

Forfeiting Properties to City

The City is willing to work with property owners when the situation is advantageous to the city and community members. Anyone who owns a property, residential or commercial, that they can no longer manage may submit a request to sign the property over to the city.



501 West Charles

Property Address

1821155010

Property Parcel Number

Michelle

Owner's or Owners' Name(s)

Ira Smith - 2015 West University St Apt C108, Springfield, MO, 65802

Owner's or Owners' Address, City, State, ZIP

lraanddog

Owner's or Owners' Email Address

417-81870 818-1785

Owner's or Owners' Phone

Are you being represented by a real estate agent or lawyer?

☐ Yes

☒ No

Owner's or Owners' Representative Name and Contact Information

IMS
Initials

If you do not have a Representative: I/we understand that I/we are entering into a legal contract and choose to represent my/ourselves, with all the due diligence required being done on my/our part.

Placarded abandoned property

Please describe why you are requesting to forfeit this property to the City.

Ira Smith

Printed Name

Printed Name

Ira Smith

Signature

5/27/25

Date

Buyer Signature

Date

Legal Relationship to Each Other if more than 1 party:



**NOTICE: UNSAFE
STRUCTURE **ACTION
REQUIRED****

**501 W Charles St, Oelwein, IA
50662**

April 21, 2025

Smith, Ira Matthew & Smith, Michelle Dawn
% Jamie Rines
501 W Charles St
Oelwein IA 50662

DATE April 21, 2025

Smith, Ira Matthew & Smith, Michelle Dawn
501 W Charles St
Oelwein IA 50662

REGARDING:

ADDRESS: 501 W. CHARLES, OELWEIN, IA
50662
Legal Description Below

Dear Smith, Ira Matthew & Smith, Michelle Dawn

This letter is an official notice that the property at 501 W. CHARLES, OELWEIN, IA 50662 is in violation of the City of Oelwein Code, Chapters 12 and 25. Therefore, you are being served with this notice of violation and requirement of action listed below.

Address: 501 W Charles St, Oelwein, IA 50662

Placarded on: April 21, 2025

Legal description: S 80' LOT 9 & S 80' E 1/2 LOT 10 BLK 2, HUMPHREYS ADD

Sec. 25-8. - Unsafe structures and equipment.

A.General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

B.Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed,

dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

C.Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

D.Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

E.Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

F.Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:1.Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.2.The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.3.Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.4.Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.5.The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.6.The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.7.The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.8.Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.9.A building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.10.Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.11.Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

G.Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located

and shall be a lien upon such real estate and shall be collected by any other legal resource.1.Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in section 25-2.G in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner, owner's authorized agent or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

H.Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with section 107.3. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in section 25-2.H.

I.Placarding. Upon failure of the owner, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.1.Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

J.Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premise or operate placarded equipment shall be liable for the penalties provided by this code

K.Abatement methods. The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.L.Record. The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Sec. 25-10. - Demolition.

A.General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

B.Notices and orders. Notices and orders shall comply with section 25-7.

C.Failure to comply. If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

D.Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

ACTION REQUIRED:

On March 20, 2025, the Building Official conducted an interior inspection of the property. Based on the extent of dilapidation, structural degradation, and the presence of significant fire hazards, the structure was deemed unsafe for human occupancy. At the time of inspection, the occupants indicated they were in the process of vacating the premises. The Building Official allowed a 30-day period for relocation.

As of April 21, 2025, the building has been officially placarded as Unsafe and Occupancy is hereby revoked. **All remaining occupants are ordered to vacate the premises immediately.**

It is the professional opinion of the Building Official that the estimated cost to bring the structure into compliance exceeds the current assessed value of the property. Therefore, the building is ordered to be demolished. Demolition must be commenced and completed within sixty (60) days of this notice, with a final completion date **no later than Friday, June 20, 2025.**

Failure to comply with any component of this directive will result in referral to the City Attorney.

Right to Appeal: You have the right to appeal this notice and order by filing a written application for appeal with the Housing Board of Appeals for the City of Oelwein. Applications for appeal are available upon request at the Community Development Office located at 20 Second Ave SW in Oelwein.

Right to File a Lien: If you fail to correct these violations, any action taken by the City of Oelwein, the authority having jurisdiction, may be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.



David Kral
Building Official/Zoning Administrator
20 2nd ave SW
Oelwein, IA 50662
319-283-5862















