



Roll Call Number

Agenda Item Number

30

Date September 24, 2018

COMMUNICATION OF FIRE ESCROW AT 1944 E GRAND AVENUE

Communication from Neighborhood Inspection Division regarding demolition cost reserve escrowed for main structure located at 1944 E Grand Avenue, Des Moines, Iowa.

(Communication and documentation attached)

Moved by _____

to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated July 16, 2018, if owner(s) has not demolished or renovated the structure.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

Mayor

City Clerk

RECEIVED

JUL 16 2018

LEGAL DEPARTMENT

July 10, 2018

City of Des Moines
AttN : City Council / City Legal
400 Robert D Ray Dr Ste B
Des Moines IA 50309-1813

State Farm Claims
PO Box 106169
Atlanta GA 30348-6169

RE: Claim Number: 15-9L96-045
Date of Loss: November 26, 2016
Our Insured: Juan Pina

Dear City Council:

The property located at 1944 E Grand Avenue DBA City Furniture & Mattress sustained Fire damage on the above-referenced date of loss. We have received a proof of loss for a sum exceeding 75% of the value of the policy. Iowa law requires fire and casualty companies to hold a demolition cost reserve under such circumstances. In general, insurers must reserve \$10,000.00 or 10% of the payment, whichever is greater, to cover demolition costs under the circumstances if:

- A. The property without repairs is uninhabitable or unfit for its purpose.
- B. The property owner has submitted a proof of loss for a sum exceeding 75% of the face value of the policy.

Therefore, to be in compliance with Iowa Statute I.C.A., sec. 515.139, I am notifying you that a reserve for demolition costs has been withheld.

It is my understanding that the City shall release all interest in the demolition cost reserve within 180 days after receiving notice of the existence of the demolition cost reserve unless the City has instituted legal proceedings for the demolition of said building and has notified the insured in writing of the institution of such legal proceedings. Failure of the City to notify the insured of such legal proceedings shall terminate the City's claim to any proceeds from the reserve.

A reserve for demolition cost shall no longer be required if:

- A. The insurer has received notice from the insured and the City Council that the insured has commenced repairs to the properties or has commenced demolition of the property.
- B. The City has failed to notify the insurer as provided above.

If the City is required to demolish the damaged property at City expense after instituting legal proceedings, emergency actions, or obtaining waivers for the demolition of the building or other insured structure, the City shall present to the insurer the actual costs of the demolition of the

property, including engineering, legal and other demolition project costs, and the insurers shall compensate the City for the actual cost of the demolition project up to the amount in a demolition cost reserve. Any amount left from the demolition cost reserve after the cost of demolition of the property is paid to the City shall be paid to the insured if the insured is entitled to the remaining proceeds under the policy. The insurer is not liable for any amount in excess of the limits of the liability set out by the policy.

This letter is notice of our compliance with Iowa law. Please contact us if you have any questions.

Sincerely,

Marshall Little
Claim Specialist
(844) 458-4300 Ext. 2534395730

State Farm Fire and Casualty Company

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1944 E GRAND AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/02327-001-002	Geoparcels	7824-02-211-017	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Cary Halfpopp, ICA 515-286-2279		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

[Bigger Map](#)
[Google Map](#) [Pictometry](#)

Photo Processed on 2012-06-19 a

Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PINA, JUAN	2007-05-22	<u>12203/348</u>
Title Holder	2	PINA, MARTHA		

Legal Description and Mailing Address

LTS 50 & 55 & W 32F LTS 51 & 54 & VAC E/W ALLEY N & ADJ W 32F LT 54 & E 22F LT 55 GOODE & LIKES ADDITION	JUAN PINA 1944 E GRAND AVE DES MOINES, IA 50316
--	---

