

TENTATIVE AGENDA
OTTUMWA BOARD OF HEALTH

MEETING NO. 8
Council Chambers, City Hall

October 18, 2022
5:30 O'clock P.M.

ROLL CALL: Council Member Galloway, McAntire, Hull, Pope, Roe and Mayor Johnson.

Approval of Minutes 1. Approve the minutes from Meeting No. 7 on September 20, 2022 as presented.

RECOMMENDATION: Approve the minutes.

Condemnation Hearing 2. This is the time, place and date set to consider condemnation of the structures on the property located at 517 Grant in the City of Ottumwa, Wapello County, Iowa.
517 Grant

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 517 Grant, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 517 Grant.

Condemnation Hearing 3. This is the time, place and date set to consider condemnation of the structures on the property located at 1016 S. Weller in the City of Ottumwa, Wapello County, Iowa.
1016 S. Weller

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 1016 S. Weller, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 1016 S. Weller.

Condemnation Hearing 4. This is the time, place and date set to consider condemnation of the structures on the property located at 734 Center in the City of Ottumwa, Wapello County, Iowa.
734 Center

- A. Open hearing for comments.
- B. Close the public hearing.
- C. Condemn the structures located at 734 Center, order prompt demolition,

removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

RECOMMENDATION: Approve the condemnation of the structures located at 734 Center.

Adjourn

5. Adjournment.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 10/14/22 TIME: 9:20 AM NO. OF PAGES 3
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #8 to be held on 10/18/2022 at 5:30 P.M.

*** FAX MULTI TX REPORT ***

JOB NO. 2164
DEPT. ID 4717
PGS. 3

TX INCOMPLETE -----

TRANSACTION OK 96847834
916606271885
96823269
ERROR 96828482

Ottumwa Courier
KTVO
Ottumwa Waterworks
Tom FM



[CITY OF]
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*** TX REPORT ***

JOB NO.	2164	
DEPT. ID	4717	
ST. TIME	10/14 09:13	
SHEETS	3	
FILE NAME		
TX INCOMPLETE	-----	
TRANSACTION OK	96847834	Ottumwa Courier
	916606271885	KTVO
	96823269	Ottumwa Waterworks
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FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the Board of Health Meeting #8 to be held on 10/18/2022 at 5:30 P.M.

OTTUMWA BOARD OF HEALTH MINUTES

MEETING NO. 7
Council Chambers, City Hall

September 20, 2022
5:30 O'clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Roe, Galloway, McAntire, Hull and Mayor Johnson.
Council Member Pope was absent.

Approval of Minutes 1. Hull moved, seconded by McAntire to approve mins. from Mtg. No. 6 on September 6, 2022 as presented. Motion carried 4-1. Absent: Pope.

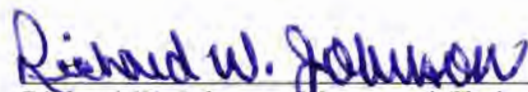
868 S. Davis 2. This was the time, place and date set to consider condemnation of the structures located at 868 S. Davis in the City of Ottumwa, Wapello County, IA. Zoning & Housing Coordinator Rusch reported the structure was placarded April 10, 2020 due to a house fire. The structure has remained open to the elements through duration of file with no progress being made. There is no current repair plan on file. Roe moved, seconded by McAntire to close the public hearing. Motion carried 4-1. Absent: Pope.

McAntire moved, seconded by Galloway to condemn the structures located at 868 S. Davis, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including admin. costs, to be assessed against the property and/or collected from the owner or owners thereof. Motion carried 4-1. Absent: Pope.

Adjourn 3. There being no further business, Galloway moved, seconded by McAntire that the mtg. adjourn. Motion carried 4-1. Absent: Pope.

Adjournment was at 5:33 P.M.

