

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

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

DATE: April 3, 2014

FROM: Cheryl Tillinghast
Legal Assistant

SUBJECT: Board of Health
April 7, 2014

AUTHORIZING:

1. The Legal Department to proceed with court action for authority to abate the public nuisances at the following locations:
 - (A) **1524 Clark Street**, building structure, Titleholder: Charles Stuewe
 - 07/30/2013 The structure was inspected and found to be a public nuisance.
 - 09/21/2013 The Public Nuisance Notice was served on Titleholder Charles Stuewe
 - 04/02/2014 The structure was re-inspected and found to remain a public nuisance. Photos were taken at this time.
 - 04/02/2014 The inspector reports no permits have been requested and no visible progress toward abatement
 - (B) **3510 Cottage Grove Avenue**, building structure, Titleholders: Rick A. Lee and Charlotte A. Lee; Mortgage Holder: Iowa State Bank
 - 09/09/2013 The structure was inspected and found to be a public nuisance.
 - 09/18/2013 The Public Nuisance Notice was served on Titleholders Rick A. Lee and Charlotte A. Lee
 - 09/20/2013 The Public Nuisance Notice was served on Mortgage Holder Iowa State Bank
 - 04/02/2014 The structure was re-inspected and found to remain a public nuisance. Photos were taken at this time.
 - 04/02/2014 The inspector reports no permits have been requested and no visible progress toward abatement

(C) **1941 Francis Avenue**, fire-damaged main structure, Titleholders: William Nelson and Caryl Sundland; Contract Buyers: Erin L. Massman f/k/a Erin Reifschneider, Jeanette Miller, Heather Conner, James Roper, and Abram Swoboda

11/24/2013 The fire-damaged structure was inspected and found to be a public nuisance. Interior pictures were taken on 11/25/2013.

01/24/2014 The Public Nuisance Notice was served on Titleholders William Nelson and Caryl Sundland and Contract Buyers Erin L. Massman f/k/a Erin Reifschneider, Jeanette Miller, and Abram Swoboda via publication.

04/01/2014 Upon further research, I found that contract buyers Heather Conner and James Roper no longer have an interest in the property as they defaulted on their contract purchase from Erin L. Massman and returned the property to Erin L Massman at which time she sold on contract to Jeanette Miller and Abram Swoboda, who were residing in the home at the time of the fire.

04/02/2014 The structure was re-inspected and found to remain a public nuisance. Photos were taken at this time.

04/02/2014 The inspector reports no permits have been requested and no visible progress toward abatement.

(D) **1374 York Street**, main structure and accessory structure (shed), Titleholder: Brian H. Kim

12/31/2013 The main structure and accessory structure were inspected and found to be a public nuisance.

02/18/2014 The Public Nuisance Notice was served on the Titleholder Brian H. Kim.

04/02/2014 The structures were re-inspected and found to remain a public nuisance. Photos were taken at this time.

04/02/2014 The inspector reports no permits have been requested and no visible progress toward abatement.

(E) **5911 SW 9th Street**, building structure, Titleholder: State Wide Lands, LLC

01/28/2013 The structure was inspected and found to be a public nuisance. Exterior photos were taken at this time.

05/30/2013 The Public Nuisance Notice was served on the Titleholder State Wide Lands, LLC

- 02/18/2014 The structure was re-inspected and found to remain a public nuisance. Photos were taken at this time.
- 04/02/2014 The inspector reports no permits have been requested and no visible progress toward abatement. The building remains in the same condition depicted in the photos taken on 02/18/2014.

COMMUNICATION:

2. Regarding demolition cost reserve being held by American Security Insurance Company dated 02/28/2014.

02/28/2014 American Security Insurance Company notified the City of Des Moines that a demolition cost reserve has been established in the amount of \$15,631.87 for the property located at 2939 E. Ovid Avenue. This property sustained fire damage on or about July 26, 2013.

cc: Jeff Lester
Vicky Long Hill
Su Donovan