



**Date** April 21, 2025

**RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF  
PUBLIC WORKS SEWER REPAIR AT 1649 CAPITOL AVE,  
SCHEDULE NO. 2025-03, 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 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. 2025-03, 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. 2025-03, 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 6.37% 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, 2026, 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 21, 2025

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

FORM APPROVED: /s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

### CERTIFICATE

I, Laura Baumgartner, 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

**Special Assessment Schedule**

**Acceptance and Levy:**

Type 40 (Sewer)  
Schedule No. 2025-03  
Activity ID 20-1111-000  
To Council  
Acceptance 4/21/2025

**Notice to Property Owners:**

Published 4/23/2025  
and 4/30/2025  
Mail 4/24/2025  
Rate of Interest 6.37%  
Last Date to Pay  
without Interest 5/23/2025  
Number of  
Payments 5  
Roll Call # 25-

CITY CLERK

ASSESSMENT SCHEDULE NO 2025-03

Public Works Sewer Repair ACT 526070 PW071001

PAGE 1  
DATE 4/9/2025

DESCRIPTION OF PROPERTY	GeoParcel Number	CERTIFICATE NUMBER	PROPERTY ADDRESS	OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
040/05556-001-000	7824-02-178-034	40-00029-00	1649 CAPITOL AVE			\$5,490.00	\$ 100.00	\$ 5,590.00
W 1/2 LT 12 & E 1/2 LT 13 BLK 60 STEWARTS ADDITION				T1 TERRILL M BANER MD LTD Trustee BANER, TERRILL M Contract Buyer GARCIA, MACARIA 1649 CAPITOL AVE DES MOINES, IA 50316-3501				
TOTALS							\$ 5,490.00 \$ 100.00	\$ 5,590.00

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS  
AGAINST PROPERTIES FOR SEWER REPAIR  
SCHEDULE NO. 2025-03  
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

**7824-02-178-034    1649 CAPITOL AVE    W 1/2 LT 12 & E 1/2 LT 13 BLK 60 STEWARTS ADDITION**

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 2025-03, 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 6.37% percent, commencing on the date of the adoption of the assessment schedule.

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 23, 2025.

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

PUBLISHED IN THE DES MOINES REGISTER  
4/23/2025 and 4/30/2025

\*\*\*\*\*

**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					
Address	1649 CAPITOL AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/05556-001-000	Geoparcels	7824-02-178-034	Status	<a href="#">Active</a>
School	Des Moines	Nbhd/Pocket	DM15/Z	Tax Authority Group	DEM-C-DEM-770131
Submarket	Northeast Des Moines	Appraiser	Joseph Peterson, 515-286-3011		

**Map and Current Photos - 1 Record****Use Cyclomedia Panorama - ☒**[Historical Photos](#)**Ownership - 3 Records**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	TERRILL M BANER MD LTD		
Trustee	1	<i>BANER, TERRILL M</i>	2007-11-06	<a href="#">12437/668</a>
Contract Buyer	1	<i>GARCIA, MACARIA</i>	2013-04-03	<a href="#">14725/510</a>

**Legal Links For Subdivisions, Condominiums, and Plats of Survey**[STEWART'S ADDITION TO THE CITY OF DES MOINES POLK COUNTY IOWA](#)**Legal Description and Mailing Address**W 1/2 LT 12 & E 1/2 LT 13 BLK 60 STEWART'S  
ADDITIONMACARIA GARCIA  
1649 CAPITOL AVE  
DES MOINES, IA 50316-3501**Current Values**

Type	Class	Kind	Land	Bldg	Total
2025 Assessment Roll	Residential	Full	\$16,800	\$94,700	\$111,500
2024 Value	Residential	Full	\$14,600	\$82,900	\$97,500

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)**Auditor Adjustments to Value**

Category	Name	Information
<a href="#">2024 Homestead Credit</a>	GARCIA, MACARIA	Application <a href="#">#285621</a>

Zoning - 1 Record			
Zoning	Description	SF	Assessor Zoning
N3C	N3c Neighborhood District		Residential

*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)*

Land					
Square Feet	11,970	Acres	0.275	Frontage	70
Depth	171	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record					
Residence #id=1					
Occupancy	Single Family	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1905	Year Remodel	1996	Number Families	1
Grade	4+00	Condition	Below Normal	Total Square Foot Living Area	1333
Main Living Area	801	Upper Living Area	532	Basement Area	223
Enclosed Porch Area	267	Foundation	Brick	Exterior Wall Type	Hardboard
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Number Toilet Rooms	1
Bedrooms	4	Rooms	9		

