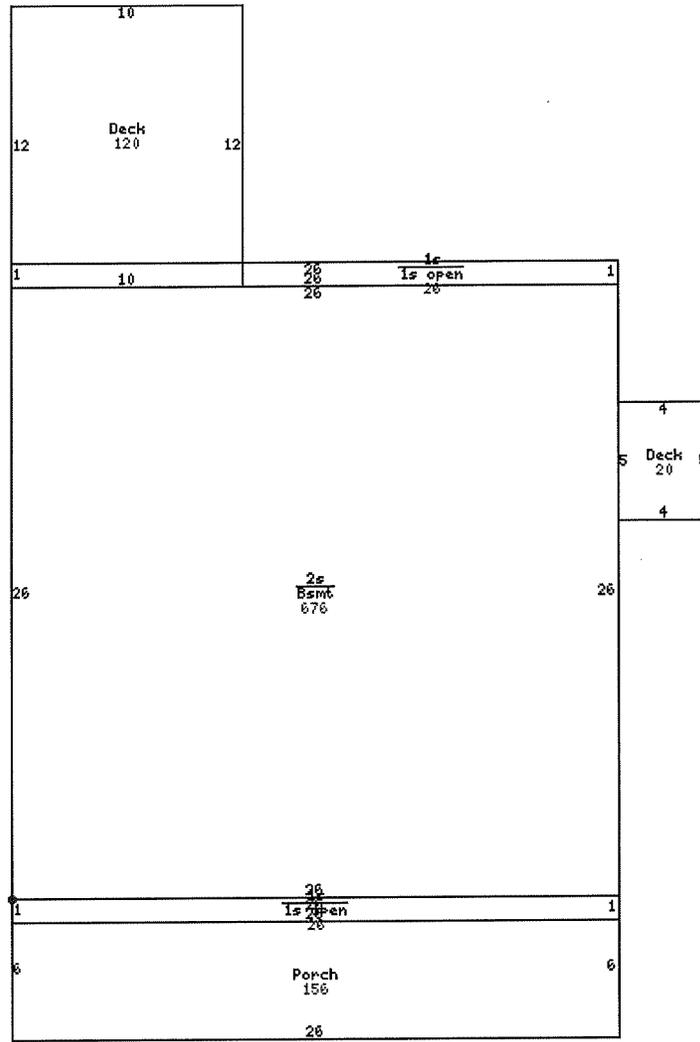
Land

Square Feet	6,960	Acres	0.160	Depth	140.6
Topography	Normal	Shape	Rectangle	Vacancy	No
Unbuildable	No				

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	2 Stories	Building Style	Conventional
Year Built	2006	Number Families	1	Grade	4+05
Condition	Normal	Total Square Foot Living Area	1404	Main Living Area	676
Upper Living Area	728	Basement Area	676	Open Porch Area	156
Deck Area	140	Foundation	Poured Concrete	Exterior Wall Type	Vinyl Siding
Roof Type	Hip	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Number Toilet Rooms	1
Bedrooms	4	Rooms	7		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	20	Grade	4
Year Built	2009	Condition	Normal		
Comment	ESTIMATED MEASUREMENTS				

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DIVERSE SOLUTIONS GROUP, LLC	XAM, JOY	<u>2009-05-08</u>	\$125,000	Deed	<u>13035/683</u>

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
2010	Permit	No Add	2009-06-09	Addition	FENCE
2010	Permit	Complete	2009-05-18	Construction	GARAGE (400 sf)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$8,100	\$120,800	\$128,900
2018	<u>Assessment Roll</u>	Residential	Full	\$7,200	\$110,900	\$118,100

