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P. Hrngs.  X   
Pgs.  61   
Filed:  03-15-16

Sponsored by:  Schilling

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO.  2016- 063

SPECIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 DECLARING the area generally located along the east side of South Market Avenue,  
2 between West Mount Vernon Street and West Harrison Street, as a  
3 blighted area pursuant to the Land Clearance for Redevelopment  
4 Authority Law. (The Land Clearance for Redevelopment Authority (LCRA)  
5 recommends denial. Staff recommends approval.)  
6  
7

8 WHEREAS, the City, pursuant to Section 99.300, RSMo, et seq., (the "Act") has  
9 duly created the LCRA of the City of Springfield, Missouri, (the "Authority") and vested  
10 in `said Authority the powers authorized by State law; and  
11

12 WHEREAS, the Authority is authorized by the Act to prepare development plans  
13 for the elimination of slums and urban blight and to improve social and economic  
14 conditions; and  
15

16 WHEREAS, a Blight Report dated February 17, 2016, attached hereto and  
17 incorporated herein as "Attachment 1," has been prepared and submitted to the  
18 Authority for their consideration; and  
19

20 WHEREAS, City staff recommended to the Authority to declare the area  
21 generally located along the east side of South Market Avenue, between West Mount  
22 Vernon Street and West Harrison Street as blighted; and  
23

24 WHEREAS, after duly considering the Blight Report, the Board of  
25 Commissioners of the Authority recommended denial of a declaration of blight at its  
26 meeting of March 1, 2016, with a vote of 3 in favor of recommending denial of the  
27 declaration of blight and 0 against; and  
28

29 WHEREAS, City Council held a public hearing on March 21, 2016, for which  
30 notice was properly given in accordance with Section 99.430.1(8), RSMo, and all  
31 interested parties, including affected political subdivisions, were given the opportunity to  
32 be heard on such request; and  
33

34 WHEREAS, City Council, after all interested parties were given an opportunity to  
35 be heard, has elected to approve a declaration of blight for the area generally located  
36 along the east side of South Market Avenue, between West Mount Vernon Street and  
37 West Harrison Street.

38  
39 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
40 SPRINGFIELD, MISSOURI, as follows, that:

41  
42 Section 1 – It is hereby found, determined, and declared that the area generally  
43 located along the east side of South Market Avenue, between West Mount Vernon  
44 Street and West Harrison Street and more particularly described in the Blight Report  
45 attached as “Attachment 1,” which is incorporated herein by reference, contains and has  
46 a predominance of insanitary or unsafe conditions, deterioration of site improvements,  
47 obsolete platting, the existence of unsafe conditions which endanger life or public health  
48 including the danger of fire, and generally insanitary, blighted, deteriorated real estate  
49 as described in the Act for the reasons set forth in said Blight Report, and that the area  
50 is therefore blighted.

51  
52 Section 2 – City Council is cognizant of the requirement of the Act pertaining to a  
53 workable program for community improvement by utilizing public and private resources  
54 to eliminate and prevent slums and the spread of blight within the City.

55  
56 Section 3 - Therefore, this ordinance shall be in full force and effect from and  
57 after passage.

58  
59 Passed at meeting: \_\_\_\_\_

60  
61 \_\_\_\_\_  
62 Mayor

63  
64 Attest: \_\_\_\_\_, City Clerk

65  
66 Filed as Ordinance: \_\_\_\_\_

67  
68 Approved as to form: Achalee J. Weder, Assistant City Attorney

69  
70 Approved for Council action: Greg B. Burns, City Manager

## EXPLANATION TO COUNCIL BILL NO. 2016- 063

FILED: 03-15-16

ORIGINATING DEPARTMENT: Planning and Development

**PURPOSE:** To adopt an ordinance declaring an area generally located along the east side of South Market Avenue between West Mount Vernon Street and West Harrison Street a blighted area, pursuant to Sections 99.300-99.715, RSMo, of the Land Clearance for Redevelopment Authority Law (LCRA Law). (The Land Clearance for Redevelopment Authority (LCRA) recommends denial. Staff recommends approval.)

**BACKGROUND:** In December 2015, WPV, LLC (the “Applicant”) acquired a 0.197 acre parcel of land generally located along the east side of South Market Avenue between West Mount Vernon Street and West Harrison Street (616 South Market Avenue) with the intent of redeveloping it for low-density multi-family residential use. The property is currently occupied by a dilapidated three-unit apartment building that was originally constructed in 1888 as a single-family residential structure. It has a well-documented history of nuisance complaints and code violations, which include broken windows and doors, vermin, trash, tall weeds, and squatters. The prevalence and severity of such violations have resulted in the City declaring the property a dangerous building and issuing an abatement order requiring the property to be demolished by no later than May 3, 2016.

The Applicant plans to submit a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the LCRA Law, in order to facilitate redevelopment of the subject property. The LCRA Law provides incentives to encourage investment and the removal of blight within Council-approved redevelopment areas. Pursuant to the Law, the LCRA may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan and are located within an area that City Council has declared as blighted. Partial real property tax abatement is based on 100% of the increase in the assessed value of land and improvements for 10 years.

The Applicant is currently in the process of preparing the redevelopment plan for the subject property and acquiring the necessary permits and approvals for the pending demolition, as ordered by the City. In the meantime, the Applicant has submitted a blight report for the subject property “Attachment 1,” and requests that it be declared a blighted area.

Section 99.320 (3), RSMo defines a “blighted area” as:

*An area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence*

*of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.*

The blight report provides evidence, including photographs and documentation of ongoing City code enforcement, to support a designation of blight. It identifies instances of deterioration of site improvements, insanitary and unsafe conditions, and conditions that endanger life or property by fire or other causes. The report claims the presence of these conditions retards the provision of housing accommodations and constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare.

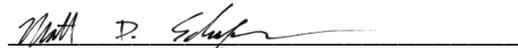
The LCRA reviewed the blight report at their March 1, 2016 meeting and recommended against declaring this area a blighted area by a vote of 3 to 0. The LCRA recommended denial primarily on the basis that the property can be deemed "vacant land," since the structure is scheduled for demolition by May 3, 2016 as per the City's abatement order, and the Applicant acquired the property knowing that the building would soon be demolished.

Staff believes the blight report sufficiently demonstrates that subject property meets the definition of a blighted area in its present condition and use, as the statute requires. The fact that the City has declared it a dangerous building and ordered it to be demolished further reinforces the claim that it is blighted. The demolition order must be carried out at the property owner's expense, just like the demolitions of many other dilapidated structures, which take place after blight designations are approved by City Council. Such demolition is often necessary to facilitate redevelopment, which is the intent of the LCRA.

This Bill supports the following *Field Guide 2030* goal(s): Chapter 3, Economic Development; Major Goal 7, Continue the development and revitalization of center city Springfield.

REMARKS: The LCRA recommends denial. Staff recommends approval.

Submitted by:



Matt D. Schaefer  
Senior Planner

  
\_\_\_\_\_  
Mary Lilly Smith  
Director, Planning and Development

  
\_\_\_\_\_  
Greg Burris  
City Manager

**Attachment 1**

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**BLIGHT REPORT**  
**FOR 616 SOUTH MARKET Ave.**  
**SPRINGFIELD, MISSOURI**

February 17, 2016

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**BLIGHT REPORT**

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**Blight Report**  
**for 616 South Market**

**I. General:**

The Land Clearance for Redevelopment Authority Law (the “LCRA Law”) is set forth in Sections 99.300 through 99.660 of the Missouri Revised Statutes and was enacted in 1951 to help local municipalities eradicate “blighted areas” in the community and to encourage rehabilitation and redevelopment of those areas by private enterprise. Through the LCRA Law, municipalities and private citizens are able to work together to achieve the goal of fostering economic opportunities and improving property values in cities throughout Missouri.

The LCRA Law defines “blighted area” as an area which, by reason of the predominance of (1) defective or inadequate street layout, (2) insanitary or unsafe conditions, (3) deterioration of site improvements, (4) improper subdivision or obsolete platting, or (5) the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, (a) hinders the provision of housing accommodations, (b) constitutes an economic or social liability, or (c) constitutes a menace to the public health, safety, morals, or welfare in its present condition and use.<sup>1</sup> Missouri courts have determined that a finding of blight is proper where, when considering an area in its present condition and use, a predominance of factors listed in the first half of Section 99.320(3) above results in one of the circumstances named in the second half of this Section.<sup>2</sup>

**II. Introduction:**

This Blight Report for 616 South Market Ave., Springfield, Missouri 65806 (the “Property”) is being submitted by WPV, LLC, a Missouri limited liability company (the “Developer”), for the purpose of demonstrating that the Property should be declared blighted pursuant to the LCRA Law. This Blight Report will demonstrate that the Property is a “blighted area” under the LCRA Law due to the predominance of (1) deterioration of site improvements; (2) insanitary and unsafe conditions; and (3) the existence of conditions which endanger life and property by fire or other causes. Because of the aforementioned conditions, the Property constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare in its present condition and use.

**III. Background:**

In December 2015, the Developer acquired the Property and improvements. The Developer will remediate blight and redevelop the area. There is one aging residential structure located on the Property (the “House”). The House was constructed in 1888 and consists of approximately 2,000 square feet. Prior to the Developer’s ownership, the House was an income producing rental property and subdivided into a triplex, but has been vacant since approximately December 2014.

<sup>1</sup> See Mo. Rev. Stat. § 99.320(3).

<sup>2</sup> See *Land Clearance for Redevelopment Auth. of City of St. Louis v. Inserra*, 284 S.W.3d 641, 647-48 (Mo. App. E.D. 2009).