The floor plan diagram shows a central rectangular area labeled '2s Bsmt-42% 532' with dimensions 19 by 28. To its top is a smaller area labeled '1s 213' with dimensions 7 by 9. To its bottom left is another area labeled '1s 56' with dimensions 14 by 4. There are also two 'Enc Porch' areas: one labeled '78' to the left of the central area and another labeled '189' below it. Various other dimensions (15, 12, 16, 19, 6, 21, 2, 14, 11) are marked around the perimeter of the different sections.

## Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
TERRILL M BANER (TRUSTEE)	GARCIA, MACARIA	<a href="#">2013-03-20</a>	\$85,000	Contract	<a href="#">14725/510</a>
CONTRACT EXCHANGE CORP	MILLER, JEFFREY J.	<a href="#">2007-10-05</a>	\$83,000	Contract	<a href="#">12403/345</a>
HENDERSON, GENE L	MAIZE, HARLEY RAY	<a href="#">1999-02-03</a>	\$45,000	Contract	<a href="#">8243/125</a>

## Associated Recorded Documents

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BANER, TERRILL M (Trustee)  TERRILL M BANER MD LTD	GARCIA, MACARIA	2013-03-20	2013-04-03	Contract	<a href="#">14725/510</a>
MILLER, JEFFREY J  MILLER, NICOLE M	CONTRACT EXCHANGE CORPORATION	2012-12-07	2012-12-11	Forfeiture of Contract	<a href="#">14568/280</a>
CONTRACT EXCHANGE CORPORATION	BANER, TERRILL M (Trustee)  TERRILL M BANER, MD LTD PROFIT SHARING PLAN	2007-11-06	2007-11-06	Warranty Deed Corporate	<a href="#">12437/668</a>

## Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
1997	Permit	Complete	1996-08-09	Alterations	MISC (Cost \$2,000)
1997	Permit	Complete	1994-06-24	Alterations	ROOF

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<a href="#">Assessment Roll</a>	Residential	Full	\$14,600	\$82,900	\$97,500
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$11,800	\$65,200	\$77,000
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$10,400	\$56,900	\$67,300
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$8,600	\$47,900	\$56,500
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$8,000	\$44,400	\$52,400
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$7,900	\$42,700	\$50,600
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$9,000	\$50,200	\$59,200
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$9,200	\$49,300	\$58,500
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$9,300	\$49,900	\$59,200
2005	<a href="#">Board Action</a>	Residential	Full	\$8,700	\$43,600	\$52,300
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$8,700	\$59,300	\$68,000
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$7,900	\$53,140	\$61,040
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$8,890	\$40,530	\$49,420
1999	Assessment Roll	Residential	Full	\$8,360	\$44,650	\$53,010
1997	Assessment Roll	Residential	Full	\$7,210	\$38,490	\$45,700
1997	Was Prior Year	Residential	Full	\$6,550	\$6,130	\$12,680



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Notice of  
Violation**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024  
Date of Notice: 10/30/2024

October 30, 2024

VIA REGULAR AND CERTIFIED MAIL

TERRILL M BANER  
1649 CAPITOL AVE  
DES MOINES IA 50316

Nuisance Description: **Sinkhole behind the curb**

Sewer Service Address(es): **1649 CAPITOL AVE - Parcel #782402178034**  
**1653 CAPITOL AVE - Parcel #782402178017**

Please be advised that the City of Des Moines Department of Public Works has inspected your property. 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 shown below.

This is a shared service with the properties shown above. It is recommended to coordinate the repair with these residents.

**MUNICIPAL CODE VIOLATION(S)**

Violation	Corrective Action	Compliance Due Date
42-347 - Nuisance Construed	Abate nuisance by the repair of sewer service.	11/15/2024
42-348(16) - Specifically Identified Nuisances - Discharge of Sewage, Garbage, Organic Waste	Stop all discharge of sewage, garbage, or other organic waste materials and remove previously discharged sewage, garbage, or other organic waste materials.	11/15/2024

You are hereby **ORDERED** to abate this nuisance by the repair of your sewer service by the **Compliance Due Date** shown above. If you fail to take this action by the Compliance Due Date shown in 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 Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119. 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.