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Assessment Roll</u>	Residential	Full	\$7,200	\$110,900	\$118,100
			Adj	\$6,000	\$10,000	\$16,000
2015	<u>Assessment Roll</u>	Residential	Full	\$7,200	\$112,300	\$119,500
			Adj	\$6,000	\$0	\$6,000
2013	<u>Assessment Roll</u>	Residential	Full	\$7,100	\$100,300	\$107,400
			Adj	\$5,900	\$0	\$5,900
2011	<u>Assessment Roll</u>	Residential	Full	\$7,600	\$122,000	\$129,600
			Adj	\$6,400	\$0	\$6,400
2010	<u>Assessment Roll</u>	Residential	Full	\$6,100	\$136,300	\$142,400
			Adj	\$4,900	\$8,860	\$13,760
2009	<u>Assessment Roll</u>	Residential	Full	\$6,100	\$129,700	\$135,800
			Adj	\$4,900	\$2,260	\$7,160
2008	<u>Assessment Roll</u>	Residential	Full	\$5,900	\$124,400	\$130,300
			Adj	\$4,700	\$0	\$4,700

This template was last modified on Sun Jan 31 22:36:22 2021.

Edwards Enterprises, Inc.
111 5th Avenue SW
Altoona, IA 50009 US
(515) 238-8822
edwardsenterprisesia@gmail.com
www.edwardsenterprisesia.com



Estimate 1266

12

ADDRESS

City of Des Moines
216 SE 5th St.
Des Moines, IA 50309-4820

DATE
10/12/2020

TOTAL
\$9,750.00

QTY RATE AMOUNT

PROJECT: 1235 11th ST. 9,750.00

Excavate and repair main in front of above address per requirements of City of DSM. Backfill with suitable material City of DSM to pay to resurface the opening.

Please respond to this email as acceptance of the quote and approval to proceed with scheduling the work.

We do require a down payment of 50% of the total estimated cost. When we received the acceptance email, we will send a preliminary invoice to you which will include a free bank transfer option and a credit card payment option for your use.

TOTAL \$9,750.00

THANK YOU.

If you have any questions, please contact Tina at 515-238-8822 or Gregg at 515-238-5476.

Thank you, we appreciate the opportunity to work with you.

Gregg Edwards, Owner

Tina Hoyka, Office Manager

Accepted By

Accepted Date

All past due balances are subject to finance charges. Thank you for your business.

Rhiner's Plumbing Co., Inc.
15201 Hickman Rd., Clive Iowa 50325

PROPOSAL

DATE: OCT 7, 2020

TO: CITY DM PUBLIC WORKS
ATTN: JASON

PROJECT QUOTED: 1235 11TH ST – DM

WE PROPOSE TO:

REPAIR SEWER IN STREET

BID: \$13,345.00

NOT TO EXCEED: \$16,345.00

**NOTE: 1" TAP -TAPS 11TH ST -
17 S NBL 19 W EL - GRAM**

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.

RHINER'S REQUIRES 50% DOWN AT THE START OF WORK AND REMAINING BALANCE ON COMPLETION OF WORK.

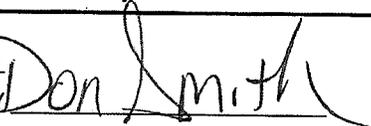
ALL **PRIVATE** UTILITIES ARE THE OWNER'S RESPONSIBILITY TO HAVE LOCATED.

THIS QUOTE VALID FOR 30 DAYS ONLY.

Sign and return one copy to initiate work.

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: _____



1714 NE 61st PL
Des Moines, IA 50313

12
Estimate

Date
10/07/20

Name/Address
City of Des Moines
ATTN: Steve Johnson Jason Underwood

Job Address
1235 11th St Des Moines, IA

Description	Quantity	Cost	Total
Replace sewer line from curb to main in street. (15' deep)	1	14,490.00	14,490.00
Thank you for the opportunity			Total \$14,490.00

Contractor is responsible for rough grading yard and ditches back after work has been completed.
Contractor is not responsible for any seeding, sodding, landscaping, sinking of yard or any additional yard work that may occur.