Although the Property is not currently blighted, the Property lies immediately adjacent to the South Central “A” Urban Renewal Area. This Urban Renewal Area has been blighted since 1964 when pursuant to Resolution No. 4282, the Springfield City Council (the “City Council”) blighted an area generally bounded on the south by East Grand Street, on the east generally by the back lot lines of properties that face South Kimbrough Avenue, on the north by the Downtown Redevelopment Plan Area (with some portions that overlap), and on the west by South Market Avenue and then South Campbell Avenue. The City Council reaffirmed the blight for the Blighted Area pursuant to Resolution No. 4794 which was adopted in 1967. This Area includes the property immediately to the north of the Property, 424 W. Mount Vernon Street, and the properties immediately to the east of the Property, including 617 S. Campbell Avenue and 621 S. Campbell Avenue.

In addition to the close proximity of the Property to the blighted area within the South Central “A” Urban Renewal Area, less than a block to the south of the Property is the Grant Avenue Playground Urban Renewal Area. The Grant Avenue Playground Urban Renewal Area, which is generally bounded by W. State Street to the north, W. Grand Street to the south, S. Patton Avenue to the west, and S. Douglas Avenue to the west, was blighted in 1968 pursuant to Resolution No. 4909 and reaffirmed in 1976 pursuant to Special Ordinance No. 17406.

#### **IV. Property Description:**

The Property is approximately 0.1970 acres located on S. Market Ave., south of Mt. Vernon Street and north of Harrison Street. A map identifying the Property is attached hereto and incorporated herein as **Exhibit A** and the Property is legally described on **Exhibit B** attached hereto and incorporated herein.

#### **V. Evidence in Support of Blight:**

The Property is made up of one tract of land that is zoned Residential Low Density (R-LD) and consists of the vacant House. In addition to the close proximity of the Property to the blighted areas within the South Central “A” Urban Renewal Area and the Grant Avenue Playground Urban Renewal Area, the City of Springfield has recognized the decrepit state of the House. Chris Straw, Director of Building Development Services, notified the Developer in an Abatement Order dated December 30, 2015 (the “Abatement Order”) <sup>3</sup>, that the House “is detrimental to city residents’ health, safety, or welfare and is a public nuisance.” Because the House is in such bad shape, the Abatement Order requires the demolition of the House by May 3, 2016.

Several additional factors evidencing the Property as a “blighted area” under section 99.320(3) of the Missouri Revised Statutes are discussed in detail below. Photographs demonstrating some of these factors are included in the Property Inspection Report (defined herein).

<sup>3</sup> The Notice of Public Nuisance and Order of Abatement is attached hereto as Exhibit C and Findings of Fact, Conclusions of Law and Order is attached hereto as Exhibit D.

A. *Deterioration of Site Improvements.*

In general, deterioration refers to any physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair. Deterioration may be evident in basically sound buildings containing minor defects, such as lack of painting, loose or missing floor tiles or ceiling panels, or holes and cracks over limited areas. Deterioration which is not easily curable and which cannot be accomplished in the course of normal maintenance includes defects in primary and secondary building components. Primary building components include the foundation, exterior walls, floors, roof, wiring, etc. Secondary building components include doors, windows, frames, fascia materials, etc. Deterioration of sidewalks, parking areas, and other similar site improvements is evidenced by settled areas, gravel sections, cracks, overgrowth, or depressed curb areas.

As reflected by the Property Inspection Report February 2, 2016 and prepared by A-1 Home Inspection (the "Property Inspection Report"),<sup>4</sup> the Property as a whole suffers from deterioration, which is exhibited by defects in both primary and secondary building components.

For example, the foundation exhibits areas of deterioration and signs of past water intrusion and requires repair.<sup>5</sup> Other primary building components of the House show similar signs of deterioration. The roof is "badly deteriorated and shingles are beyond their normal life" requiring replacement.<sup>6</sup> Holes are present throughout areas of the floor, and require immediate repair for safety purposes.<sup>7</sup> Moreover, the House contains active knob and tube wiring and exposed wiring is present throughout.<sup>8</sup> Secondary building components are in a similar state of disrepair as the main level exterior door has been damaged beyond repair<sup>9</sup>, every window is damaged and has broken glass requiring replacement<sup>10</sup>, and the sidewalk is "badly damaged & deteriorated."<sup>11</sup>

B. *Unsanitary/ Unsafe Conditions.*

In addition to the general physical deterioration discussed above, the Property is also afflicted with a variety of insanitary and unsafe conditions. There is evidence of water damage in the House.<sup>12</sup> The dampness and moisture evidenced by the stains inside the Houses have likely facilitated the growth of mold which requires cleaning/removal by a professional.<sup>13</sup>

The basement stairs have insufficient railing, requiring the addition of covering/balusters for safety<sup>14</sup>. The hot water heater in the House also exhibits unsafe conditions, including cut

<sup>4</sup> The Property Inspection Report is attached hereto and incorporated herein as Exhibit E.

<sup>5</sup> Property Inspection Report at 8.

<sup>6</sup> Property Inspection Report at 11.

<sup>7</sup> Property Inspection Report at 24.

<sup>8</sup> Property Inspection Report at 18-19.

<sup>9</sup> Property Inspection Report at 21.

<sup>10</sup> Property Inspection Report at 21.

<sup>11</sup> Property Inspection Report at 4.

<sup>12</sup> Property Inspection Report at 8, 22, 25.

<sup>13</sup> Property Inspection Report at 10.

<sup>14</sup> Property Inspection Report at 10.

supply and gas lines, and a displaced flue pipe which will require significant repair.<sup>15</sup> The sewer lines in portions of the House are open and exposed.<sup>16</sup>

In addition, the House exhibits peeling, holes, cracks and other defects in the siding.<sup>17</sup> Dirt, insects, and vermin can enter the House through such openings, creating insanitary conditions. In addition, the House contains trash and debris<sup>18</sup> contributing to the insanitary condition of the structure and creating a potential fire hazard.

Furthermore, there is no furnace in the House, as it appears to have been stolen.<sup>19</sup> All supply and return vent piping has also been removed from the property.<sup>20</sup> Significant construction would be necessary to use any type of utility service at the House.

C. *Conditions that Endanger Life or Property by Fire or other Causes.*

Endangerment by fire and other causes is typically prevalent in structures below minimum building code standards. Such code standards include building, property maintenance, fire, environmental or other governmental codes applicable to a particular property. The principal purpose of such codes is to require buildings to be constructed and maintained so that they will have the capacity to support the type of occupancy and necessary fire and similar hazard protection or to establish the minimum standards essential for safe and sanitary use, occupation, and/or habitation.

The Property exhibits several conditions that may endanger life or property. As noted above, there are visible materials in the House showing mold/fungal growth. In addition, the exterior of the walls may contain lead paint.<sup>21</sup> Since the House was constructed long before 1978 when the use of lead based paint was banned in the United States, it is likely that layers of lead based paint are present. Lead is a highly toxic metal that may cause a range of health problems, especially in young children. When lead is absorbed into the body, it can cause damage to the brain and other vital organs, like the kidneys, nerves and blood.

The House also contains active knob and tube wiring.<sup>22</sup> Knob and tube was an early method of electrical wiring in buildings in North America from about 1880 to the 1940s. It is an ungrounded system, which creates a risk of electrical shock or fire. Today, this system is considered obsolete and can be a safety hazard, especially when improper modifications are made to the wiring. Due to the risk of fire associated with knob and tube wiring, many insurance companies will not insure houses containing this type of wiring. To fully eliminate these dangers, all of the existing knob and tub wiring must be removed and new wiring installed.

<sup>15</sup> Property Inspection Report at 15.

<sup>16</sup> Property Inspection Report at 14.

<sup>17</sup> Property Inspection Report at 5.

<sup>18</sup> Property Inspection Report at 9.

<sup>19</sup> Property Inspection Report at 15.

<sup>20</sup> Property Inspection Report at 16.

<sup>21</sup> Property Inspection Report at 5.

<sup>22</sup> Property Inspection Report at 18-19.

In addition to the dangerous disrepair of the House, it is also known to be frequently occupied by certain homeless individuals.<sup>23</sup> Combined with the unsanitary conditions of the House and the absence of utility services therein, the presence of these individuals makes the House highly susceptible to fire.

## **VI. Impact of the Property's Blighted Conditions:**

Missouri law only requires that the current condition of a property produce one (1) of the three (3) following circumstances for a finding of blight: (1) it hinders the provision of housing accommodations, (2) it constitutes an economic or social liability, or (3) it is a menace to public health, safety, morals, and welfare. However, the combination of blighting factors plaguing the Property creates all three (3) of these circumstances.

The Property, which consists of a single vacant structure, a structure which the City has required its demolition, is significantly underutilized. This underutilization prevents the area from being used to maximize the number of residents who may live in the area. Because of the single-family structure located within the Property, the Property is incapable of supporting its highest and best use, which due to its proximity to MSU and downtown Springfield, is higher density housing. This hinders the provision of the housing accommodations that the area is capable of supporting, which in turn creates an economic liability for the City in that the Property is not generating the amount of taxes that it could otherwise produce. It also drastically limits the number of residents who could otherwise live within the area and contribute to the area's level of activity and growth.

The insanitary/unsafe site conditions present in the Property, which include mold, defective heating elements, and extensive dirt and debris create the potential to negatively impact the health, safety, and welfare of the public, which is specifically recognized in the Abatement Order. The presence of hazardous conditions, such as lead paint, mold, outdated knob and tube wiring, and open doors and windows poses a serious menace to public safety and health. Each of these factors contribute to the economic and social liability created by the area in that they cause a risk of physical injury to the City's citizens and damage to surrounding property. Furthermore, the downtrodden and deteriorated site conditions and underutilization of the Property diminish the public morale and welfare with respect to the perception of this portion of the City.

Due to the condition and layout of the Property, substantial capital investment will be necessary to remove the House and redevelop the area with multi-family housing. Without such an investment, the Property will further deteriorate and its economic efficiency will continue to decline and become an even greater liability to the economic independence of the City. This underutilization combined with the unsafe conditions in the Property hampers the economic vitality of the City by failing to generate property tax revenues for the City to its full potential and significantly limiting the number of people who can reside in the Property.