Respectfully,

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in black ink, appearing to read 'Jonathan Gano', is written over a horizontal line.

By: Jason Underwood, Public Works Operations Manager



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Notice of  
Violation**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024  
Date of Notice: 10/30/2024

October 30, 2024

VIA REGULAR AND CERTIFIED MAIL

PAUL G LAY  
1653 CAPITOL AVE  
DES MOINES IA 50316-3501

Nuisance Description: **Sinkhole behind the curb**

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If you have any questions about this Notice, please contact our Public Works Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119. 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.

Respectfully,

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

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By: Jason Underwood, Public Works Operations Manager



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1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

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Violation**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024  
Date of Notice: 10/30/2024

October 30, 2024

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MACARIA GARCIA  
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DES MOINES IA 50316

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Respectfully,

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa



By: Jason Underwood, Public Works Operations Manager



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Notice of  
Violation**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024  
Date of Notice: 10/30/2024

October 30, 2024

VIA REGULAR AND CERTIFIED MAIL

THERESA E LAY  
1653 CAPITOL AVE  
DES MOINES IA 50316

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You are hereby **ORDERED** to abate this nuisance by the repair of your sewer service by the **Compliance Due Date** shown above. If you fail to take this action by the Compliance Due Date shown in 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 Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119. 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.

Respectfully,

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in dark ink, appearing to read 'Jonathan Gano', is written over a horizontal line.

By: Jason Underwood, Public Works Operations Manager

American Plumbing and Excavating LLC

2393 240th St  
Dallas Center, IA 50063  
(515) 721-2328  
nate@americanplumbandex.com



Estimate

ADDRESS  
1700 Maury St.  
Des Moines  
Iowa  
50317

SHIP TO  
City of Des Moines  
1653/1649 Capitol Ave  
Des Moines, Iowa 50316  
United States

ESTIMATE 1101  
DATE 12/17/2024

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Street Sewer Repair	Excavate in street and make necessary repair to sewer tap or broken pipe. Stand inspection and backfill per city code. Subcontract pour back of city street. Price includes all necessary signage, road plates and permits to complete job.	1	13,450.00	13,450.00T
SUBTOTAL					13,450.00
TAX					0.00
TOTAL					\$13,450.00

Accepted By  
  
Accepted Date

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

**PROPOSAL**

DATE: NOV. 22, 2024

TO: CITY DM PUBLIC WORKS  
ATTN: HANNAH CASTNER  
1700 MAURY ST DM IA 50317  
515-283-4950 / 515-283-4119  
EMAIL: HBCASTER@DMGOV.ORG

PROJECT: 1649 /1653 CAPITOL AVE DM

---

WE PROPOSE TO:

REPAIR SEWER BACK OF PARKING TO MAIN IN STREET

BID: \$10,980.00

**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.

THIS QUOTE VALID FOR 30 DAYS.

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

**NOTE: SALES TAX WILL BE CHARGED ON ALL REPAIRS.**

**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 ULITIES DEPT.  
PH: (515) 987-1800FAX: (515) 987-1546  
Cell: 515-729-3458

ACCEPTANCE

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

DATE: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

EMAIL: \_\_\_\_\_



## Torgerson Excavating INC

1714 NE 61st PL

Des Moines, IA 50313

+15152704625

TorgersonExcavating@yahoo.com

### Estimate

#### ADDRESS

City of Des Moines -

ESTIMATE

1529

DATE

11/25/2024

#### JOB ADDRESS

1653/1649 Capitol Ave, DSM

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Job Description	Repair sanitary sewer in street.	1	12,200.00	12,200.00

We accept check, cash or card over the phone (4% added on).

TOTAL

**\$12,200.00**

Accepted By

Accepted Date

Contractor responsible for rough grading yard and ditches back after work has been completed. Contractor not responsible for any seeding, sodding, landscaping, sinking of yard or any additional yard work that may occur. All private utilities are the owners responsibility to have located. 4% will be added on to all card payments.



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Low Bid  
Notice**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024

December 17, 2024

VIA REGULAR AND CERTIFIED MAIL

TERRILL M BANER  
1649 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Nuisance Description: **Sinkhole behind the curb**

You have already received notice that an inspection by the Public Works Department of the City of Des Moines, Iowa, found that a nuisance exists on your property as identified above. This nuisance, by reason of a faulty sewer service, is creating a hazardous condition in the public roadway by possibly undermining 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."