OTTUMWA BOARD OF HEALTH


Richard W. Johnson, Mayor and Chairman

ATTEST:


Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Oct 18, 2022

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

[Signature]
City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 517 Grant.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 517 Grant order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 517 Grant was placarded February 6, 2021. The property was placarded due to poor living conditions and structural issues. The Department has had limited contact from the owners and there have been several missed inspections. The house has been open to the elements during the duration of the file and has had squatters take residence in it. Very little to no progress has been made and it continues to deteriorate. The city has had to contract a clean-up on the yard. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



CITY OF BRIDGES

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

February 9, 2021

Irene Young
PO Box 1826
Ottumwa, Iowa 52501

91 7199 9991 7035 6855 3413

Irene Young:

An inspection was made on **February 6, 2021**, of the property located at **517 Grant**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

BAKERS SUB-TRT 3A PT L7&8 BG SECOR L8/NW 77/NW/NW6.5/S-SLN L8 /E102.9 TO BG

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **9th day of March , 2021**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval **prior to March 9th**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on the 9th day of March, 2021** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Kevin Flanagan at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **9th day of February 2021.**

Sincerely,

Jacob Rusch

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

CERTIFIED #91 7199 9991 7035 6855 3413

CC:Occupant

517 Grant

Ottumwa,Iowa 52501

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



[CITY OF]
O T T U M W A

NOTICE TO ABATE

September 15, 2022

Irene Young
Deed Holder
517 Grant
Ottumwa, IA 52501

Wellsburg Capital, LLC
Tax Sale Certificate #2022 00449
c/o Mike Klemme
520 4th Street SW, Suite A
Le Mars, IA 51031

Wapello County Treasurer
c/o County Auditor
101 W. 4th Street
Ottumwa, IA 52501

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on September 7, 2022 of the placarded property located **517 Grant, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property constitutes a public nuisance.

Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 18th day of October, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

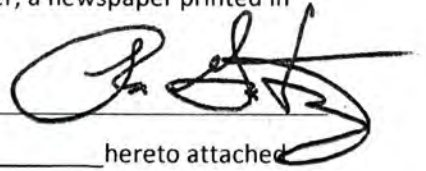
Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa
641.683.0650

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice: Irene Young; Wellsburg Capital, LLC; Wapello Co Treasurer
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 9/20/22

Subscribed and sworn to before me, and in my presence, by the said 20th day of September, 2022



Notary Public

In and for Wapello County

Printer's fee \$18.79

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Irene Young; Wellsburg Capital, LLC; Wapello County Treasurer; You are hereby notified that the structures located at **517 Grant, Ottumwa, IA** have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: **BAKERS SUBTRT 3A PT L7&8 BG SECOR L8/NW 77/NW/NW6.5/S-SLN L8 /E102.9 TO BG** You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **October 18th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED September 15, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa







517 Grant

7/26/22

received
10-13-22 830A

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Oct 18, 2022

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 1016 S Weller.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 1016 S Weller, order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 1016 S Weller has had a housing file with our department since October of 2020. There have been multiple Nuisance, junk motor vehicle, and grass notices as well. The house at 1016 S Weller was placarded October 26, 2021. The property was placarded due to poor living conditions, structural issues, and lack of utilities. The house has had outdoor nuisance issues during the duration of the file. Very little to no progress has been made and it continues to deteriorate and harbor nuisances around the property. The city has had to contract a clean-up on the yard. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



[CITY OF]

OTTUMWA

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

October 26, 2021

Colt Stewart
1016 S Weller

91 7199 9991 7035 6855 4281

Ottumwa, Ia 52501

Occupant:

An inspection was made on **October 26, 2021**, of the property located at **1016 S Weller**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

HARDING PARK ADD LOT 21 BLK 2 (1016 S WELLER) (VIN 0252463H)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before the **26th day of November, 2021**, to wit:

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval **prior to November 26th**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, by licensed contractors.** Contact this office, for permit requirements.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on the 26th day of November, 2021** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simonson at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, this **26th day of October 2021.**

Sincerely,

Jacob Rusch
Building Inspector
Health & Inspections :: City of Ottumwa, IA
641.683.0650

COPY

CERTIFIED #91 7199 9991 7035 6855 4281

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



[CITY OF]

O T T U M W A

Date of Investigation: October 26, 2021

DEFICIENCY LIST-1016 S WELLER

1. **Repair structure to meet current housing code.**
2. **Provide legal Utilities.**
3. **Grade yard for water drainage and provide green space.**
4. **Keep property nuisance free in accordance with Chapter 24.**
5. **This is a partial inspection only. A complete inspection will be required. 20**
6. **Keep the property secured until it has been repaired or demolished. 24-3-6**

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

This unit must be inspected and meet minimum housing code standard before it can be released and occupied. Application for a building permit on a placarded house must be accompanied by an updated deficiency list. No structure will be released from the tag list without the necessary permits being taken out before construction starts. Repair or replace all rot, decay or dilapidation that may occur until the structure is released.