<sup>23</sup> A copy of the Service Call Report from Building Development Services dated August 20, 2015, is attached hereto and incorporated herein as Exhibit F.

## **VII. Conclusion:**

Due to the predominance of insanitary and unsafe conditions, deterioration of site improvements, and the existence of conditions that endanger life and property by fire and other causes, the Property hinders the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public health, safety, morals, and welfare in its present condition and use. The Property qualifies as a "blighted area" as defined in section 99.320(3) of the Missouri Revised Statutes. Accordingly, the City of Springfield should declare the Property a blighted area which will in turn help to facilitate rehabilitating and renewing this portion of the City.

# Exhibit A - Map of Property



- Map of Property

## EXHIBIT B – LEGAL DESCRIPTION

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 23. TOWNSHIP 29 NORTH, RANGE 22 WEST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT AN EXISTING IRON PIN ON THE SOUTH RIGHT OF WAY LINE OF MT. VERNON STREET AND THE EAST RIGHT OF WAY LINE OF SAID MARKET AVENUE; THENCE SOUTH, 149.85 FEET (150.00 FEET DEEDED), ALONG THE EAST RIGHT OF WAY LINE OF SAID MARKET AVENUE, TO AN IRON PIN FOR A POINT OF BEGINNING; THENCE EAST AT A 91°09'41" ANGLE LEFT FROM THE LAST DESCRIBED COURSE, 155.00 FEET, TO AN IRON PIN; THENCE SOUTH, PARALLEL TO THE EAST RIGHT OF WAY LINE OF SAID MARKET AVENUE, 55.00 FEET, TO AN IRON PIN; THENCE WEST 155.00 FEET, TO AN IRON PIN ON THE EAST RIGHT OF WAY LINE OF SAID MARKET STREET; THENCE NORTH ALONG SAID EAST RIGHT OF WAY LINE OF MARKET STREET, 54.62 FEET, TO THE POINT OF BEGINNING. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD. ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MO.

EXHIBIT C – NOTICE OF PUBLIC NUISANCE AND ORDER OF ABATEMENT



NOTICE OF PUBLIC NUISANCE AND ORDER OF ABATEMENT  
(Springfield City Code § 26-65)

October 20, 2015

Kendrick Properties LLC  
1703 Windmill Way  
Republic, MO 65738-2622



RE: 616 S. MARKET AVE.  
SVC2015-06186

The building or structure at the above-stated property violates Springfield’s “Dangerous, Blighted, and Nuisance Building Code” (Springfield City Code §§ 26-61 through 26-84) because of these conditions:

1. Structure is vacant and open at doors and windows.
2. Structure boarded without required permit.

These conditions are detrimental to city residents’ health, safety, or welfare and are a public nuisance. Specifically, these conditions violate the following paragraphs under *Springfield City Code § 26-62*:

*26-62(5)* Those which are unoccupied and are open at door, window, wall or roof. As used herein an "unoccupied" building is one which is not being continuously and lawfully inhabited for residential or any non-residential purpose. As used herein an unoccupied building is "open" at door, window, wall or roof when, because of removal, breakage, deterioration, destruction, or disrepair of original or replacement materials, the interior has become exposed to the elements or has become accessible for entry by animals, trespassers or others acting without the building owner's consent.

*26-62(13)* Those boarded buildings, as defined by Section 36-1218 of the Springfield City Code, that do not have a valid boarded building permit issued by the City of Springfield in accordance with Section 36-1229.

All of the above conditions must be corrected in accordance with all adopted building codes and ordinances. **Permits are required prior to any work done to correct these violations. The minimum permit fee will be \$200.00.**

You must:

- a) obtain a permit if you choose to recondition or repair your building or structure; or
- b) apply for a permit if you choose to demolish your building or structure.

Additional permits may be required.

**Department of Building Development Services**  
840 Boonville Avenue, P.O. Box 8368 • Springfield, Missouri 65801  
417-864-1059 • Fax: 417-864-2042 • springfieldmo.gov



Notice of Public Nuisance and Order of Abatement

Re: 616 S. MARKET AVE.

October 20, 2015

Page 2

(Property owners may obtain building permits, but only licensed, certified contractors may obtain electrical, plumbing, and mechanical permits.)

Once you have the permit(s), you must begin reconditioning; repairing, or removing these conditions by **December 4, 2015**, and you must proceed continuously, without unnecessary delay. If you don't, an Administrative Hearing will be held in accordance with *Springfield City Code §§ 26-68*.

The structure must remain vacant until all of the above conditions are abated.

A "Notice of Administrative Hearing Affecting Real Estate" has been recorded in the Greene County Recorder's Office, which could have an effect on any future sale of the property.

Respectfully,



Bruce Gorman  
Building Inspector

Notice of Public Nuisance and Order of Abatement

Re: 616 S. MARKET AVE.

October 20, 2015

Page 3

Cc: Houston M. Kendrick  
(Borrower on DOT @ 2844/201)  
9385 N. Springfield Valley Dr.  
Pleasant Hope, MO 65725

Malinda K. Kendrick  
(Borrower on DOT @ 2844/201)  
9385 N. Springfield Valley Dr.  
Pleasant Hope, MO 65725

Gary E. Bishop  
(Trustee on DOT @ 2844/201)  
1112 E. Walnut St.  
Springfield, MO 65801-1072

Guaranty Federal Savings Bank  
(Lender on DOT @ 2844/201)  
1341 W. Battlefield  
Springfield, MO 65807

Mackenzie Kay Kendrick  
(Beneficiary Deed @ 2934/2471)  
1714 Windmill Way  
Republic, MO 65738

BG:ce

EXHIBIT D – FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

December 30, 2015

WPV LLC  
Philip Wieneke, Registered Agent  
PO Box 2903  
Springfield, MO 65801

RE: 616 S. MARKET AVE.  
SVC2015-06186

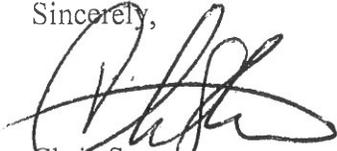
The Abatement Order, including Findings of Fact and Conclusions of Law, for the above-referenced property is enclosed. Please keep in mind that this order is based on the evidence provided on the day of the hearing. Since then, you may have already started or finished the work required to comply with this order.

**Please read this order carefully and thoroughly.** It sets out compliance time frames and it lets you know what will happen to your property if you do not comply with this order.

Before you start any work, you must obtain all necessary permits. Property owners may get building permits, but only licensed, certified contractors can get electrical, plumbing, and mechanical permits. Demolition permits have a waiting period.

If you have any questions or do not understand the order, please contact Christi Edwards at 417-864-1068 before the end of your compliance time.

Sincerely,



Chris Straw  
Hearing Officer

## FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

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I, Chris Straw, am the Department of Building Development Services hearing officer in this case. I held a public hearing to determine whether the structure(s) or building(s) at 616 S. MARKET AVE., Springfield, Missouri is detrimental to city residents' health, safety, or welfare and is a public nuisance. I held the Hearing in Room #152 in Building Development Services, in the Busch Municipal Building, 840 Boonville Avenue, Springfield, Missouri I held the hearing at 3:00 PM on December 17, 2015. I made the following findings of fact, conclusions of law, and order.

### FINDINGS OF FACT

1. BDS Clerk Susan Smith mailed a "Notice of Public Nuisance and Order of Abatement" on October 20, 2015:
  - a. by certified mail;
  - b. to owners of, and parties interested in, the above-stated structure(s) or building(s); and,
  - c. at the addresses shown on the above-stated notices.
2. BDS Clerk Susan Smith mailed a "Notice of Hearing" on October 20, 2015:
  - a. by certified mail;
  - b. to owners of, and parties interested in, the above-stated structure(s) or building(s); and,
  - c. at the addresses shown on the above-stated notices.
3. For those certified mailings that came back "unclaimed" or that the post office could not otherwise deliver:

- a. BDS Clerk Susan Smith again mailed the "Hearing Notice" and "Notice of Public Nuisance and Order of Abatement":
    - 1) by regular mail;
    - 2) to owners of, and parties interested in, the above-stated structure(s) or building(s); and,
    - 3) at the addresses shown on the above-stated notices; and,
  - b. BDS Inspector Bruce Gorman posted the above-stated structure with the Notice to Abate and Hearing Notice.
4. BDS Inspector Bruce Gorman posted the above-stated structure or building with a "Dangerous Building Warning" placard on September 16, 2015.
  5. The building or structure at 616 S. MARKET AVE. has these conditions:
    - a) Structure is vacant and open at doors and windows.
    - b) Structure boarded without required permit.
  6. In the above-stated notices, BDS Inspector Bruce Gorman ordered the above-stated property owners to:
    - a. Begin reconditioning, repairing, or removing the conditions listed in paragraph 5 by December 4, 2015; and,
    - b. Proceed continuously, without unnecessary delay; and,
  7. Nobody has corrected all the conditions listed in paragraph 5 above.

#### CONCLUSIONS OF LAW

- A. BDS's mailings and property postings gave owners and interested parties proper notice. *Springfield City Code § 26-65*. The notice afforded them due process of law.
- B. BDS substantially followed proper procedure throughout this case under *Springfield City Code Chapter 26, Article III, §§26-61 through 26-78* and *Rev. Mo. Stat. §§67.400 et seq.*

C. The conditions listed in paragraph 5 above are detrimental to city residents' health, safety, or welfare and are a public nuisance. Specifically, the building(s) or structure(s) at the above stated property violate(s) the following code provisions:

26-62(5) Those which are unoccupied and are open at door, window, wall or roof. As used herein an "unoccupied" building is one which is not being continuously and lawfully inhabited for residential or any non-residential purpose. As used herein an unoccupied building is "open" at door, window, wall or roof when, because of removal, breakage, deterioration, destruction, or disrepair of original or replacement materials, the interior has become exposed to the elements or has become accessible for entry by animals, trespassers or others acting without the building owner's consent.