The City solicited three estimates and received the number of responses shown below. I have included copies for your review. The low bid amount shown below is from the Contractor also shown below. **This is an estimate, and costs are subject to change based upon the conditions of the repair.**

**Bid Information**

# of Bids Received: **3** Low Bid Amount: **\$10,980.00**  
Low Bid Contractor: **Rhiner's Plumbing**  
**15201 Hickman Rd**  
**Clive IA 50325**

Prior to proceeding, I wanted you to be aware of the competitive bid costs of the repairs. Unless we hear from you within seven (7) days of this notice, we will plan to award the project to the Contractor shown above, with all costs to be assessed against your property. If you have any questions, please contact Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119 at Public Works.

Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

By: Jason Underwood, Public Works Operations Manager  
**(515) 283-4968**  
City of Des Moines, Iowa



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Low Bid  
Notice**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024

December 17, 2024

VIA REGULAR AND CERTIFIED MAIL

PAUL G LAY  
1653 CAPITOL AVE  
DES MOINES IA 50316-3501

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Nuisance Description: **Sinkhole behind the curb**

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Low Bid Contractor: **Rhiner's Plumbing**  
**15201 Hickman Rd**  
**Clive IA 50325**

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Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

By: Jason Underwood, Public Works Operations Manager  
**(515) 283-4968**  
City of Des Moines, Iowa



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Low Bid  
Notice**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024

December 17, 2024

VIA REGULAR AND CERTIFIED MAIL

MACARIA GARCIA  
1649 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Nuisance Description: **Sinkhole behind the curb**

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**15201 Hickman Rd**  
**Clive IA 50325**

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Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

By: Jason Underwood, Public Works Operations Manager  
**(515) 283-4968**  
City of Des Moines, Iowa



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

Case Number: SEWR-2024-000009

**Low Bid  
Notice**

Case Type: Sewer Nuisance  
Case Opened: 10/29/2024

December 17, 2024

VIA REGULAR AND CERTIFIED MAIL

THERESA E LAY  
1653 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: 1653 CAPITOL AVE, DES MOINES IA 50316  
Parcel Number: 782402178017  
Legal Description: E 1/2 LOT 12 BLK 60 STEWARTS ADDITION  
Nuisance Description: Sinkhole behind the curb

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**Bid Information**

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Low Bid Contractor: Rhiner's Plumbing  
15201 Hickman Rd  
Clive IA 50325

Prior to proceeding, I wanted you to be aware of the competitive bid costs of the repairs. Unless we hear from you within seven (7) days of this notice, we will plan to award the project to the Contractor shown above, with all costs to be assessed against your property. If you have any questions, please contact Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119 at Public Works.

Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

By: Jason Underwood, Public Works Operations Manager  
(515) 283-4968  
City of Des Moines, Iowa

VALLEY PLUMBING CO, INC  
dba: RHINER'S PLUMBING CO, INC  
15201 HICKMAN ROAD  
CLIVE, IA 50325  
515-987-1800



BILL TO

City of Des Moines Public Works  
400 Robert D Ray Dr  
Des Moines, IA 50309

SHIP TO

1649/1653 Capitol Avenue  
Des Moines, IA 50316

INVOICE DATE 1/17/2025

INVOICE # 0002787

JOB # 2D1649

PO# 25003875

Due Date 2/16/2025

Billing Code

DESCRIPTION	QUANTITY	RATE	AMOUNT
Repair of Sewer	1	10,980.00	10,980.00

SUBTOTAL \$10,980.00  
SALES TAX (7.0%) \$0.00  
PAYMENTS \$0.00

**BALANCE DUE \$10,980.00**



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

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

# Purchase Order

Fiscal Year 2025

Page: 1 of: 1

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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

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RHINERS PLUMBING COMPANY  
15201 HICKMAN RD  
CLIVE, IA 50325

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

Purchase Order # **25003875**

Delivery must be made within doors of specified destination.

