

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

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

DATE: February 9, 2012

FROM: Cheryl Tillinghast  
Legal Assistant

SUBJECT: Board of Health  
February 13, 2012

**AUTHORIZING:**

1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following location:
  - (A) **1954 E. Bell Avenue**, fire-damaged main structure (bi-attached) and garage structure, Titleholders: Daniel C. Murphy, Jr. and Linda Channon-Murphy; Mortgage Holder: West Bank
    - 10/07/2011 The fire-damaged main structure was inspected and found to be a public nuisance. Interior pictures were taken at this time.
    - 11/12/2011 The Public Nuisance Notice was served on Titleholders Daniel C. Murphy, Jr. and Linda Channon-Murphy
    - 12/14/2011 The Public Nuisance Notice was served on Mortgage Holder West Bank
    - 02/08/2012 The property was re-inspected and found to remain a public nuisance. Inspector reports this is a bi-attached structure and the fire wall between the two units contained the fire to only this side. Inspector reports no permits have been requested and no progress toward abatement.
  - (B) **3934 14<sup>th</sup> Street**, main structure and garage structure, Titleholder: Terry W. McDowell (Vicki McDowell, deceased); Mortgage Holder: Bank of America, National Association
    - 11/01/2011 The main structure and garage structure were inspected and found to be a public nuisance. Interior pictures were taken at this time.
    - 11/28/2011 The Public Nuisance Notice was served on Titleholder Terry McDowell
    - 12/15/2011 The Public Nuisance Notice was served on Mortgage Holder Bank of America, NA
    - 02/08/2012 The property was re-inspected and found to remain a public nuisance. Inspector reports no permits have been requested and no progress toward abatement.

cc: Jeff Lester  
Vicky Long Hill  
Steve Gunson  
Su Donovan