26-62(13) Those boarded buildings, as defined by Section 36-1218 of the Springfield City Code, that do not have a valid boarded building permit issued by the City of Springfield in accordance with Section 36-1229.

D. BDS Inspector Bruce Gorman's abatement order was reasonable and within *Springfield City Code Chapter 26, Article III's* standards.

### ORDER

WHEREFORE, I order:

1. The above-stated owners or interested parties of the building(s) or structure(s) at the above-stated property:

A. Complete the process for the application that has been submitted and obtain the required dangerous building wrecking permit by **March 4, 2016;**

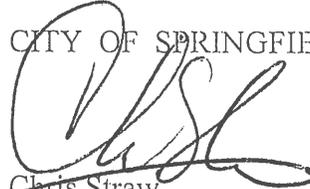
AND

B. Complete the demolition work and receive a final inspection by **May 3, 2016.**

The City will abate the conditions listed in paragraph 5 above if the above-stated owners or interested parties do not get all necessary permits and complete the abatement by the specified date. Any money the City spends on this will become a lien on the property and a basis for a personal judgment against the property owner(s).

2. The effective date of this order is:
  - a. 31 days from the issuance date if there are no appeals; or,
  - b. the date that the courts finally establish, if there are appeals.

CITY OF SPRINGFIELD, MISSOURI



Chris Straw  
Hearing Officer

Issuance Date: December 30, 2015

CS:ce

EXHIBIT E – INSPECTION REPORT

# *A1 Home Inspection*

## Property Inspection Report



616 S. Market, Springfield, MO  
Inspection prepared for: Phil Wienke  
Real Estate Agent: N/A -

Date of Inspection: 2/2/2016 Time: 1:30 PM  
Age of Home: 1888 Size: ~2000 sq ft  
Weather: Sunny & 60 degrees

Inspector: Todd Kirkpatrick  
ASHI Certified Inspector #202340  
2857 S. Chantilly, Springfield, MO 65804  
Phone: 880-4663  
Email: A1inspectr@yahoo.com  
A-1inspections.com

## Report Summary

**Grounds**

Page 4 Item: 3	Covers	<ul style="list-style-type: none"> <li>Moisture damage found around base of several posts. Needs attention/repair.</li> </ul>
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**Exterior**

Page 5 Item: 2	Exterior Walls	<ul style="list-style-type: none"> <li>Heavy peeling paint on most all of exterior siding. Paint may be lead. Needs remediation by a qualified contractor.</li> </ul>
Page 5 Item: 3	Trim	<ul style="list-style-type: none"> <li>Holes and many moisture damaged areas of soffit and trim need repair by a professional.</li> <li>Heavy peeling areas of suspected lead based paint on all areas of soffit and trim need remediation by a licensed contractor.</li> </ul>
Page 6 Item: 4	Chimney	<ul style="list-style-type: none"> <li>Areas of missing mortar observed at top of chimney. Needs tuck pointing by mason.</li> </ul>
Page 7 Item: 6	Gutters and Downspouts	<ul style="list-style-type: none"> <li>Guttering is in poor condition. Several areas are loose &amp; missing. Needs repair/replacement for proper drainage and control of roof water.</li> </ul>

**Foundation**

Page 8 Item: 2	Foundation	<ul style="list-style-type: none"> <li>Cracks in mortar joints at east foundation walls need tuck pointing/repair.</li> <li>Areas of deterioration and signs of past water intrusion present on areas of foundation walls. Needs repair by a qualified contractor.</li> <li>Black mold and fungal growth present on walls and ceilings in basement. Needs complete tear out and remediation by a qualified mold contractor.</li> </ul>
Page 10 Item: 3	Floor Construction	<ul style="list-style-type: none"> <li>Mold/fungal growth on many areas of the floor structure need cleaning/removal by a professional.</li> </ul>

**Roof(s)**

Page 11 Item: 5	Main Roof	<ul style="list-style-type: none"> <li>Roof is badly deteriorated and shingles are beyond their normal life. Needs complete tear off and replacement by a qualified roofer.</li> <li>Improper repair and active leakage found at south field just east of the dormer. Needs repair by a roofer ASAP.</li> </ul>
Page 12 Item: 6	Porch Roof	<ul style="list-style-type: none"> <li>The porch roof is actively leaking and has an area of moisture damaged decking at front middle edge. Needs repair by a qualified roofer.</li> </ul>
Page 12 Item: 7	Addition Roof	<ul style="list-style-type: none"> <li>Shingles on back addition are beyond their normal life and in need of complete replacement.</li> </ul>
Page 12 Item: 8	Basement Door	<ul style="list-style-type: none"> <li>Shingles are improperly installed on a flat surface. Needs replacement with the proper type of material for low/flat surfaces.</li> </ul>

**Plumbing**

Page 13 Item: 4	Supply Lines	<ul style="list-style-type: none"> <li>Water was off at time of inspection. Many lines are cut and damaged in basement. Needs complete evaluation/repair by a qualified plumber.</li> </ul>
Page 14 Item: 5	Waste Lines	<ul style="list-style-type: none"> <li>Open sewer lines in basement bathroom and upstairs laundry area need repair by a plumber.</li> </ul>

Page 14 Item: 6	Fuel System	<ul style="list-style-type: none"> <li>• Home had no gas at time of inspection; meter was missing on north side.</li> </ul>
Page 15 Item: 9	Size and Brand	<ul style="list-style-type: none"> <li>• Water heater had cut supply lines, gas line, and displaced flue pipe. Needs repair by a qualified plumber.</li> </ul>
<b>Heating #1</b>		
Page 15 Item: 3	Condition	<ul style="list-style-type: none"> <li>• Furnace appears to have been stolen; missing at time of inspection. Needs complete replacement by an HVAC technician.</li> </ul>
Page 16 Item: 7	Distribution	<ul style="list-style-type: none"> <li>• All supply and return vent piping was missing at time of inspection.</li> </ul>
<b>Heating #2</b>		
Page 17 Item: 3	Condition	<ul style="list-style-type: none"> <li>• Baseboard heaters were missing in upstairs bedroom and bath.</li> </ul>
<b>Electrical</b>		
Page 18 Item: 4	Conductors	<ul style="list-style-type: none"> <li>• Knob &amp; tube wiring is still present in many areas of home. Needs evaluation/removal by a licensed electrician.</li> </ul>
Page 18 Item: 5	Panel Notes	<ul style="list-style-type: none"> <li>• Basement and upstairs panel covers were missing and exposed wiring is present; unsafe. Needs repair by an electrician.</li> <li>• All three electrical panels appear improperly installed. All wires coming into the panels lack bushing/wire clamps installed and neutral and ground wires are improperly connected together.</li> </ul>
Page 19 Item: 6	Wiring Notes	<ul style="list-style-type: none"> <li>• Several improper and exposed wiring observed in all areas of home. Needs repair/protection by a qualified contractor.</li> <li>• Several improper, open air splices in basement and attic need protection in junction boxes for safety.</li> </ul>
<b>Interior</b>		
Page 21 Item: 3	Doors (exterior)	<ul style="list-style-type: none"> <li>• Main level exterior door was damaged beyond repair. Needs replacement.</li> </ul>
Page 21 Item: 4	Windows	<ul style="list-style-type: none"> <li>• Most every window is damaged and has broken glass. Needs repair/replacement.</li> </ul>
Page 22 Item: 5	Walls	<ul style="list-style-type: none"> <li>• Water damage present from active roof leakage at south wall in SE mail level room. Needs repair.</li> </ul>
Page 24 Item: 7	Floors	<ul style="list-style-type: none"> <li>• Holes are present in many areas of flooring at main level and upstairs hallway. Needs repair for safety.</li> </ul>

## Additional Notes

### 1. Additional Notes

Red Items need evaluation/repair by a qualified contractor

Black items warrant your review and some of these items may need repair/attention. Recommend evaluation/repair/correction by a qualified professional

Additional information/details are provided in picture captions as well.

Mold or air quality tested is not a part of this inspection

Note: Some of the pictures at the end of the report are FYI

## Inspection Details

### 1. House faces:

Direction: West

### 2. Attendance

In Attendance: Client Present at start

### 3. Home Type

Triplex

### 4. Occupancy

Vacant

### 5. Additions or Alterations

Yes (back of home)

## Grounds

### 1. Driveway

Materials: Gravel

Observations:

- Appears serviceable for age

### 2. Sidewalks

Materials: Concrete

Observations:

- Sidewalk is badly damaged & deteriorated. Needs complete replacement.



Sidewalk is badly damaged & deteriorated

### 3. Covers

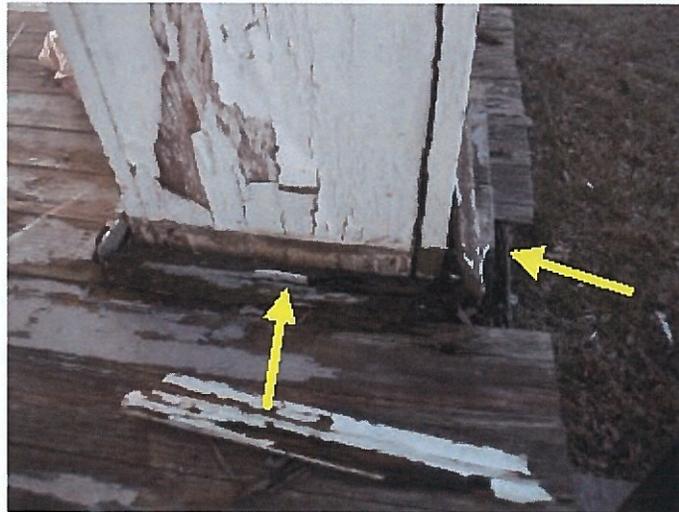
Location:

- Front Porch
- Basement stairway

Type: Composition Shingles

Observations:

- **Moisture damage found around base of several posts. Needs attention/repair.**



### 4. Deck/Porch

Location: Front Porch

Materials:

- Wood

Observations:

- Railings are serviceable
- Some weathered/moisture damaged wood decking pieces at front and north edges.

