



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

00-265

SYNOPSIS -

AGENDA:

JUNE 19, 2000

On April 25, 2000, a fire severely damaged properties located at 1927, 1931, and 1935 Crocker Street, and 1934 and 2004 Cottage Grove Avenue. These properties have been damaged to the extent that, in the opinion of the Building Official, they are structurally unsound, hazardous, and constitute a public nuisance.

SUBJECT:

PUBLIC NUISANCE
PROPERTIES AT
MARTIN LUTHER
KING, JR.
PARKWAY AND
COTTAGE GROVE

FISCAL IMPACT -

Estimated demolition costs are \$35,000. It is intended that all costs associated with this action be collected from the demolition cost reserve filed by the owners' insurance carrier, with any remaining costs paid by the owners by means of personal judgement or assessment against the property.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

Approval.

SUBMITTED BY:

JAMES GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

BACKGROUND -

These structures were severely damaged in a fire on April 25, 2000. The parties having ownership and interest in the properties are as follows:

· **1927 Crocker Street:** Mr. Joseph A. Henscheid, titleholder; Ms. Mary L. Coenen, titleholder; West Des Moines State Bank, Attn: Michelle Belden, Vice President, mortgage holder.

· **1931 Crocker Street:** Mr. Joseph A. Henscheid, Contract Purchaser; Ms. Marva Overton, titleholder.

· **1935 Crocker Street:** Mr. Joseph A. Henscheid, Contract Purchaser; Ms. Marva Overton, titleholder.

· **1934 Cottage Grove:** Mr. Joseph A. Henscheid, Contract Purchaser; Ms. Marva Overton, titleholder.

· **2004 Cottage Grove:** Mr. Joseph A. Henscheid, Contract Purchaser; Ms. Marva Overton, titleholder.

A Site Plan indicating the location of these structures is attached to the roll call.

A separate roll call for each individual property has been prepared.

The property owners, contract purchasers, and mortgage holders listed above were served with notice dated April 27, 2000. The notice indicates the subject properties were determined by the Building Official to be hazardous, unsafe, and a public nuisance. The notice ordered the parties to commence demolition of the structures within seven days, and to complete demolition within 30 days of receipt of the notice. The notice further stated that if they failed to comply with these terms, the matter would be presented to City Council on June 19, 2000, at which time they would have the opportunity to present evidence contesting said determination. No correspondence indicating a desire to resist this action has been received.

An inspection of these properties conducted June 12, 2000 found that no improvements have occurred.

The City Clerk reports that a demolition cost reserve notification has been received from the insurance carrier (United Fire & Casualty, Ames, Iowa) as required by Iowa Code.

Discussions held with Mr. Charlie Unga, Claim Representative, United Fire & Casualty, indicated that several of the properties were insured with his firm. However, Mr. Unga also indicated two addresses (referred to in their policies as 1934 Cottage Grove and 1929 Crocker) are not insured, and as such, they contend the demolition of these structures is the responsibility of the owners. 1934 Cottage Grove is directly referenced in our actions; 1929 Crocker is believed to be a portion of 1927 and/or 1931 Crocker.

United Fire & Casualty and Joseph Henscheid are reportedly engaged in negotiations with local demolition firms to complete the demolition. We have been unable to confirm a start or completion date for this demolition.

This action is being taken in the event the above parties fail to

expeditiously demolish these structures. If the owners fail to demolish these structures, it is the Community Development Department's recommendation that this matter be referred to the Legal Department to bring the appropriate legal action against said property to abate this public nuisance.

Attached to the roll call are copies of the April 27, 2000 notice, and copies of the return receipts for personal service.

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