Electrical, Plumbing, Heating and certain Building repairs require permits. Check with the Health Department at 641-683-0650 or by coming to room 203 in City Hall before doing any work that might require a permit.

Sincerely,

Jacob Rusch

Building Inspector

Health & Inspections :: City of Ottumwa, IA

641.683.0650

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609



[CITY OF]
O T T U M W A

NOTICE TO ABATE

September 15, 2022

Colt Stewart
Deed Holder
237 Kenyon
Ottumwa, IA 52501

State of Iowa
Iowa Attorney General
1305 E. Walnut
Des Moines, IA 50319

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on September 7, 2022 of the placarded property located **1016 S. Weller, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property constitutes a public nuisance.

Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 18th day of

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

October, 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa
641.683.0650

Legal Notices

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO:

Colt Stewart; State of Iowa; You are hereby notified that the structures located at **1016 S Weller, Ottumwa, IA** have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: **HARDING PARK ADD LOT 21 BLK 2 (1016 S WELLER) (VIN 0252463H)** You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **October 18th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED September 15, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa

THE IOWA DISTRICT FOR WAPELLO COUNTY IN THE MATTER OF THE ESTATE OF BARBARA A. KENT, Deceased. CASE NO. ESPR008709 **NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS** To All Persons Interested in the Estate of Barbara A. Kent, Deceased, who died on or about September 7, 2022: You are hereby notified that on September 16, 2022, the Last Will and Testament of Barbara A. Kent, deceased, bearing date of April 7, 1994, was admitted to probate in the above named court and that Ann Hasselman f/k/a Ann Catherine Kent Moore-Hasselmann has been appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascer-

Legal Notices

tainable, or thereafter be forever barred. Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred. Dated September 16, 2022. Ann Hasselman, f/k/a Ann Catherine Kent Moore-Hasselmann, Executor of Estate 18773 120th Ave. Ottumwa, IA 52501 **Richard J. Gaumer, ICIS#: AT0002763** Attorney for Executor **GAUMER, EMANUEL, CARPENTER & GOLDSMITH, P.C.** 111 W. Second St. Ottumwa, Iowa 52501 Date of second publication 09/27/2022 Probate Code Section 304 * Designate Codicil(s) if any, with date(s).

THE IOWA DISTRICT COURT FOR WAPELLO COUNTY IN THE MATTER OF THE ESTATE OF MARILYN JOAN BROOKE, Deceased. CASE NO. ESPR008708 **NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS** To All Persons Interested in the Estate of Marilyn Joan Brooke, Deceased, who died on or about September 2, 2022: You are hereby notified that on September 15, 2022, the last will and testament of Marilyn Joan Brooke, deceased, bearing date of March 14, 2011 was admitted to probate in the above named court and that Michael G. Brooke is appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred. Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provid-

Legal Notices

ed by law, duly authenticated for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred. Dated September 16, 2022 Michael G Brooke 1632 N. Elm Ottumwa IA 52501 James M. Box, ICIS# AT0000972 Attorney for executor Box & Box 304 N Cour Ottumwa IA 52501 Date of second publication 09/27/2022