## Exterior

## 1. Exterior Stairs

Location:

- Porch
- Back doors

Observations:

- Appears serviceable
- Railing is serviceable

## 2. Exterior Walls

Construction:

- Wood frame

Type:

- Wood

Observations:

- Areas of damaged and poorly patched siding at NE corner.
- Heavy peeling paint on most all of exterior siding. Paint may be lead. Needs remediation by a qualified contractor.



Heavy peeling paint on all sides of exterior

## 3. Trim

Materials:

- Wood

Observations:

- Holes and many moisture damaged areas of soffit and trim need repair by a professional.
- Heavy peeling areas of suspected lead based paint on all areas of soffit and trim need remediation by a licensed contractor.



Moisture damaged soffit at front porch



Moisture damage at lower SW corner



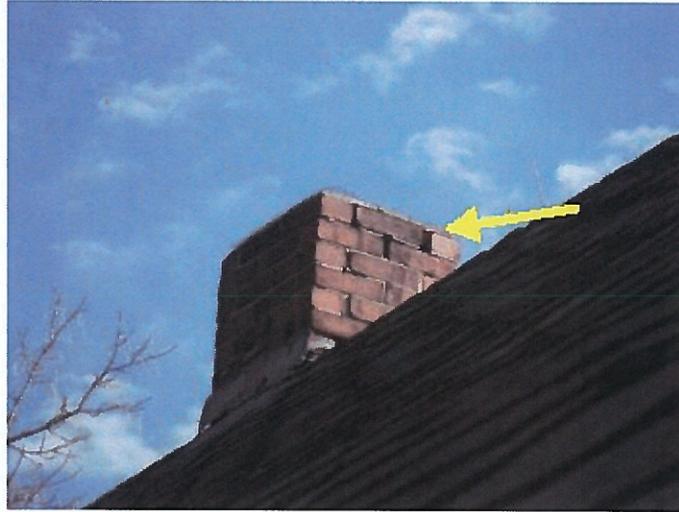
Suspected lead based peeling paint on all soffit, fascia, and trim

#### 4. Chimney

Brick

Observations:

- Rain cap/spark screen recommended
- FYI: Chimney is the flue for the water heater and furnace.
- Areas of missing mortar observed at top of chimney. Needs tuck pointing by mason.



Areas of missing mortar observed at top of chimney

### 5. Hose Faucets

Observations:

- Non-frost free type
- Water was off; unable to test

### 6. Gutters and Downspouts

Installed: Full

Observations:

- **Guttering is in poor condition. Several areas are loose & missing. Needs repair/replacement for proper drainage and control of roof water.**



Guttering at front porch is loose/displaced



Missing downspout elbow at SE corner



Missing downspout at SW corner



No guttering is installed on the north side

## Foundation

### 1. Grading/Drainage

#### Grading:

- Slope minor

#### Observations:

- Grading and drainage around the home is poor. Repaired guttering and controlling roof water should help solve moisture penetration in future.

### 2. Foundation

#### Type:

- Basement

#### Materials:

- Stone
- Wood columns

#### Observations:

- Trash and debris is present on floor at west 1/2 of basement. Needs cleaning.
- Moisture stains and signs of past water observed at base of walls in middle of basement.
- Most every basement window was damaged and boarded up with wood.
- Cracks in mortar joints at east foundation walls need tuck pointing/repair.
- Areas of deterioration and signs of past water intrusion present on areas of foundation walls. Needs repair by a qualified contractor.
- Black mold and fungal growth present on walls and ceilings in basement. Needs complete tear out and remediation by a qualified mold contractor.



Mold growth on ceiling at SE room in basement



Mold/fungal growth on ceiling at middle east part of basement



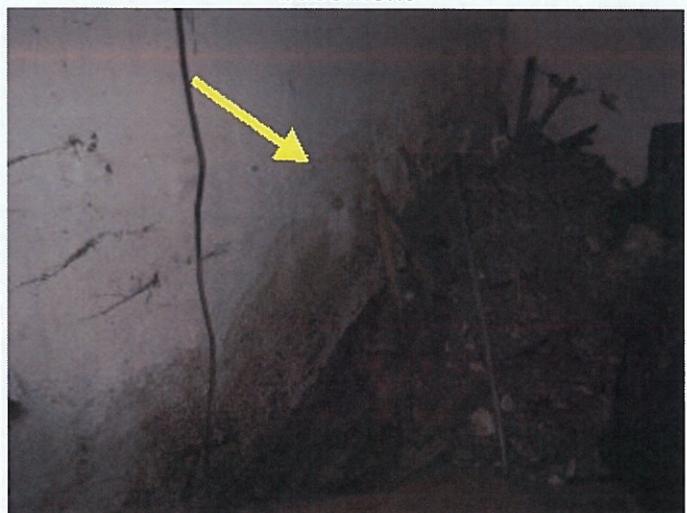
Black mold on base of wall at NE basement room



Fungal growth on ceiling in middle part of basement



Trash and debris at west room in basement



Insulation and debris at NE corner of basement



Evidence of past water penetration at south foundation wall and main water line



Water damaged wall at basement bathroom area

### 3. Floor Construction

Type: Joists • 2x10

Conventional wood framing

Observations:

- Not fully visible @ finished areas
- **Mold/fungal growth on many areas of the floor structure need cleaning/removal by a professional.**

### 4. Crawl space

Observations:

- Crawl area is limited to the rear addition. Space appeared satisfactory.

## Basement Stairs

### 1. Basement Stairs

Observations:

- Basement stairway appeared serviceable for age
- Openings in railing need covering/balusters added for safety.

## Roof(s)

### 1. Layers:

Layers: 3

Approximate Age: 25+ years

### 2. Roof Style

Type: Gable

### 3. Covering

Composition Shingles

## 4. How Inspected

- Walked (porch roof)
- Viewed from ground/ladder/with binoculars (these inspections are limited)

## 5. Main Roof

Roof is in poor condition; at/beyond the end of its normal life.

Observations:

- Missing shingles at NW hip need repair/replacement.
- **Roof is badly deteriorated and shingles are beyond their normal life. Needs complete tear off and replacement by a qualified roofer.**
- **Improper repair and active leakage found at south field just east of the dormer. Needs repair by a roofer ASAP.**



Missing hip shingles at NW corner



Shingles are beyond the end of their normal life



Inadequate repair to south field just east of dormer

## 6. Porch Roof

Composition Shingles

Observations:

- **The porch roof is actively leaking and has an area of moisture damaged decking at front middle edge. Needs repair by a qualified roofer.**



Moisture damaged decking from active leakage and deteriorated shingles

## 7. Addition Roof

Composition Shingles

Observations:

- Shingles on back addition are beyond their normal life and in need of complete replacement.



## 8. Basement Door

Composition shingles

Observations:

- Shingles are improperly installed on a flat surface. Needs replacement with the proper type of material for low/flat surfaces.



Shingles are improperly installed on a flat surface above the basement entry

## 9. Exposed Flashings

Observations:

- Flashings were not completely visible

## 10. Roof Notes

All roof areas are badly worn and beyond their normal life. All areas need replacement.

# Plumbing

## 1. Main Line Type:

Materials: Galvanized  
Size: 3/4"

## 2. Pressure (PSI):

Approximate PSI: Water off; unable to test.

## 3. Condition

Observations:

- Valve was not tested.
- Main water line is the original and is at/beyond its normal life. May need replacement at any time.

## 4. Supply Lines

Materials:

- Galvanized
- CPVC plastic

Observations:

- **Water was off at time of inspection. Many lines are cut and damaged in basement. Needs complete evaluation/repair by a qualified plumber.**

## 5. Waste Lines

Materials: Cast iron • Galvanized • Plastic (PVC)

Observations:

- Water was off at time of inspection. Unable to test drain piping.
- **Open sewer lines in basement bathroom and upstairs laundry area need repair by a plumber.**



Open sewer lines at basement bathroom



Improper open drain pipe at upstairs laundry area

## 6. Fuel System

Shut off Valve Location: North side

Observations:

- **Home had no gas at time of inspection; meter was missing on north side.**



## 7. Water Heater Location:

Basement

Type: Natural gas

## 8. Age of Water Heater

Age:

- 2011

## 9. Size and Brand

Gallons: 40

Brand: GE

Observations:

- Combustion air is adequate
- TPR valve installed on tank
- **Water heater had cut supply lines, gas line, and displaced flue pipe. Needs repair by a qualified plumber.**



Water heater flue is displaced from heater



Gas line was cut/disconnected

## Heating #1

### 1. Location and Size

Location: Basement

### 2. Heating Type:

Type: Forced Air

Fuel Type: Natural gas or electric

### 3. Condition

Observations:

- **Furnace appears to have been stolen; missing at time of inspection. Needs complete replacement by an HVAC technician.**



Furnace appears to have been stolen; missing at time of inspection

#### 4. Venting

Observations:

- N/A

#### 5. Combustion Air

Observations:

- No combustion air is provided

#### 6. Burners

Observations:

- N/A

#### 7. Distribution

Observations:

- All supply and return vent piping was missing at time of inspection.

#### 8. Normal Controls

Observations:

- None

#### 9. Air Filters

Observations:

- N/A

## Heating #2

#### 1. Location

Location: Upstairs rooms

BTUs: N/A (Electric)

## 2. Heating Type:

Type: Baseboard heaters  
Fuel Type: Electric

## 3. Condition

Observations:

- No power; unable to test
- Baseboard heaters were missing in upstairs bedroom and bath.



## 4. Normal Controls

Observations:

- N/A

## A/C #1

## 1. Condition

Observations:

- No cooling systems were installed in any of the units at time of inspection.

