

## IN THE IOWA DISTRICT COURT FOR CERRO GORDO COUNTY

CITY OF MASON CITY, IOWA	)	
	)	
Petitioner,	)	Case No. EQCV073952
	)	
vs.	)	RULING AND ORDER
	)	AWARDING TITLE TO
ANTHONY LYNN ALLOS	)	REAL PROPERTY PURSUANT
As Trustee of the ANTHONY LYNN	)	TO IOWA CODE SECTION 657A.10B
ALLOS LIVING TRUST	)	
Dated 1 June 1990; and TREASURER	)	
FOR CERRO GORDO COUNTY, IOWA,	)	
	)	
Respondents.	)	

BE IT REMEMBERED that this matter came before the Court for trial on March 6, 2025. The petitioner, City of Mason City, Iowa, appeared by counsel, Steven C. Leidinger. Respondent, Treasurer for Cerro Gordo County, Iowa, consented to judgment being entered in favor of petitioner prior to trial. The respondent, Anthony Lynn Allos, as trustee of the Anthony Lynn Allos Living Trust dated 1 June 1990, did not appear. (A supplemental order will enter in that regard).

Trial commenced as scheduled. The Court heard testimony from Jacob Shaw, P.E., of WHKS & Company. The Court also heard testimony from Kyle Peterson, chief building official and the former code enforcement officer for the City of Mason City, Iowa.

The Court received, accepted and admitted Petitioner's Exhibits 1 through 23, in addition to the testimony.

The Court finds that the petitioner has established that all parties with an interest in the subject property have received proper notice and have either consented to the entry of an order awarding title of the subject property to the City of Mason City, or did not make a good faith effort to comply with the orders of Mason City's Chief Building Official within 60 days after the filing of the petition. The petition was filed herein on March 27, 2024.

The Court has had an opportunity to review the testimony provided at trial and the exhibits accepted into evidence. Based upon the testimony and exhibits, the Court makes the following findings:

The subject property ("property") which is the subject of the petition consists of real property with a street address of 220 East State Street in Mason City, Cerro Gordo County, Iowa. This is tax parcel #071011200300. The legal description of the property is as follows: LOTS ONE (1), FOUR (4), FIVE (5), AND EIGHT (8), IN BLOCK THIRTY-ONE (31) IN PAUL FELT'S PLAT OF MASON CITY, IOWA.

The property described above is the former Mason City High School building which had been converted to office space.

At the time of trial, the property had been unoccupied by the owner and abandoned for at least six consecutive months. No natural gas, or water or sanitary sewer services were being provided to the property. The building did not meet requirements of the Mason City Code of Ordinances as being fit for human habitation, occupancy or use. Due to substantial roof damage, the interior of the building was exposed to weather and elements such that the deterioration of the building was occurring. The owner's efforts to

repair or rehabilitate the building and grounds had been insufficient to remedy the deterioration or unsafe condition of the property. There was evidence of dead birds and animals present in the building. The City of Mason City had expended resources to mow the lawn, remove snow and to building fencing to protect persons and/or property from debris falling from the building. Property taxes or special assessments on the property were delinquent at the time the petition was filed. Prior to the petition being filed, the owner had failed to demonstrate a good faith effort to restore the property to productive use.

It was very clear from the testimony and exhibits that portions of the interior of the building were very damaged and deteriorated. Water had infiltrated the structure. Mold and water damage were evident in portions of the building. Portions of the building were structurally weak independent of the damage to the roof area. Structural weakness present in the building likely led to the partially collapsed roof and was present independently of the roof collapse and following water damage.

The Court finds that the cost of repairing or demolishing the building far exceeds the value of the building. Repair or renovation of the property would require several million dollars and is not feasible.

There are no utilities being provided to the building. There is no electricity or gas service. There is no water service or sanitary sewer service provided. Inspections reveal that the building is not in a safe condition for human occupancy.

The Court finds based upon the testimony and the exhibits that the City of Mason City, Iowa has carried its burden of proof and has complied in all respects with the

requirements of Iowa Code Section 657A.10B. The Court finds and concludes that the property located at 220 East State Street, Mason City, Iowa, constitutes abandoned property as defined in Iowa Code Section 657A.10B.

Based upon the above:

IT IS ORDERED, ADJUDGED AND DECREED that the Clerk of Court shall enter judgment in favor of the petitioner, City of Mason City, Iowa; and that the subject real property located at 220 East State Street in this City of Mason City, Cerro Gordo County, Iowa (Parcel #071011200300) and legally described as LOTS ONE (1), FOUR (4), FIVE (5), AND EIGHT (8), IN BLOCK THIRTY-ONE (31) IN PAUL FELT'S PLAT OF MASON CITY, IOWA, is abandoned property within the meaning of Iowa Code Section 657A.10B; and that judgment is hereby entered in favor of the petitioner, City of Mason City, Iowa, awarding title to the city free and clear and any claims, liens or encumbrances held by respondents, and further awarding petitioner ownership of any personal property remaining on or in the property.



State of Iowa Courts

**Case Number**  
EQCV073952

**Case Title**  
(GRR)CITY OF MASON CITY, IOWA V ANTHONY LYNN  
ALLOS AS T  
OTHER DECREE

**Type:**

So Ordered

A handwritten signature in black ink that reads "Gregg R. Rosenblatt".

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Gregg R. Rosenblatt, District Court Judge,  
Second Judicial District of Iowa

Electronically signed on 2025-03-27 11:32:43