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Public Works Dept Sewer Div  
City of Des Moines  
1700 Maury St.  
DES MOINES, IA 50317

Vendor Phone Number		Vendor Fax Number	Requisition Number	Delivery Reference		
515-255-4881		515-987-1546	25904372			
Date Ordered	Vendor Number	Date Required	Freight Method/Terms	Department/Location		
01/03/2025	1509		NET 30	Sewer		
Item#	Description/PartNo		QTY	UOM	Unit Price	Extended Price
1	REPAIR OF SEWER 1653/1649 CAPITOL AVE  See attached quote dated November 22,2024.		1.0	EACH	\$10,980.00	\$10,980.00

By: \_\_\_\_\_  
Vendor  
By: *Kelli D. Sizenbach*  
Kelli D. Sizenbach

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	<b>\$10,980.00</b>
----------	--------------------



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

## Official Notice Regarding Costs of Public Nuisance

January 21, 2025

Terrill Baner  
1649 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Shared Service Addresses: **1649 CAPITOL AVE**  
**1653 CAPITOL AVE**

Invoice Number: **INV-00146365**

Total Cost of Repairs: **\$10,980.00**

Cost Per Property: **\$5,490.00**

Payment Due Date: **Tuesday, February 4, 2025**

Case Number: **SEWR-2024-000009**

**Costs Due  
Notice**

Case Type: **Sewer Nuisance**

Case Opened: **10/29/2024**

Date of Notice: **10/29/2024**

**VIA REGULAR AND CERTIFIED MAIL**

Please be advised that the City of Des Moines Department of Public Works has completed the public nuisance abatement work upon your property as shown above. Upon inspection, the Department of Public Works 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 Notice Date shown above.

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. For service lines shared between multiple properties, the responsibility is split equally between all listed properties.

You are hereby directed to make full payment of your Cost Per Property portion of the enclosed invoice by the Payment Due Date shown above. Said payment can be made online via the City's Customer Self Service portal, [https://css.dmgov.org/EnerGov\\_Prod/SelfService](https://css.dmgov.org/EnerGov_Prod/SelfService). Select Pay Invoice and enter the full Invoice Number shown above. Or, if you prefer, you may make your payment 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, 1700 Maury St., Des Moines, IA 50309.**

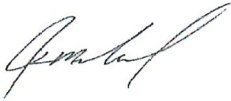
If you fail to make such payment by the Payment Due Date shown above, the City of Des Moines Public Works Department and City Council may assess the full cost against your property, which cost shall be certified as a lien against your property and collected in the same manner as a property tax, following 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 Public Works Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119.

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).

Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in black ink, appearing to read 'Jonathan Gano', is positioned below the printed name and title.

By: Jason Underwood, Public Works Operations Manager



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

## Official Notice Regarding Costs of Public Nuisance

January 21, 2025

PAUL LAY  
1653 CAPITOL AVE  
DES MOINES IA 50316-3501

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Shared Service Addresses: **1649 CAPITOL AVE**  
**1653 CAPITOL AVE**

Invoice Number: **INV-00146365**

Total Cost of Repairs: **\$10,980.00**

Cost Per Property: **\$5,490.00**

Payment Due Date: **Tuesday, February 4, 2025**

Case Number: **SEWR-2024-000009**

### Costs Due Notice

Case Type: **Sewer Nuisance**

Case Opened: **10/29/2024**

Date of Notice: **10/29/2024**

**VIA REGULAR AND CERTIFIED MAIL**

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You are hereby directed to make full payment of your Cost Per Property portion of the enclosed invoice by the Payment Due Date shown above. Said payment can be made online via the City's Customer Self Service portal, <https://css.dmgov.org/EnerGov/Prod/SelfService>. Select Pay Invoice and enter the full Invoice Number shown above. Or, if you prefer, you may make your payment 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, 1700 Maury St., Des Moines, IA 50309.**

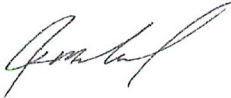
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Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in cursive script, appearing to read 'Jonathan Gano', written in black ink.

By: Jason Underwood, Public Works Operations Manager



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

## Official Notice Regarding Costs of Public Nuisance

January 21, 2025

MACARIA GARCIA  
1649 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: **1653 CAPITOL AVE, DES MOINES IA 50316**  
Parcel Number: **782402178017**  
Legal Description: **E 1/2 LOT 12 BLK 60 STEWARTS ADDITION**  
Shared Service Addresses: **1649 CAPITOL AVE**  
**1653 CAPITOL AVE**

Invoice Number: **INV-00146365**

Total Cost of Repairs: **\$10,980.00**

Cost Per Property: **\$5,490.00**

Payment Due Date: **Tuesday, February 4, 2025**

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If you fail to make such payment by the Payment Due Date shown above, 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 Public Works Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119.