## Electrical

## 1. Service

Description: 240V/120V • Overhead

Size: 200 AMPS

Observations:

- Ground clamp/system not visible
- No electrical service was provided at time of inspection



Electric service was off at time of inspection

## 2. Main Disconnect

At the main panels

## 3. Main Panel 1

Location: Each unit

Panel Rating: 125 AMPS

Observations:

- Defects; see panel notes.

## 4. Conductors

Service Conductors: Copper

Branch Wire material:

- Copper
- Knob and Tube

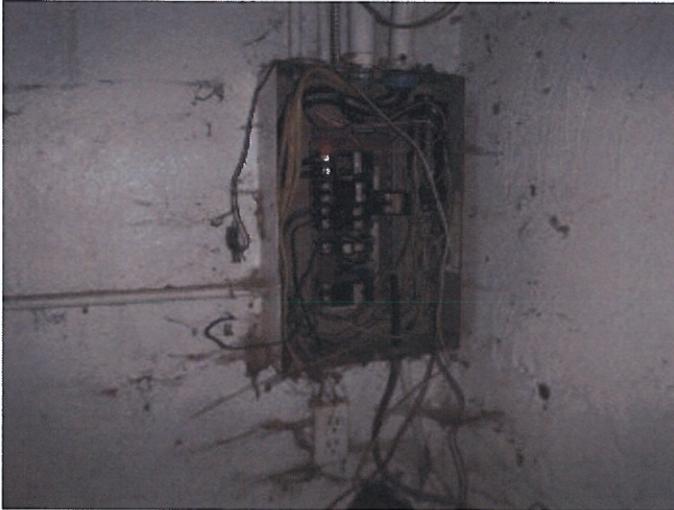
Branch wire type: Non - Metallic Cable • Knob & tube wiring is still present in many areas of home. Needs evaluation/removal by a licensed electrician.

## 5. Panel Notes

Overcurrent Protection Devices Inspected • Breakers

Observations:

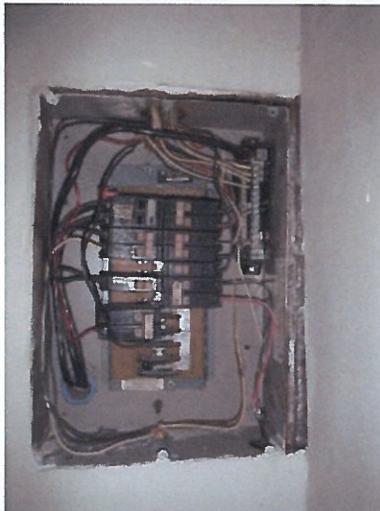
- Basement and upstairs panel covers were missing and exposed wiring is present; unsafe. Needs repair by an electrician.
- All three electrical panels appear improperly installed. All wires coming into the panels lack bushing/wire clamps installed and neutral and ground wires are improperly connected together.



Exposed wiring and missing cover at panel in basement



All wires enter upstairs panel without bushings/wire clamps



Upstairs panel cover was missing and all wires enter panel without bushings



Improper wiring inside main level panel

## 6. Wiring Notes

### Observations:

- No electricity was provided at inspection; unable to test outlets/lights.
- Several improper and exposed wiring observed in all areas of home. Needs repair/protection by a qualified contractor.
- Several improper, open air splices in basement and attic need protection in junction boxes for safety.



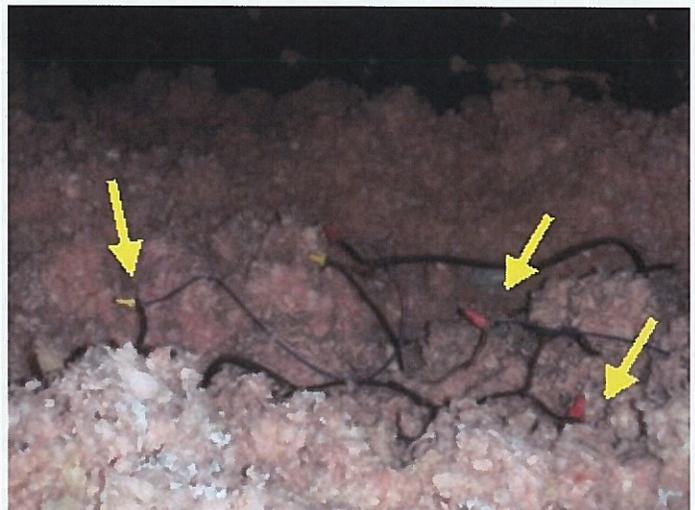
Exposed knob and tube spliced wiring at middle east part of basement



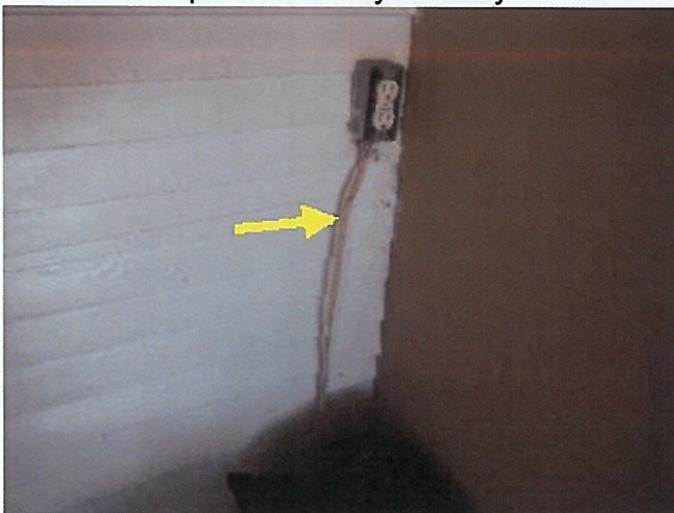
Improper fixture at rear main sunroom



Exposed wiring from missing light fixtures at upstairs hallway/stairway



Improper exposed splices at middle west part of attic



Exposed wiring and uncovered outlet at NW corner of upstairs sunroom



Exposed wiring at ceiling of main level sunroom

# Interior

## 1. Doors (Entry)

Observations:

- Front doors appeared serviceable

## 2. Interior doors

Observations:

- Several doors and door trim were missing at time of inspection

## 3. Doors (exterior)

Observations:

- Main level exterior door was damaged beyond repair. Needs replacement.



## 4. Windows

Type of Windows:

- Wood

Observations:

- Most every window is damaged and has broken glass. Needs repair/replacement.



Boarded up broken south living room window

## 5. Walls

Materials:

- Plaster
- Wallpaper
- Paneling

Observations:

- Areas of missing plaster at wall between entry and main level kitchen.
- Water damage present from active roof leakage at south wall in SE mail level room. Needs repair.



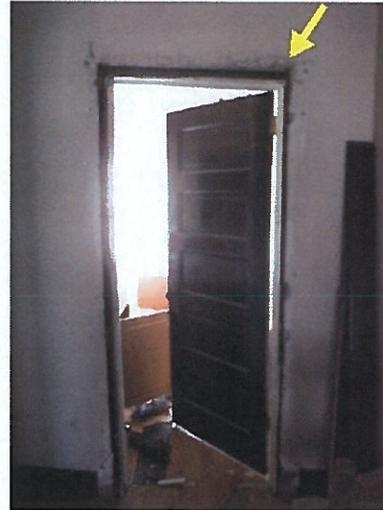
Damaged wall between kitchen and entryway



Water damaged wall from active roof leakage at SE main level bedroom



Damaged east wall in front entry



Door to the upstairs bathroom is out of plumb

## 6. Ceilings

### Materials:

- Drywall
- Acoustic Spray
- Plaster

### Observations:

- The SE main level room is completely covered with plastic. Appears to be some type of containment from active roof leakage.
- Stains and signs of plumbing leakage at SE corner of SW main level room.
- Many areas of missing plastic from probable active roof leakage at east closets in upstairs room.



Stains and holes in ceiling in SW main level room



Ceiling in SE main level room is covered with plastic



Damaged ceiling tiles at SW corner of main level kitchen    Damage from active leakage at SE upstairs closet



Damaged/missing plastic at upstairs SW closet

## 7. Floors

### Materials:

- Carpet
- Wood
- Vinyl

### Observations:

- Holes are present in many areas of flooring at main level and upstairs hallway. Needs repair for safety.



Several holes in main level flooring from lack of ductwork



Holes in floor at upstairs hallway

## 8. Additional Interior Features

### Observations:

- Stairs appear serviceable
- Railing appears serviceable

## 9. Smoke Detectors

### Observations:

- No detectors were found anywhere in home. Needs repair for fire safety.

# Attic

## 1. Access Location

Access Location: Upstairs hallway

Type: Full

## 2. Rafter Frame:

- Rafter framing
- 2x4
- Joist framing
- 2x6
- Not fully visible

## 3. Observations

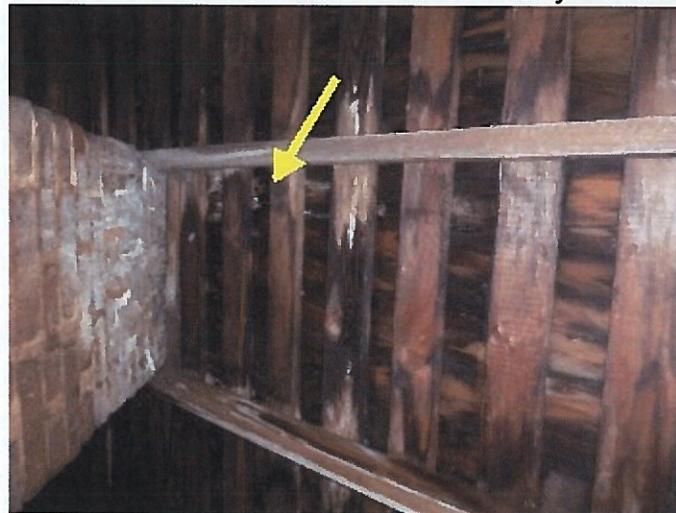
- Appears serviceable
- Entered
- Minimal ventilation provided
- Roof decking still consists of the original cedar shingles.
- Moisture stains and signs of past leakage at south side of chimney.



