

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

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

DATE: December 4, 2008

FROM: Cheryl Tillinghast  
Legal Assistant

SUBJECT: Board of Health  
December 8, 2008

AUTHORIZING

1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following locations:
    - (A) 1100 Buchanan Street, (fire-damaged main structure and garage structure) Titleholders: All Heirs to the Estate of James E. Sloan and Eathel L. Sloan
- 07/17/08 The fire-damaged structure was inspected and found to be a public nuisance. Interior pictures were taken at this time.
- 10/09/08 The Public Nuisance Notice was served on the Heir to Titleholders Linda L. Thompson
- 10/10/08 The Public Nuisance Notice was served on the Heir to Titleholders Rebecca S. Earle a/k/a Rebecca Daught
- 10/12/08 The Public Nuisance Notice was served on the Heir to Titleholders Larry E. Sloan
- 10/24/08 The Public Nuisance Notice was served on the Heir to Titleholders Jimmy E. Sloan, Jr.
- 10/24/08 The Public Nuisance Notice was served on the Heir to Titleholders Carolyn M. Chiles
- 10/28/08 The Public Nuisance Notice was served on the Heir to Titleholders Kim Benson
- 12/03/08 The property was re-inspected and found to remain a public nuisance.
- 12/04/08 The inspector reported that he spoke to Heir Rebecca S. Earle. She stated that the plan is to demolish the structure as soon as the insurance money is issued. There is a demolition cost reserve already escrowed, which was communicated to City Council at the November 10, 2008 meeting, BDH-3.

(B) 3031 Dean Avenue, (garage structure) Titleholder: Larry Stenslie and Mortgage Holder Amwest Surety Insurance Company a/k/a Amwest Surety Insurance Company

09/23/08 The garage structure was inspected and found to be a public nuisance.

10/04/08 The Public Nuisance Notice was served on the Titleholder Larry Stenslie

10/29/08 The Public Nuisance Notice was served on the Mortgage Holder Amwest Surety Insurance Company a/k/a Amwest Surety Insurance Company

12/04/08 The property was re-inspected and found to remain a public nuisance.

(C) 2110 Meek Avenue, (main structure), Titleholder: Michael Jones

10/08/08 The structure was inspected and found to be a public nuisance.

10/24/08 The Public Nuisance Notice was served on the Titleholder Michael Jones

12/03/08 The property was re-inspected and found to remain a public nuisance

(D) 5805 New York Avenue, (main structure and garage structure), Titleholder: JP Morgan Chase Bank, NA as Trustee for the MLMI Surf Trust Series 2005-BC3

8/26/08 The main structure and garage structure were inspected and found to be a public nuisance

10/29/08 The Public Nuisance Notice was served on the Titleholder JP Morgan Chase Bank

12/04/08 The property was re-inspected and found to remain a public nuisance.

(E) 1535 23<sup>rd</sup> Street, (garage structure), Titleholders: Ceres haya A. Bradley a/k/a Creshaya A. Mitchell and the Mortgage Holders Integra Bank Corp. f/k/a Firstar Bank, NA and Lederman Bonding Company

09/16/08 The garage structure was inspected and found to be a public nuisance.

09/23/08 The Public Nuisance Notice was served on the Titleholder Ceres haya A. Bradley a/k/a Creshaya A. Mitchell

- 10/20/08 The Public Nuisance Notice was served on the Mortgage Holder Lederman Bonding Company
- 10/23/08 The Public Nuisance Notice was served on the Mortgage Holder Integra Bank Corp f/k/a Firststar Bank, NA
- 12/03/08 The property was re-inspected and found to remain a public nuisance
2. The release of the fire escrow account held for the structure located at 913 Army Post Road
- 11/16/07 Shelter 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 fire-damaged structure
- 12/01/08 Structure has been renovated in compliance with applicable codes and demolition cost reserve funds should be released.

cc: Bruce Bergman  
Vicky Long Hill  
Ben Bishop  
Steve Gunson