IN THE IOWA DISTRICT COURT IN AND FOR WAPELLO COUNTY (JUVENILE DIVISION) IN THE INTEREST OF K.J.B. A Minor Child Case #JVJV007061 ORIGINAL NOTICE TO JOSHUA BIRK You are notified that a Petition has been filed in the office of the Clerk of this court which Petitioner prays for a termination of your parent-child relationship to child K.J.B. born on the 26th day of May, 2009. The attorney for the Petitioner is Carly M. Schomaker, of the law firm of Gaumer, Emanuel, Carpenter & Goldsmith P.C., whose address is P. O. Box 601, 111 West Second Street, Ottumwa, Iowa 52501. That attorney's telephone number is (641) 682-7579; facsimile number (641) 682-6982. You are further notified that the above case has been filed in a county that utilizes electronic filing. Unless, within 20 days after the date of last publication of this original notice, you serve, and within a reasonable time thereafter file a motion or answer, in the Iowa District Court for Wapello County, at the courthouse in Ottumwa, Iowa, judgment by default will be rendered against you for the relief demanded in the petition. You are further notified that hearing on this matter is set for the 4th day of October, 2022, at 8:30am at the Wapello County Courthouse in Ottumwa, Iowa. Please see Iowa Court Rules Chapter 16 for information on electronic filing and Iowa Court Rules Chapter 16, division VI regarding the protection of personal information in court filings. If you require the assistance of auxiliary aids or services to participate in court because of a disability, call your district ADA coordinator at (641) 684-6502. (If you are hearing or speech impaired, call Relay Iowa TTY at 1-800-735-2942.) Disability coordinators cannot provide legal advice. **IMPOR-**

