

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

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

00-348

SYNOPSIS -

AGENDA:

JULY 24, 2000

This owner occupied single family dwelling has plumbing and building systems that have failed or deteriorated to a degree that, in the opinion of the Building Official, is threatening to the health, safety, and welfare of the public and the building occupants. As such, it constitutes a public nuisance.

SUBJECT:

PUBLIC NUISANCE
ACTION -1731 LYON
STREET

FISCAL IMPACT -

Estimated demolition costs are \$7000. All costs associated with this action are intended to be collected from the owner by means of a personal judgement or assessed against the property.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

Approval.

SUBMITTED BY:

JAMES GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

BACKGROUND -

This property has damaged plumbing systems that were overflowing the ground surface to adjoining property. Emergency attempts to correct the problem using city contractors were unsuccessful. Inspection revealed serious plumbing flaws located below a severely deteriorated portion of the structure. Correction will require significant removal and rebuilding of building structural systems.

This property has been sold on contract numerous times, and most recently occupied by contract purchaser William Rattray.

The titleholder of the property, Carol Johnson, and contract purchasers William Rattray and Linda Rattray have been served with notices dated June 13, 2000 to vacate, and repair or demolish this structure. Contract purchaser Billy David Kendrick

has been served with notice dated July 6, 2000 to repair or demolish this structure. Contract purchasers Terry and Diana Thompson, Georgia Elifritz, and James H. and Alice M. Kendrick were notified by posting of notice dated July 6, 2000 to repair or demolish this structure.

Ms. Carol Johnson's Attorney, Mr. Brett I. Anderson, has notified the city that the property has been vacated, but Ms. Johnson will not have the property under control prior to council hearing. No commitment was made regarding correction or demolition of the property.

No response was received from the remaining parties with interest in the property.

The city has caused this structure to be vacated, boarded and secured.

This action will enable the city to bring legal action to cause its demolition or repair in the event the titleholders fail to bring the building into compliance.

A property condition report prepared by this office, copies of notices and return receipts, site plan and photographs of the subject property are attached to the roll call.