

CITY OF DES MOINES, IOWA  
Office of Legal  
Community Development Department

TO: Mayor and Council Members  
Larry Hulse, Director  
Community Development

DATE: April 8, 2010

FROM: Cheryl Tillinghast  
Legal Assistant

SUBJECT: Board of Health  
April 12, 2010

AUTHORIZING

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1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following locations:

(A) **3507 Franklin Avenue, main structure and garage structure, Titleholder: Randy R. Graves, Mortgage Holder: Principal Residential Mortgage, Inc., n/k/a CitiMortgage, Inc.**

10/12/09 The main structure and garage structure were inspected and found to be a public nuisance. Exterior pictures were taken at this time. Interior picture was taken 9/21/09.

11/18/09 The Public Nuisance Notice was served on Mortgage Holder Principal Residential Mortgage, Inc., n/k/a CitiMortgage, Inc.

02/17/10 The Public Nuisance Notice was served on Titleholder Randy R. Graves

04/09/10 The property was re-inspected and found to remain a public nuisance. No change in appearance of property from 10/12/09 inspection photos.

(B) **3848 SE 14<sup>th</sup> Street, Lot 82, main structure (trailer), Titleholder: Radio City Residential Cooperative, Occupants: Carol Lester and Lincoln Lester, Sr., Mortgage Holder: Liberty Bank FSB**

11/20/09 The main structure (trailer) was inspected and found to be a public nuisance.

12/07/09 The Public Nuisance Notice was served on Titleholder Radio City Residential Cooperative

12/23/09 The Public Nuisance Notice was served on Occupants Carol Lester and Lincoln Lester Sr.

02/09/10 The Public Nuisance Notice was served on Mortgage Holder Liberty Bank, FSB

04/07/10 The property was re-inspected and found to remain a public nuisance.

(C) **1319 23<sup>rd</sup> Street, main structure, Titleholders: Joseph R. Schaefer and Paula J. Schaefer; Mortgage Holders: Mortgage Electronic Registration Systems, Inc. and FEZ, Inc. of DSM d/b/a Iowa Bail Bonds**

12/30/09 The structure was inspected and found to be a public nuisance. Interior pictures were taken at this time.

1/24/10 The Public Nuisance Notice was served on the Titleholders Paula J. Schaefer and Joseph R. Schaefer

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02/19/10 The Public Nuisance Notice was served on the Mortgage Holder FEZ, Inc. of DSM d/b/a Iowa Bail Bonds

02/22/10 The Public Nuisance Notice was served on the Mortgage Holder Mortgage Electronic Registration Systems, Inc.

04/07/10 The property was re-inspected and found to remain a public nuisance.

**2. The release of the demolition cost reserve escrow account held for the garage structure located at 1320 Clinton Avenue**

2/24/10 EMC Insurance Companies notified the City of the holding of a demolition cost reserve to reimburse the City for costs incurred in the removal of a collapsed garage structure.

3/29/10 Structure has been removed by property owners in compliance with all applicable codes and a request to withhold costs in the amount of \$268.00 from the demolition cost reserve has been made to the insurance company to satisfy the claim by the City in connection with this public nuisance action.

**COMMUNICATION:**

**3. Regarding demolition cost reserve being held by West Bend Insurance Company for the fire-damaged property located at 1609 33<sup>rd</sup> Street, Des Moines, Iowa**

3/18/10 West Bend Insurance, notified the City of Des Moines that a demolition cost reserve in the amount of \$10,000.00 has been established for the property located at 1609 33<sup>rd</sup> Street. This property sustained fire damage on 03/20/2010.

cc: Bruce Bergman  
Vicky Long Hill  
Ben Bishop  
Steve Gunson