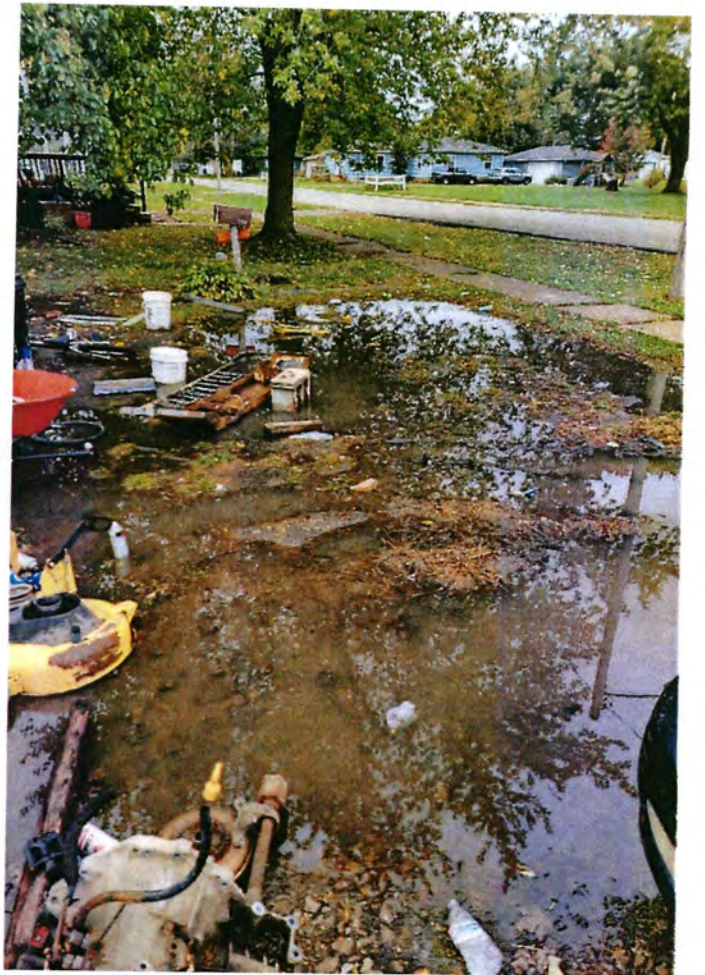




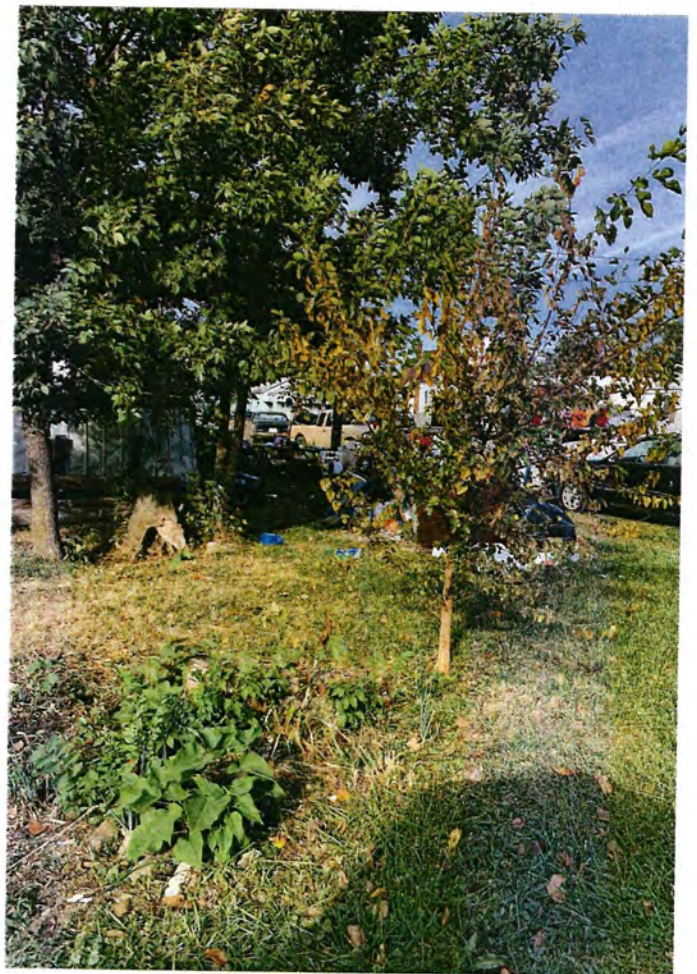




1016 S Weller 10-25-21







10/1/21

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Oct 18, 2022

Jake Rusch

Prepared By

Building and Code Enforcement

Department

Zach Simonson

Department Head

City Administrator Approval

AGENDA TITLE: This is the time, place and date to consider condemnation of the structure(s) on the property described as 734 Center.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Open public hearing
Receive comments
Close public hearing
Condemn the structure(s) at 734 Center order prompt demolition, removal and leveling of the lot and direct all costs attendant to such actions, including administrative costs, to be assessed against the property and/or collected from the owner or owners thereof.

DISCUSSION: The structure located at 734 Center was placarded March 2, 2022. The property was placarded due to a house fire. The Department has had no contact from the owners and there have been several missed inspections. The house has been open to the elements during the duration of the file. No progress has been made and the house continues to deteriorate. The city has had to mow the grass. There is no current repair plan or permission. Condemnation notice was served by certified mail and posting notice on the property and in the Ottumwa Courier.



[CITY OF]

OTTUMWA

**NOTICE OF DWELLING OR BUILDING
DETERMINED TO BE UNFIT FOR HUMAN HABITATION
AND AN ORDER TO CORRECT**

3/2/2022,

11t la LLC,
13575 Lyman Dr,
Omaha NE, 68138

91 7199 9991 7035 6855 4588

To whom it may concern,

An inspection was made on **3/2/2022**, of the property located at **734 Center**, in the City of Ottumwa, Wapello County, Iowa, which is legally described as follows:

NORRIS SUB OL 33 LOT 37 (734 CENTER)

and which the records of the Wapello County Iowa Recorders' Office reveal ownership to be in your name, or that you have a property interest in.

It is in the opinion of the Housing Code Inspector of the City of Ottumwa, Iowa, under authority of Section 364.17 of the Code of Iowa, and Section 20-3 (K), of the Ottumwa Municipal Code, that said building(s) located on said property is (are) in a condition or in effect dangerous and detrimental to life and health and unfit for human habitation. Therefore, you are hereby given notice of said condition and ordered to correct the situation by doing the following before **4/2/2022**, to wit:

DEFICIENCY LIST ATTACHED

Repair plan required. In the event that the repairs or demolition cannot be completed within thirty days, a repair plan must be submitted for approval prior to **4/2/2022**.

Provide a timetable for repair that is separated into thirty (30) day periods (30 days, 60 days, 90 days, etc.) outlining what repairs are to be completed during each period. There

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

3/2/22

should be a maximum allowance of six (6) months for all repairs to be completed. There is a ninety (90) day maximum time limit for demolition. **All wiring, plumbing, furnace – AC repair/replacement, etc. require permits, possibly by licensed contractors.** Contact this office, for permit requirements.