Current Values

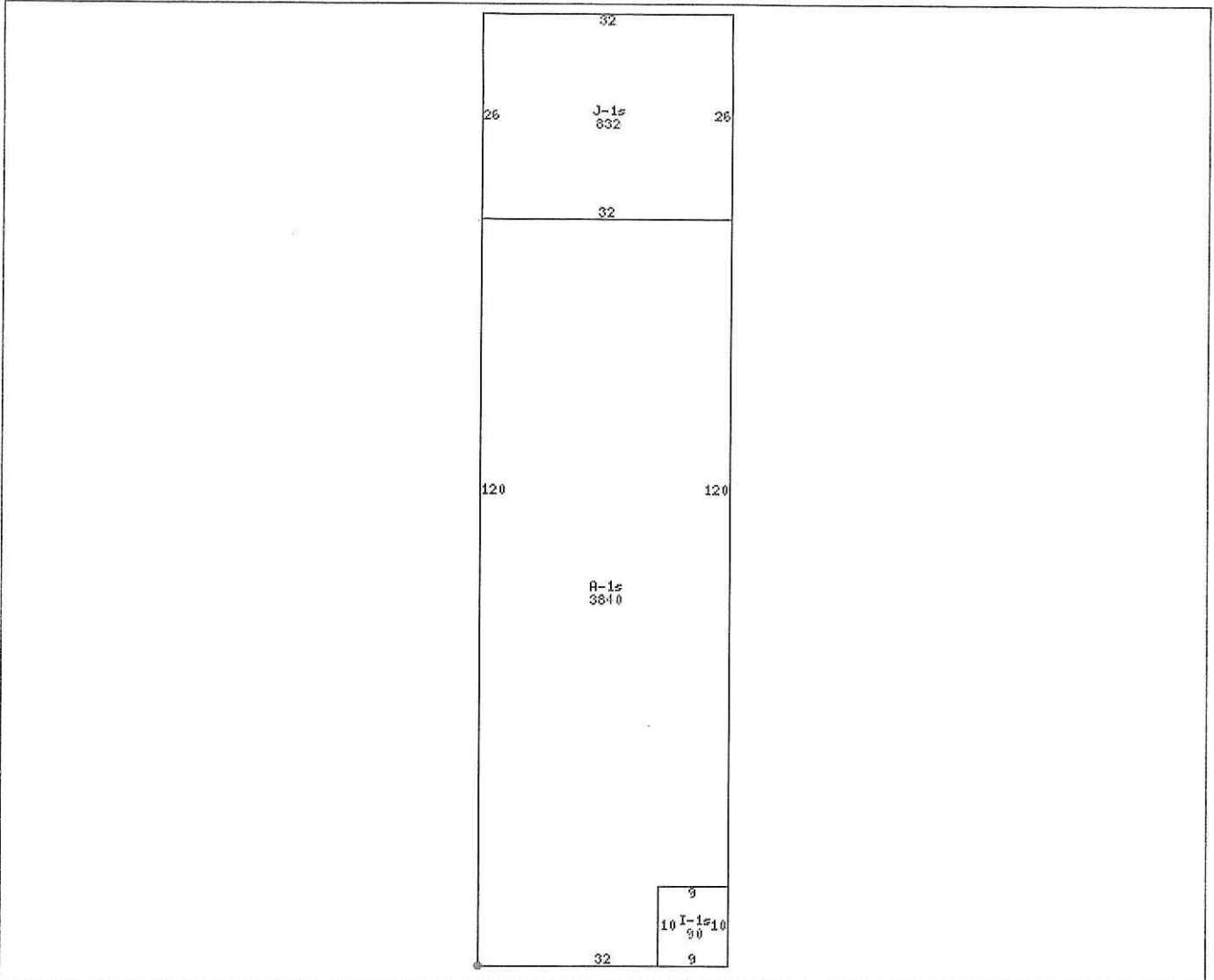
Type	Class	Kind	Land	Bldg	Total
2018 Value	Industrial	Full	\$29,800	\$93,200	\$123,000

Auditor Adjustments to Value

Category		Name		Information	
2017 Business Property Tax Credit		JUAN PINA		Application 3019	
Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
M-1	Light Industrial District			Industrial Light	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	20,516	Acres	0.471	Frontage	76.0
Topography	Blank	Shape	Rectangular	Vacancy	Blank
Unbuildable	Blank				
Commercial Summary					
Occupancy	Retail & Warehouse	Age, Weighted	1956	Total Story Height	1
Land Area	20,516	Gross Area	3,840	Finished Area	3,098
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Primary Group	Retail Small	Percent Primary Group	78.33	Secondary Group	Warehouse
Percent Secondary Group	21.67	Grade, Weighted	5/Grade 5	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up
Condition, Weighted	NM/Normal	Ground Floor Area	3,840	Perimeter	304
Unfinished Area	832	Interior Finished Area	90		
Commercial Sections - 1 Record					
Commercial Section #101					
Occupant	NEW LIFE FURNITURE				
Section Multiplier	1	Occupancy	Retail & Warehouse	Foundation	Concrete
Exterior Wall	Concrete Block or Tile	Roof	Gable	Roof Material	Metal
Manual Overhead Square Foot	160	Wiring	Adequate	Plumbing	Adequate
Total Story Height	1	Frame Type	Steel	Fireproof Construction	No
Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	3,840	Ground Floor Area	3,840
Perimeter	304	Grade	5+00	Year Built	1956

Condition	Normal				
Comment	OH DR'S 2-8X10, I=OFFICE, J=WAREHOUSE				
Commercial Groups - 3 Records					
Commercial Group #101 1					
Use Code	Interior Finish	Base Story	1	Number Stories	1
Total Group Area	90	Base Floor Area	90	Heating	Surround
Air Conditioning	None	Exhaust System	No		
Commercial Group #101 2					
Use Code	Retail Small	Base Story	1	Number Stories	1
Total Group Area	3,008	Base Floor Area	3,008	Wall Height	12
Heating	Unit	Air Conditioning	None	Exhaust System	No
Commercial Group #101 3					
Use Code	Warehouse	Base Story	1	Number Stories	1
Total Group Area	832	Base Floor Area	832	Wall Height	14
Heating	Unit	Air Conditioning	None	Grade Adjust	Unadjusted
Exhaust System	No				

30



Detached Structures - 2 Records

Detached Structure #101

Occupancy	Asphalt Paving	Measurement Code	Square Feet	Measure 1	3,200
Grade	4	Year Built	1956	Condition	Below Normal

Detached Structure #201

Occupancy	Asphalt Paving	Measurement Code	Square Feet	Measure 1	12,740
Grade	3	Year Built	1946	Condition	Below Normal
Other	ASPH & PT CONC				

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ELM TRUST	PINA, JUAN	<u>2007-04-27</u>	\$25,000	Deed	<u>12203/348</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Assessment Roll</u>	Industrial	Full	\$29,800	\$93,200	\$123,000

Yr	Type	Class	Kind	Land	Bldg	Total
2015	<u>Assessment Roll</u>	Industrial	Full	\$24,900	\$88,100	\$113,000
2013	<u>Assessment Roll</u>	Industrial	Full	\$24,900	\$71,400	\$96,300
2011	<u>Assessment Roll</u>	Industrial	Full	\$24,900	\$71,400	\$96,300
2009	<u>Assessment Roll</u>	Industrial	Full	\$24,900	\$71,400	\$96,300

30

This template was last modified on Sat Mar 4 12:31:48 2017 .