

.....  
**Date** May 9, 2022.....

RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF  
PUBLIC WORKS SEWER REPAIR AT 3709 SW 12<sup>th</sup> STREET,  
SCHEDULE NO. 2022-02, 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 had 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. 2022-02, 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. 2022-02, 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 4.86% percent per annum, from the date of the acceptance of this assessment schedule; each 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, 2023, 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**

16

**Date** May 9, 2022

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_

FORM APPROVED: /s/Glenna K. Frank

Glenna K. Frank  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

**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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Special Assessment Schedule**

**Acceptance and Levy:**

Type 40 (Sewer)  
Schedule No. 2022-02  
Activity ID 20-1111-000  
To Council  
Acceptance 5/9/2022

**Notice to Property Owners:**

Published 5/11/2022  
and 5/18/2022  
Mail 5/12/2022  
Rate of Interest 4.86%  
Last Date to Pay  
without Interest 6/10/2022  
Number of  
Payments 5  
Roll Call # 22-

CITY CLERK

**ASSESSMENT SCHEDULE NO 2022-02**

Public Works Sewer Repair ACT 526070 PW071001

PAGE 1  
DATE 5/9/2022

DESCRIPTION OF PROPERTY	GeoParcel Number	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
010/05631-000-000 S 68.66F LOTS 51 & 52 WATROUS PARK	7824-21-177-002	40-00022-00	3709 SW 12TH ST T1 HEIDI M OGDEN		\$13,900.00	\$ 100.00	\$ 14,000.00
TOTALS					\$13,900.00	\$ 100.00	\$ 14,000.00

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS  
AGAINST PROPERTIES FOR SEWER REPAIR  
SCHEDULE NO. 2022-02  
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

**7824-21-177-002      3709 SW 12TH ST      S 68.66F LOTS 51 & 52 WATROUS PARK**

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 2022-02, 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 4.86% 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 JUNE 10, 2022.

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

PUBLISHED IN THE DES MOINES REGISTER  
5/11/2022 and 5/18/2022

\*\*\*\*\*

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

Location					
<b>Address</b>	3709 SW 12TH ST				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	010/05631-000-000	<b>Geoparcel</b>	7824-21-177-002	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM28/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

## 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 2013-03-06 a**

### [Historical Photos](#)

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	OGDEN, HEIDI M	2017-06-13	<a href="#">16520/80</a>

## Legal Description and Mailing Address

S 68.66F LOTS 51 & 52 WATROUS PARK	HEIDI M OGDEN 3709 SW 12TH ST DES MOINES, IA 50315-3005
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$25,500	\$187,100	\$212,600