No one is to be in this placarded property without the express written permission from the Director. Violation of this standard will result in legal action being taken, including arrest and prosecution.

A copy of this notice and order was this date posted in a conspicuous place in the above said building(s), along with a placard stating said structure(s) is not to be occupied until released by the Inspector.

Failure to make the above said corrections before **12:00 o'clock Noon on 4/2/2022** may result in the declaration by the undersigned pursuant to Section 364.17 of the Code of Iowa, and Section 20-3 (0), of the Ottumwa Municipal Code that said building(s), is (are) a public nuisance.

You may appeal this order by filing a written appeal with the Inspection Board of Review, Municipal Building, Ottumwa, Iowa, within **(15) days** after you have received this notice and order. If you have any questions pertaining to this matter contact me by coming to Room 203 at City Hall or by calling 641-683-0650.

Per City Policy #26, you may remove this property from the mandatory trash service and billing for as long as the property remains placarded. Contact Zach Simionson at 641-683-0694 for this service.

Signed and dated at Ottumwa Municipal Building, Ottumwa, Iowa, **3/2/2022**.

Respectfully,

Jeffrey Hamann
Building Inspector
hamannj@ottumwa.us

CERTIFIED #91 7199 9991 7035 6855 4588

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0650 Fax 641-683-0609

3/2/22



[CITY OF]
O T T U M W A

**Date of Placard Inspection: 3/2/2022,
DEFICIENCY LIST-734 Center,**

Exterior/Yard

1. Outbuildings must be repaired to meet minimum of code. 302.7
2. Repair or replace all damaged siding. 304.6
3. Scrape and repaint all chipping and peeling paint, or provide exterior protection from the elements, siding, trim, soffit and fascia. 304.6
4. Replace storm doors, unless entry doors are weather resistant material. 20-7-15
5. Replace entry doors. 304.18
6. Provide deadbolt locks to entry doors. 304.18
7. Repair or replace damaged or missing windows. 304.13
8. Repair or replace damaged or missing storm windows and screen unless windows are weather resistant material. 304.13 20-7-15
9. Repair loose, worn or damaged deck boards on porch. 304.15
10. Trim back all overgrown plant growth in yard. Dispose of any yard waste or tree debris. 302.1
11. Dispose of all construction or building material waste and debris in yard. 302.1

Interior

1. Repair fire/water damaged structure. 305.3
2. Repair and replace damaged and missing drywall, mudding joints, sanding smooth and painting. Providing an uninterrupted, cleanable wall and ceiling covering. 305.3
3. Repaint all chipping and peeling paint on doors, and trim. 305.3
4. Provide an uninterrupted, cleanable floor covering via floor sealant, vinyl, tile, or carpet. 305.3
5. Level uneven, sagging and humped floors. 305.3
6. Repair both basement any second story staircases, providing handrails. 301.10 304.12 307.1
7. Have licensed electrician bring electrical system to current electrical code, including hardwired smoke alarms. 604.3
8. Have licensed plumber bring plumbing system to current code and make any changes to plumbing system. 504.1
9. Have licensed HVAC technician bring HVAC system to current code and make any changes to the HVAC system. 603.1 607.1
10. Keep the property secure from unauthorized persons. 20-3-L
11. Keep the grass kept below 10" 24-3-10

3/2/22



[CITY OF]
O T T U M W A

NOTICE TO ABATE

September 15, 2022

Rouge 22 LLC
Deed Holder
13575 Lynam Dr.
Omaha, NE 68138

Fig Series 2021-24 LLC
Tax Sale Certificate #2021 00227
PO Box 12222
Newark New Jersey 07101-3411

End of the Road llc
13575 Lynam Dr.
Omaha, NE 68138

SENT VIA CERTIFIED MAIL

To Whom it May Concern,

An inspection was made on September 7, 2022 of the placarded property located **734 Center, Ottumwa, IA** of which you are the registered owner(s) or in which you have a property interest.

It has been determined that by reason of dilapidation and failure to repair this property constitutes a public nuisance.