Partial view in middle of attic looking west



Original wood shingles are still present below two layers of comp shingles



Moisture stains below chimney indicating past leakage

#### 4. Insulation

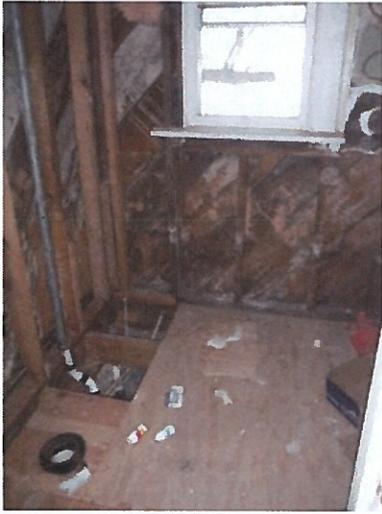
Type: Blown fiberglass

Approximate depth: 12-14"

Observations:

- Attic is very well insulated!

Photos



Main level NE bathroom appeared to be a work in progress



Upstairs kitchen has no countertop and is in poor condition

EXHIBIT F – BUILDING DEVELOPMENT SERVICE CALLS

SVC# SVC2014-07498

Reporting Dept: PIO

Creator: ccrigho

Name: ANON

Responsible Dept: BDS

updater: aeddy

updated: 12/12/2014 08:06:51

reqType: TRASH

Received: 11/05/2014

st#	pxf	stName	stType	stUnit	frac	sfx
616	S	MARKET	AVE			
Addr Desc:						
Intersection: &						
Geocode?						

Target: 12/05/2014

Final: 12/05/2014

Status: CLO

Health	PIO	PLANNING	BDS
Inspector: ?	Council zone: 3	Neighborhood association: WEST CENTRAL	structure type:
Census tract: ?	PIO Closure? <input checked="" type="checkbox"/>	Neighborhood team report? <input type="checkbox"/>	posted date:
Self Initiated? <input type="checkbox"/>	Internet Request? <input type="checkbox"/>	Neighborhood Assessment? <input type="checkbox"/>	zoning district:
	COP Report? <input type="checkbox"/>		BDS inspector: dgateley
Storm Water			
Existing storm system failure: <input type="checkbox"/>	Channel or Erosion: <input type="checkbox"/>	Problem Corrected? <input type="checkbox"/>	Major Flood Event:
Structure Flooding: <input type="checkbox"/>	Sinkhole: <input type="checkbox"/>		Flood Zone:
Yard / Parking Lot Flooding: <input type="checkbox"/>	Street Flooding: <input type="checkbox"/>		Easement:

Description:

Trash

Additional Property Info:

Primary?	Name	Role	Address	Phone
	KENDRICK PROP LLC	Property Owner	1703 WINDMILL WAY, REPUBLIC MO 65738-262	
	KENDRICK PROP LLC	Property Owner	1703 WINDMILL WAY, REPUBLIC MO 65738-262	
	HOUSTON KENDRICK	OCC	616 S MARKET AVE, SPRINGFIELD MO 65738-2	
	HOUSTON KENDRICK	OCC	616 S MARKET AVE, SPRINGFIELD MO 65738-2	
Y	ANON	Complainant	, SPRINGFIELD MO	

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	11/05/2014			Complaint Received		ccrigho

	11/05/2014			Route - BDS		ccrigho
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	11/06/2014			Inspection Requested	dgateley	sgriffith
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TRASH

	11/06/2014			Inspection		dgateley
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photos show trash scattered through around the property. light fixtures in trees, dryer hose in tree trash in trailer over flowing. Mattress' in between out buildings and brush.

	11/07/2014	11/20/2014		BDS letter, Violation		sgriffith
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Sent to: KENDRICK PROP LLC  
1703 WINDMILL WAY  
REPUBLIC MO 65738-2622

	11/07/2014	11/20/2014		BDS letter, Violation		sgriffith
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Sent to: HOUSTON KENDRICK  
616 S MARKET AVE  
SPRINGFIELD MO 65738-2622

	11/21/2014			Inspection Requested	dgateley	sgriffith
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TRASH

	11/21/2014			Miscellaneous action		sgriffith
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Letter for Kendrick Prop LLC, 1703 windmill way, came back in the mail today.

	11/21/2014			Reinspection		dgateley
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trailer of trash still there! piles of brush, trash under the side of porch on the south side of house.

	11/21/2014	12/05/2014		BDS letter, Violation		dgateley
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Sent to: HOUSTON KENDRICK  
616 S MARKET AVE  
SPRINGFIELD MO 65738-2622

	12/05/2014			Complaint Closed		dgateley
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Re-inspection of property showed violation abated!

SVC# SVC2015-02712

Reporting Dept: PIO

Creator: ccrighto

Name: 911 JOEL @

Responsible Dept: BDS

updater: aeddy

updated: 06/12/2015 10:20:24

reqType: DANGEROUS BUILDING

Received: 05/18/2015

Target: 06/06/2015

Final: 06/08/2015

Status: CLO

st#	pxf	stName	stType	stUnit	frac	sfx
616	S	MARKET	AVE			
Addr Desc:						
Intersection:						
Geocode? <input type="checkbox"/>						

Health	PIO	PLANNING	BDS
Inspector: ?	Council zone: 3	Neighborhood association: WEST CENTRAL	structure type:
Census tract: ?	PIO Closure? <input checked="" type="checkbox"/>	Neighborhood team report? <input type="checkbox"/>	posted date:
Self Initiated? <input type="checkbox"/>	Internet Request? <input type="checkbox"/>	Neighborhood Assessment? <input type="checkbox"/>	zoning district:
	COP Report? <input type="checkbox"/>		BDS inspector: bgorman

Storm Water			
Existing storm system failure: <input type="checkbox"/>	Channel or Erosion: <input type="checkbox"/>	Problem Corrected? <input type="checkbox"/>	Major Flood Event: <input type="checkbox"/>
Structure Flooding: <input type="checkbox"/>	Sinkhole: <input type="checkbox"/>		Flood Zone: <input type="checkbox"/>
Yard / Parking Lot Flooding: <input type="checkbox"/>	Street Flooding: <input type="checkbox"/>		Easement: <input type="checkbox"/>

Description:

Police reported to 911 that this abandoned property has open windows and doors, trash inside and out and had people gaining access over the weekend.

Additional Property Info:

Primary?	Name	Role	Address	Phone
Y	JOEL @ 911	Complainant	, SPRINGFIELD MO	865-3617

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	05/18/2015			Complaint Received		ccrighto

	05/18/2015			Route - BDS		ccrighto
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	05/19/2015			Inspection Requested	bgorman	cedwards
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COMPLAINT

	05/19/2015			Miscellaneous action		bgorman
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Send LOC per 26-62 (5,13) open vacant and boarded. F/U 14 days.

	05/22/2015	06/06/2015		Miscellaneous action		cedwards
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Sent LOC. FU 6/6/15-BG

	05/29/2015			Miscellaneous action		cedwards
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LOC returned

	06/08/2015			Inspection Requested	bgorman	cedwards
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F/U LTR OF CONDITION

	06/08/2015			Complaint Closed		bgorman
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Property appears to be secure as observed from R.O.W inspection, close for lack of evidence.

SVC# **SVC2015-02713**

Reporting Dept: **PIO**

Creator: **ccrighto**

Name: **911 JOEL**

Responsible Dept: **BDS**

updater: **aeddy**

updated: **07/10/2015 08:45:00**

reqType: **RODENTS, TRASH**

Received: **05/18/2015**

st#	pxf	stName	stType	stUnit	frac	sfx
616	S	MARKET	AVE			
Addr Desc:						
Intersection: &						
Geocode? <input type="checkbox"/>						

Target: **06/30/2015**

Final: **07/06/2015**

Status: **CLO**

**Health**

**PIO**

**PLANNING**

**BDS**

Inspector: <input type="checkbox"/>	Council zone: <b>3</b>	Neighborhood association: <b>WEST CENTRAL</b>	structure type: <input type="checkbox"/>
Census tract: <input type="checkbox"/>	PIO Closure? <input checked="" type="checkbox"/>	Neighborhood team report? <input type="checkbox"/>	posted date: <input type="checkbox"/>
Self Initiated? <input type="checkbox"/>	Internet Request? <input type="checkbox"/>	Neighborhood Assessment? <input type="checkbox"/>	zoning district: <input type="checkbox"/>
	COP Report? <input type="checkbox"/>	BDS inspector: <b>kwilliam</b>	

**Storm Water**

Existing storm system failure: <input type="checkbox"/>	Channel or Erosion: <input type="checkbox"/>	Problem Corrected? <input type="checkbox"/>	Major Flood Event: <input type="checkbox"/>
Structure Flooding: <input type="checkbox"/>	Sinkhole: <input type="checkbox"/>		Flood Zone: <input type="checkbox"/>
Yard / Parking Lot Flooding: <input type="checkbox"/>	Street Flooding: <input type="checkbox"/>		Easement: <input type="checkbox"/>

**Description:**

Police report trash all around this house, inside and out. Also a report of rats coming from this house.

