

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

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

DATE: May 16, 2013

FROM: Cheryl Tillinghast
Legal Assistant

SUBJECT: Board of Health
May 20, 2013

AUTHORIZING:

1. The Engineering Department to proceed with administrative removal to abate the public nuisance at the following location:

(A) 5403 SW 8th Street, fire-damaged main structure, Titleholder: Robert J. Hartman (deceased), Heirs: Mary Ann Hartman, Angel Lea Hartman, Charity L. Hartman, Heather D. Hartman, and Faith Marie Jones

- | | |
|------------|--|
| 10/12/2012 | The fire-damaged structure was inspected and found to be a public nuisance. The garage structure was also severely damaged by fire (see photo). |
| 04/19/2013 | The Public Nuisance Notice and Notice of Administrative Removal were served on Mary Ann Hartman |
| 04/20/2013 | The Public Nuisance Notice and Notice of Administrative Removal were served on Faith Marie Jones |
| 04/23/2013 | The Public Nuisance Notice and Notice of Administrative Removal were served on Angel Lea Hartman |
| 04/24/2013 | The Public Nuisance Notice and Notice of Administrative Removal were served on Charity L. Hartman |
| 04/26/2013 | The Public Nuisance Notice and Notice of Administrative Removal were served on Heather Hartman |
| 04/30/2013 | The fire-damaged garage structure debris was removed by Public Works Department |
| 05/15/2013 | As of this date the property remains a public nuisance and all interested parties have been served with proper notice to advise them of the administrative removal of the main structure |

2. The Legal Department to proceed with court action seeking authority to abate the public nuisances at the following two locations:

(A) 1603 University Avenue, fire-damaged main structure, Titleholder: Anthony Trimnell

- 08/20/2010 The fire-damaged structure was inspected and found to be a public nuisance.
- 04/03/2013 The Public Nuisance Notice was served on Titleholder Anthony Trimnell
- 05/15/2013 The property was re-inspected and the structure was found to remain a public nuisance. Inspector reports no permits have been issued in connection with this property.

(B) 2545 E. 24th Street, fire-damaged main structure and accessory structure, Titleholder: Christina M. Palacios, Mortgage Holder: Wells Fargo Bank, NA

- 10/17/2012 The fire-damaged main structure and accessory structure were inspected and found to be a public nuisance. Interior pictures were taken at this time.
- 11/14/2012 The City of Des Moines Zoning Department determined that this property is located in an area zoned Floodway (FW) and the structure is damaged in excess of 60 percent of its replacement cost, exclusive of foundation; therefore, the structure cannot be rebuilt unless relocated on the land to conform to the particular district regulations.
- 12/03/2012 The Public Nuisance Notice and the Rebuild Letter were served on the Titleholder Christina M. Palacios
- 01/18/2013 The Public Nuisance Notice and the Rebuild Letter were served on the Mortgage Holder Wells Fargo Bank, NA
- 05/15/2013 The property was re-inspected and the structure was found to remain a public nuisance. Inspector reports no demolition permits have been issued in connection with this property.

cc: Jeff Lester
Vicky Long Hill
SuAnn Donovan
Steve Gunson