Abandoning a property without being connected to all or one of the following utility services: electrical, gas or water, failure to maintain the property and failure to keep the property secure from unauthorized persons constitutes a public nuisance.

The following abatement is needed to meet the minimum standards set forth in ordinance 3127-2017, an ordinance establishing the minimum standards governing the condition and maintenance of dwellings, etc.:

Abatement needed:

- 1) Repair Structure to the standard of the Housing Code as Identified in the Deficiency list or,
- 2) Demolish the Structure(s) and level to the contours of the surrounding earth.

City of Ottumwa
105 East Third Street, Ottumwa, Iowa 52501
Telephone 641-683-0618 Fax 641-683-0609

We are hereby requesting your cooperation in abating this nuisance within the time allotted. Failure to do so will result in further legal action to be taken against you and the property. This action will include a condemnation referral to the Board of Health.

In the event that this order has not been complied with, a public hearing for condemnation will be held by the Ottumwa Board of Health on the 18th day of October 2022 at 5:30 P. M. in the Council Chambers in City Hall, 105 East Third Street, Ottumwa, IA.

At such hearing the Board of Health may condemn the structure and order prompt demolition, removal, and leveling of such property and direct that all costs attendant to such action, including administrative costs, be assessed against the property or collected from the owner or owners thereof.

If you wish to contest this action, you may do so by filing a written statement with the City Clerk to the Board of Health **within five (5) days** of the receipt of this letter.

If you have any questions in regard to this matter, you may contact this office by calling 641-683-0650 or by coming to room 203 at City Hall.

Sincerely,

Jake Rusch
Zoning and Housing Coordinator
City of Ottumwa
641.683.0650

PROOF OF PUBLICATION

STATE OF IOWA
WAPELLO COUNTY

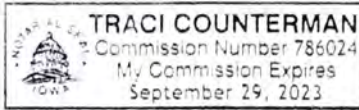
I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Condemnation Notice Rouge 22 LLC, Fig Series 2021-24 LLC, End of Road LLC
City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 9/20/22

Subscribed and sworn to before me, and in my presence, by the said 20th day of September, 2022



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$17.92

COPY OF ADVERTISEMENT

CONDEMNATION NOTICE VIA CERTIFIED AND REGULAR MAIL TO: Rouge 22 LLC; Fig Series 2021-24 LLC; End of the Road LLC; You are hereby notified that the structures located at **734 Center**, Ottumwa, IA have been determined to be a public nuisance, and that the nuisance must be abated by demolition within thirty (30) days of this notice and the lot cleaned and leveled. You are further notified that the legal description of the above property is as follows: **NORRIS SUB OL 33 LOT 37 (734 CENTER)** You are further notified that if the nuisance is not abated within 30 days of the date of this notice, a public hearing for condemnation of the structure(s) located on the premises described above will be held by the Ottumwa Board of Health on **October 18th, 2022 at 5:30 p.m.** in the Council Chambers of City Hall, 105 East Third Street, Ottumwa, Iowa. If you wish to contest this action, you must do so by filing a written statement with the City Clerk, 105 East Third Street, Ottumwa, IA 52501 within five (5) days of the publication of this notice. **TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY! DATED September 15, 2022** Jake Rusch Zoning and Housing Coordinator City of Ottumwa, Iowa



5/10/29



6/7/22



3/2/22





3/2/22



CITY OF
OTTUMWA

Citizen Input Request Form

10-18-22

Council Meeting Date

Name: Bruce Henry

Address: 1508 Chester Ave

Item No. to Address: BOH Code mention 3
(Agenda will be provided to complete this section)

If you are addressing the Council on an item not listed on the agenda, briefly explain the item you wish to speak on:

The Mayor will invite you to address the City Council at the appropriate time. When called upon by the Mayor, step to the microphone and please state your name for the record. Comments are to be directly germane to City business, operations, or an item listed on this agenda. Remarks shall not be personalized and will be limited to three minutes or less. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments not directly germane to City business, operations, or an item listed on the agenda, as determined by the Mayor, will be ruled out of order. If you are addressing an item not listed on the agenda the Council will not take any action on the item due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department for response, if relevant.