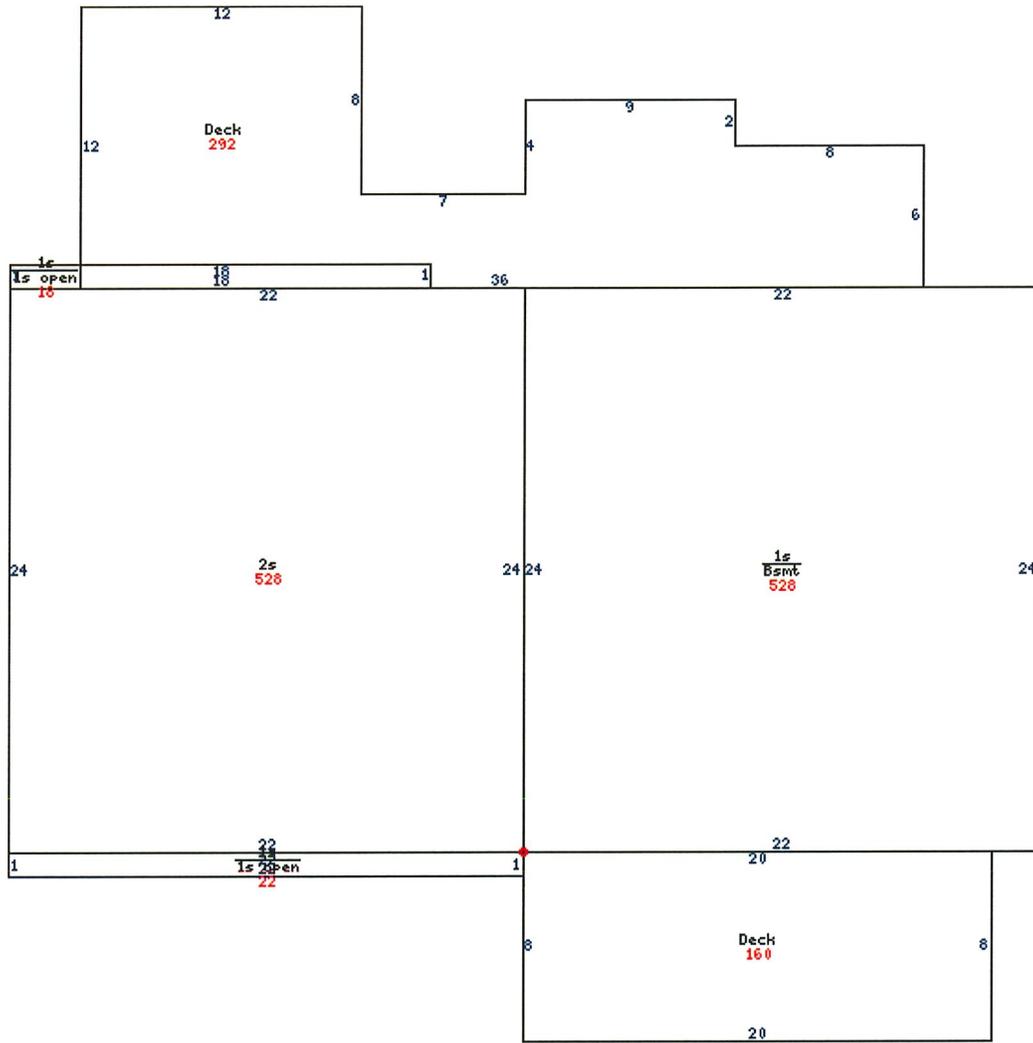
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

## Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	OGDEN, HEIDI M	Application <a href="#">#200963</a>

## Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
N5	N5 Neighborhood 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>	6,624	<b>Acres</b>	0.152	<b>Frontage</b>	69.0
<b>Depth</b>	96.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	2 Stories	<b>Building Style</b>	Early 20s
<b>Year Built</b>	1920	<b>Year Remodel</b>	2001	<b>Number Families</b>	1
<b>Grade</b>	4+05	<b>Condition</b>	Very Good	<b>Total Square Foot Living Area</b>	1624
<b>Main Living Area</b>	1056	<b>Upper Living Area</b>	568	<b>Basement Area</b>	528
<b>Deck Area</b>	452	<b>Foundation</b>	Concrete Block	<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>	2	<b>Number Extra Fixtures</b>	1
<b>Bedrooms</b>	3	<b>Rooms</b>	5		



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	22	Story Height	1
Grade	4	Year Built	2001	Condition	Normal

**Sales - 5 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KISSELL, DONALD L	WICKS, ADAM	<a href="#">2007-01-29</a>	\$170,000	Deed	<a href="#">12052/641</a>
HEMCOMINGS FINANCIAL NETWORK, INC	KISSELL, DONALD JR	<a href="#">2001-04-06</a>	\$30,000	Deed	<a href="#">8774/628</a>
WOODS, RALPH D	CURTIS, STEVEN A	<a href="#">1998-04-28</a>	\$30,000	Deed	<a href="#">7896/900</a>
WOODS, RALPH D	CURTIS, STEVE	<a href="#">1997-06-02</a>	\$30,000	Contract	<a href="#">7648/714</a>
GRAZIANO, MICHAEL S	WOODS, RALPH D	<a href="#">1989-09-01</a>	\$25,000	Deed	<a href="#">6145/628</a>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
WICKS, HEIDI MARIE	OGDEN, HEIDI MARIE	2017-06-13	2017-06-13	Quit Claim Deed	<a href="#">16520/80</a>
WICKS, ADAM MICHAEL	WICKS, HEIDI MARIE	2017-06-05	2017-06-08	Quit Claim Deed	<a href="#">16514/28</a>

## Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	No Add	2021-04-13	Fix Damage	FOUNDATION
2003	Permit	Complete	2001-04-19	Addition	ROOM (572 sf)
2002	Permit	Complete	2001-08-07	Addition	AIR CONDITIONING
2002	Permit	Complete	2001-05-14	Construction	GARAGE (484 sf)
2002	Permit	Partial	2001-04-19	Addition	ROOM (572 sf)

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$25,500	\$187,100	\$212,600
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$22,300	\$164,100	\$186,400
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$19,900	\$150,700	\$170,600
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$18,200	\$139,900	\$158,100
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$137,900	\$155,400
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$138,200	\$155,700
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$19,300	\$148,400	\$167,700
2008	<a href="#">Assessment Roll</a>	Residential	Full	\$18,600	\$136,600	\$155,200
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$18,600	\$136,600	\$155,200
			Adj	\$18,600	\$104,600	\$123,200
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$18,300	\$122,200	\$140,500
			Adj	\$18,300	\$40,640	\$58,940
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$16,280	\$108,250	\$124,530
			Adj	\$16,280	\$26,690	\$42,970
2002	<a href="#">Assessment Roll</a>	Residential	Full	\$14,100	\$76,250	\$90,350
			Adj	\$14,100	\$26,690	\$40,790
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$14,100	\$26,690	\$40,790
1999	Assessment Roll	Residential	Full	\$13,720	\$21,460	\$35,180
1997	Assessment Roll	Residential	Full	\$12,080	\$18,890	\$30,970
1995	Assessment Roll	Residential	Full	\$10,630	\$16,620	\$27,250
1993	Assessment Roll	Residential	Full	\$9,750	\$15,250	\$25,000
1991	Board Action	Residential	Full	\$8,860	\$11,140	\$20,000
1991	Assessment Roll	Residential	Full	\$8,860	\$11,140	\$20,000
1991	Was Prior Year	Residential	Full	\$8,860	\$9,220	\$18,080

This template was last modified on Thu Jun 3 19:39:49 2021 .



**1714 NE 61st PL  
Des Moines, IA 50313  
515-270-4625**

# Estimate

<b>Date</b>
03/09/22

<b>Job Address</b>
3709 SW 12th St Des Moines, IA

Description	Quantity	Cost	Total
Replace sanitary sewer service from curb to main in street.	1	13,900.00	13,900.00

**Thank you for the opportunity**

**Total** \$13,900.00

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.

All private utilities are the owner's responsibility to have located (Irrigation, underground pet fences, private electric, etc.). Contractor responsible for calling 811 for all public utilities.

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

**PROPOSAL**

DATE: MARCH 11, 2022

TO: CITY OF DM  
ATTN: JASON

PROJECT QUOTED: 3709 SW 12<sup>TH</sup> ST – DM

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WE PROPOSE TO:

REPAIR SEWER / SINK HOLE AT 3709 SW 12<sup>TH</sup>

BID: \$18,860.00

**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 ELECTRICAL. 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

DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED..

