

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	December 7, 2009
	Agenda Item No. 26 Roll Call No. <u>09-</u> Communication No. <u>09-840</u> Submitted by: Larry Hulse, Community Development Director	

AGENDA HEADING:

Authorizing a Compromise of Judgment with Primo Acquisitions, LLC.

SYNOPSIS:

Recommend approval for Primo Acquisitions, LLC, the owner of the property at 1152 22nd 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, \$11,000 in order to facilitate settlement.

FISCAL IMPACT:

Amount: Amount owed to the City \$16,014.83; recommended settlement \$11,000.

Funding Source: FY2010 Operating Budget, Grants Personnel, Fund SP020, Org CDD049900, page 74.

ADDITIONAL INFORMATION:

1152 22nd Street was a public nuisance property, demolished by the City. The total bill for demolition cost, court costs and Neighborhood Inspection fees was \$16,014.83. The City's collection agents, Abendroth & Russell started collection efforts in 2005. 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 \$11,000 is in the best interest of the City of Des Moines.

PREVIOUS COUNCIL ACTION(S): NONE

Date: May 17, 2004

Roll Call Number: 04-1091

Action: 1152 22nd Street; Titleholder: Primo Acquisition I, L.L.C. Moved by Vlassis to adopt. Motion Carried 7-0.

Date: April 7, 2003

Roll Call Number: 03-826

Action: 1152 22nd Street (vacant) TITLEHOLDER: Primo Acquisitions I, LLC, Attn: John Davis, Registered Agent, CONTRACT BUYER: Jason Villines. Moved by Vlassis to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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