

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	June 8, 2009
	Agenda Item No. 35 Roll Call No. <u>09-</u> Communication No. <u>09-397</u> Submitted by: Larry Hulse, Community Development Director	

AGENDA HEADING:

Authorizing Compromise of Judgment with Donna L. Barnes.

SYNOPSIS:

Recommend approval for Donna L. Barnes, the owner of the property at 2207 E. 14th Street, who is attempting to settle a judgment by payment of a reduced lump sum, has asked the City to accept and take, as a compromise, \$6,000 in order to facilitate settlement.

FISCAL IMPACT:

Amount: Amount owed to the City \$12,064.77; recommended settlement \$6,000.

Funding Source: 2009 Operating Budget, Grants Personnel, Fund SP020, Org Code CDD049900, page 111.

ADDITIONAL INFORMATION:

2207 E. 14th Street was a public nuisance property, demolished by the City. The total bill for demolition costs, court costs and Neighborhood Inspection fees was \$14,437.34. The City’s collection agents, Abendroth & Russell started collection efforts in April of 2008 and by garnishments of approximately \$100.00 per month have received \$2,372.57 leaving a balance due of \$12,064.77. After reviewing the facts and circumstances and upon the recommendation of the City’s collection agents, Abendroth & Russell, the Legal Department is of the opinion that liability and settlement of the judgment for \$6,000.00 is in the best interest of the City of Des Moines.

PREVIOUS COUNCIL ACTION(S):

Date: December 8, 2003

Roll Call Number: 03-2826

Action: 2207 E. 14th Street (vacant), Titleholder: Donna L. Barnes; Mortgage Holders: Green Tree Servicing, LLC f/k/a Conseco Finance Servicing Corporation; Tax Certificate Holder: Oak Park Investments Partnership IV. Moved by McPherson to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S):

Date: August 23, 2004

Roll Call Number: 04-1831

Action: 2207 E. 14th Street, Titleholder: Donna Barnes; Mortgage Holder: Green Tree Servicing, LLC. Moved by Vlassis to adopt. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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