**Sign and return one copy to initiate work.**

**BID VALID FOR 21 DAYS.**

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

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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: \_\_\_\_\_

REQUEST AND AUTHORIZATION TO PROCEED WITH REPAIRS OF THE NUISANCE

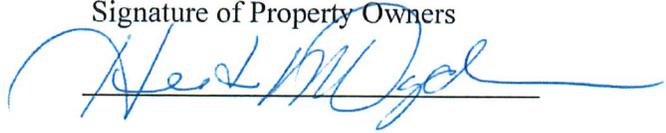
The undersigned are the property owners of 3709 SW 12<sup>th</sup> St. DES MOINES, IOWA 50315, and hereby acknowledge receipt of the Official Notice to Abate Public Nuisance (Notice) dated March 4<sup>th</sup> 2022 ordering the abatement of the public nuisance existing on the property within fourteen **14** days. The property owners hereby acknowledge and waive the period of time set forth in the nuisance provided for the property owner to abate the nuisance. The property authorizes the City of Des Moines to enter the property and make or cause to be made all necessary sewer repairs on the property, including all actions required to abate the nuisance, and to assess the cost and repairs thereof to the property owner and against the property. The property owner acknowledges the right to request an administrative hearing no later than seven (7) calendar days of the date of the Notice and hereby waives the right to request and to have an administrative hearing and the right to such hearing.

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.

Date

March 4<sup>th</sup>, 2022 \_\_\_\_\_

Signature of Property Owners

 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to:

Public Works Operation Manager  
216 SE 5<sup>th</sup> Street  
Des Moines, Iowa 50309

Attn: Jason Underwood



## OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 3709 SW 12th St.  
Des Moines, IA 50315-3005

VIA REGULAR AND CERTIFIED MAIL

TO: Heidi Ogden:

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 **3709 SW 12<sup>th</sup> St.**, Des Moines, Iowa, and legally described as **(S 68.66F LOTS 51 & 52 WATROUS PARK)** 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."

We solicited for three estimates and received two. I have included copies for your review. The low bid is from Torgerson Excavating for the amount of \$13,900.00 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 March 24th, 2022, we will plan to award the project to Torgerson Excavating., with all costs to be assessed against your property. If you have any questions, please contact me at (515) 283-4968.

Dated this 17th day of March 2022, at Des Moines, Iowa.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

BY: \_\_\_\_\_



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

# Purchase Order

Fiscal Year 2022

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 # **22008176**

Delivery must be made within doors of specified destination.

B I L L T O

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

V E N D O R

TORGERSON EXCAVATING  
 1714 NE 61ST PL  
 DES MOINES, IA 50313

S H I P T O

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			
				22908782					
Date Ordered	Vendor Number	Date Required	Freight Method/Terms			Department/Location			
04/04/2022	30831		NET 30			Public Works			
Item#	Description/PartNo					QTY	UOM	Unit Price	Extended Price
1	REPAIR FOR A SEWER ABATEMENT AT 3709 SW 12TH ST  REQUESTED BY JASON UNDERWOOD FOR REPAIR OF A PRIVATE SERVICE AT: 3709 SW 12TH ST DES MOINES, IA CONTACT PERSON: JASON UNDERWOOD CONTACT NUMBER: 515-237-1655 TORGERSON EXCAVATING					1.0	EACH	\$13,900.00	\$13,900.00

By: Jena A 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**

<b>PO Total</b>	<b>\$13,900.00</b>



## OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 3709 SW 12<sup>th</sup> ST.  
Des Moines, IA 50315-3005

VIA REGULAR AND CERTIFIED MAIL

TO: Heidi Ogden,

Please be advised that the City of Des Moines' Department of Public Works has inspected your property locally known as **3709 SW12th ST.**, Des Moines, Iowa, and legally described as (**S 68.66F LOTS 51 & 52 WATROUS PARK**). Upon inspection, the Public Works Department has determined that a public nuisance exists on a 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 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. Any other violations of Chapter 42 Article VI found on the property at the time of a city cleanup will be removed without further notice.

If you have any questions about this Notice, please contact our Public Works 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 4th day of March 2022, at Des Moines, Iowa.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

BY: \_\_\_\_\_



OFFICIAL NOTICE REGARDING COSTS OF PUBLIC NUISANCE

RE: 3709 SW 12<sup>th</sup> St.  
Des Moines, IA 50315-3005

VIA REGULAR AND CERTIFIED MAIL

TO: Heidi Ogden

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 **3709 SW 12<sup>th</sup> St.**, Des Moines, and legally described as (**S 68.66F LOTS 51 & 52 WATROUS PARK**) 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 **4th day of March 2022**.