**Additional Property Info:**

Primary?	Name	Role	Address	Phone
Y	JOEL 911	Complainant	, SPRINGFIELD MO	
	KENDRICK PROP LLC	Property Owner	1703 WINDMILL WAY, REPUBLIC MO 65738-262	
	VACANT	OCC	, SPRINGFIELD MO	
	KENDRICK PROP LLC	Property Owner	1703 WINDMILL WAY, REPUBLIC MO 65738-262	
	HOUSTON KENDRICK	Complainant	9385 N. SPRING VALLEY DR. , PLEASANT HOP	

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	05/18/2015			Complaint Received		ccrighto
	05/18/2015			Route - BDS		ccrighto
	05/19/2015			Inspection Requested	kwilliam	sgriffith
<b>RODENTS, TRASH</b>						
	05/20/2015			Inspection Requested	kwilliam	sgriffith
Inspection Requested ROLLOVER						
	05/20/2015		05/20/2015	Inspection		kwilliam
Could not see from right of way but will send letter in folder based on police complaint.						
	05/21/2015	06/10/2015		BDS letter, Violation		sgriffith
Sent to: KENDRICK PROP LLC 1703 WINDMILL WAY REPUBLIC MO 65738-2622						
	05/21/2015			Miscellaneous action		sgriffith
Initial letter of violation drafted, packaged and mailed to: Kendrick Prop LLC (Owner) by Samantha Griffith. F/U 06/10/2015						
	06/01/2015			Miscellaneous action		kwilliam
Letter returned. Updated address for owner, new letter will be sent.						
	06/01/2015	06/21/2015		BDS letter, Violation		kwilliam
Sent to: HOUSTON KENDRICK 9385 N. SPRING VALLEY DR. PLEASANT HOPE MO 65725						
	06/16/2015	06/30/2015	06/12/2015	Reinspection		kwilliam
Small brush pile on north side of house and one bag of trash in back that I can see. Called owner. He is out of town but will get remainder on it but needs an extension.						
	07/06/2015			Complaint Closed		kwilliam
Removed. closing picture.						

SVC# SVC2015-05508

Reporting Dept: PIO

Creator: ccrigho

Name: ANON

Responsible Dept: BDS

Updater: aeddy

Updated: 08/24/2015 08:31:09

reqType: WEEDS

Received: 07/31/2015

Target: 08/18/2015

Final: 08/20/2015

Status: CLO

st#	px	stName	stType	stUnit	frac	sfx
616	S	MARKET	AVE			
Addr Desc:						
Intersection:						
Geocode?						

Health	PIO	PLANNING	BDS
Inspector: ?	Council zone: 3	Neighborhood association: WEST CENTRAL	structure type:
Census tract: ?	PIO Closure? <input checked="" type="checkbox"/>	Neighborhood team report? <input type="checkbox"/>	posted date:
Self Initiated? <input type="checkbox"/>	Internet Request? <input type="checkbox"/>	Neighborhood Assessment? <input type="checkbox"/>	zoning district:
	COP Report? <input type="checkbox"/>	BDS inspector: dwneal	
Storm Water			
Existing storm system failure: <input type="checkbox"/>	Channel or Erosion: <input type="checkbox"/>	Problem Corrected? <input type="checkbox"/>	Major Flood Event:
Structure Flooding: <input type="checkbox"/>	Sinkhole: <input type="checkbox"/>		Flood Zone:
Yard / Parking Lot Flooding: <input type="checkbox"/>	Street Flooding: <input type="checkbox"/>		Easement:

Description:

tall grass

Additional Property Info:

Primary?	Name	Role	Address	Phone
Y	ANON	Complainant	, SPRINGFIELD MO	
	KENDRICK PROP LLC	Property Owner	1703 WINDMILL WAY, REPUBLIC MO 65738-262	

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	07/31/2015			Complaint Received		ccrigho

	07/31/2015			Route - BDS		ccrigho
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	08/03/2015			Inspection Requested	dwneal	sgriffith
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WEEDS

	08/03/2015	08/18/2015	08/03/2015	Inspection		dwneal
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High weeds front and back. Person mowing property across street said he'd try to contact him about mowing it. Posted. Photos in file.

	08/03/2015			Miscellaneous action		dwneal
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Copy of notice sent to Kendrick Prop LLC 1703 Windmill way Republic, MO 65738-2622.

	08/20/2015		08/19/2015	Reinspection		dwneal
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Property mowed. Photos in file.

	08/20/2015			Complaint Closed		dwneal
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No current weed violations.

SVC# SVC2015-06186

Reporting Dept: PIO

Creator: ccrighto

Name: TEAL OFFICER C

Responsible Dept: BDS

Updater: cedwards

Updated: 01/12/2016 16:18:58

reqType: DANGEROUS BUILDING

Received: 08/20/2015

Target: 05/04/2016

Final: 00/00/0000

Status: PEN

st#	pxf	stName	stType	stUnit	frac	sfx
616	S	MARKET	AVE			
Addr Desc:						
Intersection:						
Geocode?						

Health	PIO	PLANNING	BDS
Inspector: ?	Council zone: 3	Neighborhood association: WEST CENTRAL	structure type:
Census tract: ?	PIO Closure?	Neighborhood team report? <input checked="" type="checkbox"/>	posted date:
Self Initiated?	Internet Request?	Neighborhood Assessment? <input type="checkbox"/>	zoning district:
	COP Report?	BDS inspector: bgorman	

Storm Water			
Existing storm system failure: <input type="checkbox"/>	Channel or Erosion: <input type="checkbox"/>	Problem Corrected? <input type="checkbox"/>	Major Flood Event: <input type="checkbox"/>
Structure Flooding: <input type="checkbox"/>	Sinkhole: <input type="checkbox"/>		Flood Zone: <input type="checkbox"/>
Yard / Parking Lot Flooding: <input type="checkbox"/>	Street Flooding: <input type="checkbox"/>		Easement: <input type="checkbox"/>

Description:

Mrs. Crighton,  
 I have been assigned an issue regarding a problem house on 616 S Market. I was told that you are the liaison for me to contact to get to the Health Department.  
 The house itself has been boarded up, but some windows are broken out for people to get inside. It seems that our homeless population in the downtown area are gaining entry to the house and squatting there. There have been a few calls for service regarding the homeless population recently.

The following was sent to me via email regarding one instance:

On 8/11, we were dispatched for a report of people going inside, 15-30986. We talked two individuals out, both regular homeless we deal with. The residence still contains a lot of property, making it difficult to walk through. There was a strong odor of some time that made us cough every time we stuck our heads in the window to yell at the individuals inside. Not sure if it's just the accumulated junk inside, the fact that they have apparently used the bathroom inside, but it was a hazard.

I was also dispatched to a call in reference 616 S Market to check a person. When I arrived at the location I recognized 3 individuals from our homeless population sitting beside the house with an open container of alcohol.

It seems that even with the house being closed with boards, the homeless population seems to gain entry to the house. I stopped by the residence on 08/17/2015, and looked through one of the windows that was broken out. The smell was overwhelming when I tried to look into the house.

Please let me know what further action can be taken to try to fix this issue.

Thank you for your time,

Officer Teal 1754

Additional Property Info:

Primary?	Name	Role	Address	Phone
Y	OFFICER C TEAL	Complainant	, SPRINGFIELD MO	

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	08/20/2015			Complaint Received		ccrighto

	08/20/2015			Route - BDS		ccrighto
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	08/24/2015			Inspection Requested	bgorman	cedwards
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COMPLAINT

	08/24/2015			Miscellaneous action		bgorman
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Send LOC per 26-62 (5,13) open and vacant at windows and walls also boarded up. LOC required permits. F/U 14 days.

Disp	Date1	Date2	Date3	Action Description	Reviewed By	Created By
	09/01/2015	09/16/2015		Miscellaneous action		cedwards
Sent LOC. FU 9/16/15-BG						
	09/16/2015			Inspection Requested	bgorman	cedwards
F/U LTR OF CONDITION						
	09/16/2015			Inspection		bgorman
Made site inspection found structure open and vacant at doors and windows, also boarded W/O required permits. Send NTA per 26-62 (5,13) posted DB and photos taken. Set hearing date.						
	10/01/2015	11/01/2015		Title search		cedwards
	10/01/2015			Miscellaneous action		cedwards
Permit restricted						
	10/10/2015	12/17/2015		Notice to hearing		cedwards
Sent by certified mail. Hearing scheduled for Thursday, December 17, 2015. FU with Notice to Abate December 5, 2015-BG						
	10/20/2015			Notice to abate		cedwards
Sent by certified mail. FU 12/5/15-BG						
	10/23/2015			Miscellaneous action		cedwards
Met with owner at permit counter. He will obtain permit, secure structure and call for inspection						
	10/23/2015			Miscellaneous action		bdouglas
Owner obtained BLD2015-00981						
	10/23/2015			Lis pendens filed		cedwards
	11/10/2015			Inspection Requested	bgorman	cedwards
POST HEARING NOTICE						
	11/10/2015			Inspection Requested	bgorman	cedwards
POST NOTICE TO ABATE						
	11/10/2015			Inspection		bgorman
Posted NTA and Hearing notice, photos taken.						
	11/16/2015			Miscellaneous action		cedwards
Met with Phil (Aaron Properties) regarding his possibility of purchasing this property. I suggested he attend DB Hearing. He also was interested in boarding the structure. He can obtain a permit to do so according to Chris Straw						
	12/07/2015			Inspection Requested	bgorman	cedwards
F/U NOTICE TO ABATE						
	12/07/2015			Inspection Requested	bgorman	cedwards
F/U FOR HEARING						
	12/07/2015			Inspection		bgorman
No change proceed to hearing, follow up photos taken						
	12/17/2015			Inspection Requested	bgorman	cedwards
DB HEARING @ 3:00						
	12/18/2015			Miscellaneous action		bdouglas
WRK APPLICATION SUBMITTED PRJ2015-01795						
	12/30/2015	05/04/2016		Findings of fact		cedwards
Sent by certified mail. FU 3/5/16 and 5/4/16-BG CS-HO						
A. Complete the process for the application that has been submitted and obtain the required dangerous building wrecking permit by March 4, 2016; AND						
B. Complete the demolition work and receive a final inspection by May 3, 2016.						
	01/12/2016			Additional Complaint Recei		crrighto
No address numbers on the house. Charis, mattresses, etc. in the back.						
	01/12/2016			Miscellaneous action		cedwards
Entered trash complaint for LUI based on additional complaint. (SVC2016-00204)						