

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

TO: Mayor and Council Members
Phil Delafield, Acting Director
Community Development

DATE: November 18, 2010

FROM: Cheryl Tillinghast
Legal Assistant

SUBJECT: Board of Health
November 22, 2010

AUTHORIZING

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

(A) 3130 6th Avenue, fire-damaged main structure, Titleholder: First National Acceptance Company; Contract Buyers: Bernardo R. Lopez and Armando Perez

9/21/2009 The fire-damaged main structure and garage structure were inspected and found to be a public nuisance.

9/24/2009 The Public Nuisance Notice was served on Contract Buyers Bernardo R. Lopez and Armando Perez

09/25/2009 The Public Nuisance Notice was served on Titleholder First National Acceptance Company

10/30/09 A building permit was issued by the permit and development center and work began on the structure by the contract buyers. Inspector monitored property monthly but progress on the renovation slowed and then ceased in June of 2010.

11/17/2010 The property was re-inspected and the fire-damaged structure was found to remain a public nuisance.

(B) 1519 E. 12th Street, fire-damaged garage structure, Titleholder: Elizabeth J. Hickey; Mortgage Holders: HSBC Bank USA, NA and Mortgage Electronic Registration Systems, Inc.

5/20/2010 The fire-damaged garage structure was inspected and found to be a public nuisance.

7/06/2010 The Public Nuisance Notice was served on Titleholder Elizabeth J. Hickey

- 10/05/2010 The Public Nuisance Notice was served on Mortgage Holder Mortgage Electronic Registration Systems, Inc.
- 10/12/2010 The Public Nuisance Notice was served on Mortgage Holder HSBC Bank USA, NA
- 11/17/2010 The property was re-inspected and the fire-damaged garage structure was found to remain a public nuisance.

**(C) 826 Walker Street, main structure and accessory structure,
Titleholder: Kenneth L. Barnett**

- 9/09/2010 The main structure and accessory structure were inspected and found to be a public nuisance. Interior pictures were taken at this time.
- 9/22/2010 The Public Nuisance Notice was served on Titleholder Kenneth Barnett
- 11/17/2010 The property was re-inspected and the main structure and accessory structure were found to remain a public nuisance.

cc: Bruce Bergman
Vicky Long Hill
Ben Bishop
Steve Gunson