12



City of Des Moines
Finance Department
Procurement Division
400 Robert D Ray Dr
Des Moines, IA 50309-1891

Purchase Order

Fiscal Year 2021

Page: 1 of: 1

Bus: 515-283-4228
Fax: 515-237-1668

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **21004774**

Delivery must be made within doors of specified destination.

BILL TO

Finance Dept Accounts Payable
City of Des Moines
400 Robert D Ray Dr, 1st Floor
Des Moines, IA 50309
Bus 515-283-4040
Fax 515-237-1670
Tax Exempt # 42-6004514

RODNEY

EDWARDS ENTERPRISES INC
111 5TH AVE SW
ALTOONA, IA 50009

SHIP TO

Public Works Dept Sewer Div
City of Des Moines
216 SE 5th St
Des Moines, IA 50309

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference			
515-238-5476				21905337					
Date Ordered	Vendor Number	Date Required	Freight Method/Terms			Department/Location			
11/24/2020	36730		NET 30			Public Works			
Item#	Description/PartNo					QTY	UOM	Unit Price	Extended Price
1	1235 11TH STREET - Excavate and repair main					1.0	EACH	\$9,750.00	\$9,750.00
	Excavate and repair main in front of above address per Estimate #1266 and requirements of City of DSM. Backfill with suitable material. City of DSM to pay to resurface the opening.								

By: Jena Johnson
Jena A Johnson

All shipments, shipping papers, invoices, and correspondence must be identified with our Purchase Order Number. Overshipments will not be accepted unless authorized by city prior to shipment. Vendors shall comply with all federal, state, and local laws.

VENDOR COPY

PO Total	\$9,750.00
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12

Edwards Enterprises, Inc.
111 5th Avenue SW
Altoona, IA 50009 US
(515) 238-8822
edwardsenterprisesia@gmail.com
www.edwardsenterprisesia.com



Invoice 4348

BILL TO

City of Des Moines
216 SE 5th St.
Des Moines, IA 50309-4820

DATE
01/08/2021

PLEASE PAY
\$9,750.00

DUE DATE
02/01/2021

P.O. NUMBER
21-004774

QTY	RATE	AMOUNT
		9,750.00

PROJECT: 1235 11th ST.

Excavate and repair main in front of above address per requirements of City of DSM. Backfill with suitable material City of DSM to pay to resurface the opening.

Please note all invoices are due per terms stated.

Thank you.

TOTAL DUE

\$9,750.00

THANK YOU.

12



OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

RE: 1235 11th St.
Des Moines, IA 50314-2346

VIA REGULAR AND CERTIFIED MAIL

TO: Joy Xam:

Please be advised that the City of Des Moines' Department of Public Works has completed the public nuisance abatement work upon your property locally known as **1235 11th St.**, Des Moines, and legally described as **(EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE)**. Upon inspection, the Public Works Department determined that a public nuisance existed on your property adjacent to the City right-of-way by reason of a faulty sewer service, which created a hazardous condition in the public roadway which was undermining or would have undermined the street and sidewalk. Notice of this condition was given to you on the **25th day of August 2020**.

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 **14** 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 Underwood, Public Works Department, 216 SE 5th St. Des Moines, IA 50390-4820. 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).

Dated this **9th day of March 2021**, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

BY:



OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

RE: 1235 11th St.
Des Moines, IA 50314-2346

VIA REGULAR AND CERTIFIED MAIL

TO: Amy Xam:

Please be advised that the City of Des Moines' Department of Public Works has completed the public nuisance abatement work upon your property locally known as **1235 11th St.**, Des Moines, and legally described as **(EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE)**. Upon inspection, the Public Works Department determined that a public nuisance existed on your property adjacent to the City right-of-way by reason of a faulty sewer service, which created a hazardous condition in the public roadway which was undermining or would have undermined the street and sidewalk. Notice of this condition was given to you on the **25th day of August 2020**.

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Dated this **9th day of March 2021**, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

BY:

A handwritten signature in black ink, followed by the date "3-9-21" written in black ink.



OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

RE: 1235 11th St.
Des Moines, IA 50314-2346

VIA REGULAR AND CERTIFIED MAIL

TO: Joy Xam:

Please be advised that the City of Des Moines' Department of Public Works has completed the public nuisance abatement work upon your property locally known as 1235 11th St., Des Moines, and legally described as (**EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE**). Upon inspection, the Public Works Department determined that a public nuisance existed on your property adjacent to the City right-of-way by reason of a faulty sewer service, which created a hazardous condition in the public roadway which was undermining or would have undermined the street and sidewalk. Notice of this condition was given to you on the **26TH day of August 2020**.

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 14 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 Underwood, Public Works Department, 216 SE 5th St. Des Moines, IA 50390-4820. 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).

Dated this 15th day of January, 2021, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

BY:

Jason Underwood

A handwritten signature in black ink, appearing to read "J. Underwood", written over a circular stamp that partially overlaps the "BY:" text.

12



OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1235 11th St.
Des Moines, IA 50314

VIA REGULAR AND CERTIFIED MAIL

TO: Amy Xam

Please be advised that the City of Des Moines' Department of Public Works has inspected your property locally known as 1235 11th St., Des Moines, Iowa, and legally described as (-EX PARCEL I BK 12367 PG 151- PARCEL A BK 11685 PG 994 BNG S 49.46F N 86.46F LOT 5 MC HENRY PLACE). 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 **14** 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, Jason Underwood at (515) 283-4968. 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.

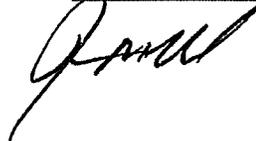
You or your duly authorized agent, as identified in a notarized statement provided by you, may file a written request for an administrative hearing regarding this determination of a public nuisance. If you decide to make

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 26th day of August 2020, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

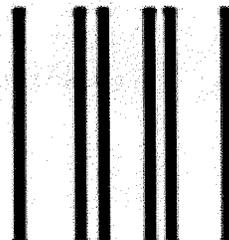
BY: Jason Underwood



By signing this document, you agree to the terms and conditions of the City of Des Moines, Iowa, and the City of Des Moines, Iowa, and the City of Des Moines, Iowa, and the City of Des Moines, Iowa.

UNITED STATES POSTAL SERVICE IA 500

12 MAR 2021PM 3 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

City of Des Moines
ATTN: Jason Underwood
216 SE 5th Street
Des Moines, IA 50309

3-482016



12

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

Joy Xam
1235 - 11th Street
Des Moines, IA 50314-2346

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

2. Article Number

(Transfer from service label)

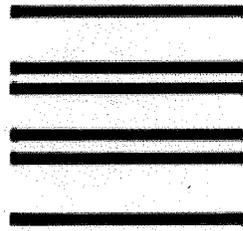
7011 1150 0001 5368 0063

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE
DES MOINES IA 500
12 MAR 2021PM 3 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

City of Des Moines
ATTN: Jason Underwood
216 SE 5th Street
Des Moines , IA 50309



9-482018

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

Amy Xam
 1235 - 11th Street
 Des Moines, IA 50314-2346

2. Article Number
 (Transfer from service label)

7011 1150 0001 5368 0056

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

03/09/2021

Sent To

Joy Xam

Street, Apt. No.,
or PO Box No. 235-11th St

City, State, ZIP+4
DSM, IA 50314-2346

PS Form 3800, August 2006

See Reverse for Instructions

2021 1250 0001 8965 0058

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail[®] or Priority Mail[®].
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS[®] postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

03/09/2021

Sent To **Amy Xam**
Street, Apt. No. **1235-11th St**
or PO Box No. *214*
City, State, ZIP+4 **DSM, IA 50413-2346**

PS Form 3800, August 2006 See Reverse for Instructions

2021 2250 0002 5368 0055

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail[®] or Priority Mail[®].
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS[®] postmark on your Certified Mail receipt is required.
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IMPORTANT: Save this receipt and present it when making an inquiry.