CITY OF DES MOINES, IOWA

Office of Legal Community Development Department

TO:

Mayor and Council Members

DATE:

October 4, 2012

Phil Delafield, Acting Director Community Development

FROM:

Cheryl Tillinghast

SUBJECT:

Board of Health

Legal Assistant

October 8, 2012

AUTHORIZING:

- 1. The Legal Department to proceed with court action for authority to abate the public nuisances at the following locations:
 - (A) 708 Hickman Road, fire-damaged main structure and garage structure. Titleholder: The Bank of New York Mellon as Trustee for Popular Financial services Mortgage/Pass Through Certificate Series #2006-D and previous Titleholders Salvador Gonzalez and Roxana Gonzalez.
 - 08/16/2011 The structures were inspected and found to be a public nuisance. Interior pictures were taken at this time.
 - 08/22/2011 The Public Nuisance Notice was served on Titleholders
 Salvador Gonzalez and Roxana Gonzalez (property conveyed to
 The Bank of New York Mellon on 8/15/2012)
 - 11/01/2011 The Public Nuisance Notice was served on Mortgage Holder The Bank of New York Mellon (currently titleholder of record)
 - 10/03/2012 The property was re-inspected and found to remain a public nuisance. Inspector reports no permits have been requested and no progress toward abatement.
 - (B) 1509 E. 36th Court, fire-damaged main structure, garage structure and accessory structure Titleholders: Larry L. Allen and Deborah E. Allen; Mortgage Holder: CitiFinancial, Inc.
 - 04/01/2011 The fire-damaged main structure, garage, and accessory structure were inspected and found to be a public nuisance.
 - 04/12/2011 The Public Nuisance Notice was served on Titleholders Larry L. Allen and Deborah E. Allen

(B) (1509 E. 36th Court) cont'd

06/16/2011 The Public Nuisance Notice was served on Mortgage Holder CitiFinancial, Inc.

10/03/2012 The property was re-inspected and found to remain a public nuisance. Inspector reported progress toward renovation was taking place up through 9/5/2011. However, inspector reports renovation efforts ceased and the structure has now sustained damage from a second fire.

cc: Jeff Lester Vicky Long Hill Steve Gunson Su Donovan