Case Number: **SEWR-2024-000009**

**Costs Due  
Notice**

Case Type: **Sewer Nuisance**

Case Opened: **10/29/2024**

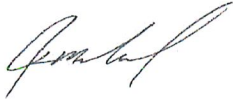
Date of Notice: **10/29/2024**

**VIA REGULAR AND CERTIFIED MAIL**

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).

Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in black ink, appearing to read 'Jason Underwood', is written over the printed name of the Public Works Operations Manager.

By: Jason Underwood, Public Works Operations Manager



City of Des Moines Public Works  
1700 Maury Street  
Des Moines, Iowa, 50309

## Official Notice Regarding Costs of Public Nuisance

January 21, 2025

Theresa Lay  
1653 CAPITOL AVE  
DES MOINES IA 50316

Address of Property: 1653 CAPITOL AVE, DES MOINES IA 50316  
Parcel Number: 782402178017  
Legal Description: E 1/2 LOT 12 BLK 60 STEWARTS ADDITION  
Shared Service Addresses: 1649 CAPITOL AVE  
1653 CAPITOL AVE

Invoice Number: INV-00146365

Total Cost of Repairs: \$10,980.00

Cost Per Property: \$5,490.00

Payment Due Date: Tuesday, February 4, 2025

Case Number: SEWR-2024-000009

**Costs Due  
Notice**

Case Type: Sewer Nuisance

Case Opened: 10/29/2024

Date of Notice: 10/29/2024

VIA REGULAR AND CERTIFIED MAIL

Please be advised that the City of Des Moines Department of Public Works has completed the public nuisance abatement work upon your property as shown above. Upon inspection, the Department of Public Works 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 Notice Date shown above.

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. For service lines shared between multiple properties, the responsibility is split equally between all listed properties.

You are hereby directed to make full payment of your Cost Per Property portion of the enclosed invoice by the Payment Due Date shown above. Said payment can be made online via the City's Customer Self Service portal, <https://css.dmgov.org/EnerGov/Prod/SelfService>. Select Pay Invoice and enter the full Invoice Number shown above. Or, if you prefer, you may make your payment 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, 1700 Maury St., Des Moines, IA 50309.**

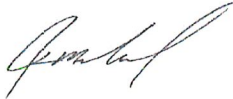
If you fail to make such payment by the Payment Due Date shown above, the City of Des Moines Public Works Department and City Council may assess the full cost against your property, which cost shall be certified as a lien against your property and collected in the same manner as a property tax, following 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 Public Works Department, Jason Underwood at (515) 283-4968, or Hannah Caster at (515) 283-4119.

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Thank you.

Jonathan Gano  
Public Works Director  
City of Des Moines, Iowa

A handwritten signature in cursive script, appearing to read 'Jonathan Gano', written in dark ink.

By: Jason Underwood, Public Works Operations Manager

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or PO Box No.  
City, State, ZIP+4<sup>®</sup>  
Des Moines, IA 50310

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Total Postage & Fees	\$

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Paul Lay  
Street Apt. No.,  
or PO Box No. 1453 Capitol Ave  
City, State, ZIP+4 Des Moines, IA 50316

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1449 Capital Ave  
Des Moines, IA 50316

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City, State, ZIP+4  
Des Moines, IA 50316

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Total Postage & Fees	\$

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Name: Macara Garcia  
Street, Apt. No.,  
or PO Box No. 1649 Capitol Ave  
City, State, Zip+4 Des Moines, IA 50316  
PS Form 3800, August 2006 See Reverse for Instructions

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Street Apt. No.  
or PO Box No. 1049 Capitol Ave  
City, State, ZIP+4 Des Moines, IA 50310  
PS Form 3800, August 2006 See Reverse for Instructions

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Total Postage & Fees	\$

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Street, Apt., No.,  
or PO Box No.  
City, State, ZIP+4  
PS Form 3800, August 2006  
See Reverse for Instructions

Paul Lay  
1433 Capitol Ave  
Dallas, TX 75206

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Total Postage & Fees	\$

Postmark  
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Sign  
Theresa Lay  
Street Apt. No.,  
or PO Box No. 11533 Capitol Ave.  
City, State, Zip+4 Des Moines, IA 50316  
PS Form 3800, August 2006 See Reverse for Instructions

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