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 5<sup>th</sup> St. Des Moines, IA 50309-4820. 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 **1st day of April 2022**, at Des Moines, Iowa.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

BY:

**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.

1. Article Addressed to:

Heidi Ogden  
 3709 SW 12th Street  
 Des Moines, IA 50315-3005



9590 9402 1953 6123 0496 34

2. Article Number (Transfer from service label)

11 1150 0001 5367 7155

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

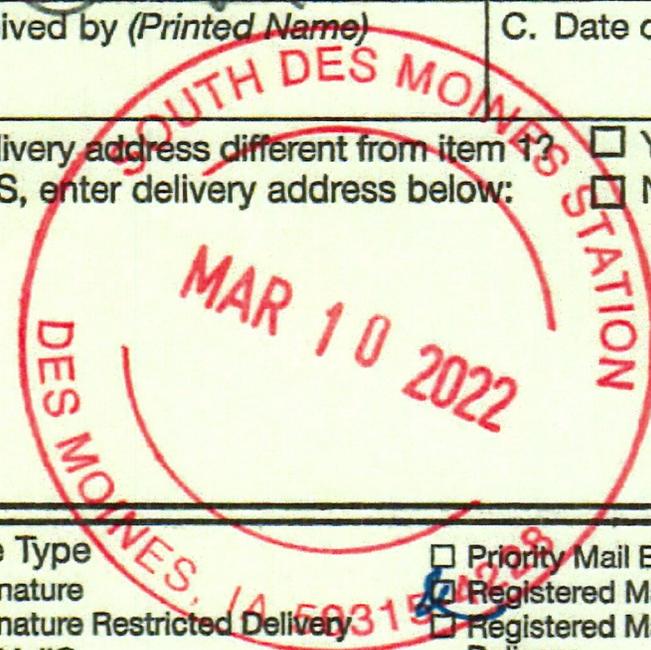
X *[Handwritten Signature]*

- 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

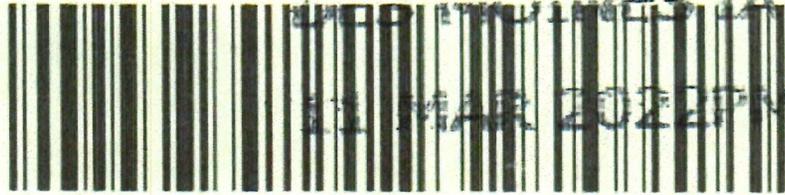


3. Service Type

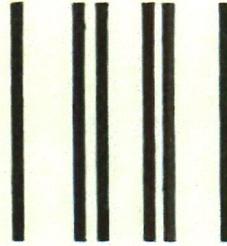
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



DES MOINES IA 503  
11 MAR 2022 PM 2 L



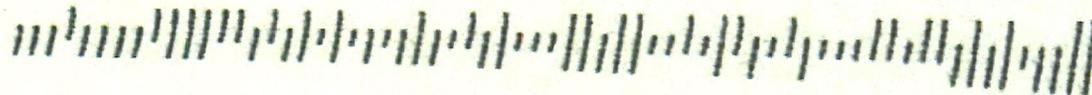
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 1953 6123 0496 34

**United States  
Postal Service**

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

City of Des Moines Public Works  
ATTN: Jason Underwood  
216 SE 5th street  
Des Moines, IA 50309



**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:

Heidi Ogden  
3709 SW 12th St  
Des Moines, IA 50315-3005

2. Article Number  
(Transfer from service label)

7011 1150 0001 5368 0711

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X J B RT 75 C 19

- 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



UNITED STATES POSTAL SERVICE IA 500

6 APR 2022 PM 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 Public Works  
ATTN: Jason Underwood  
216 SE 5th street  
Des Moines, IA 50309

9-482016

