



Roll Call Number

09-597

April 6, 2009

Agenda Item Number

BDH-2

Date

WHEREAS, on September 8, 2008, Shelter Insurance Companies sent the City of Des Moines notice of holding under claim no. 14-73-3631081-11, a demolition cost reserve in the amount of \$10,000.00 for the purpose of reimbursing the City of Des Moines for costs incurred in the removal of a fire-damaged structure located at 1429 University in Des Moines which is owned by their insured; and

WHEREAS, service of the public nuisance notice was never accomplished upon the contract buyer of the property and legal action was not initiated within the 180 day timeframe as required by law; and

WHEREAS, by law, the City Council is required to give notice to the insurance company of the release of the demolition cost reserve if legal proceedings are not initiated within the 180 timeframe.

NOW THEREFORE BE IT RESOLVED that the demolition cost reserve held by Shelter Insurance Companies under claim number 14-73-3631081-11 for purposes of demolition of a fire-damaged structure located at 1429 University in Des Moines, be released.

BE IT FURTHER RESOLVED that the City Clerk give notice of this release of funds to Kris Gearhart, Adjuster, Shelter Claim Office, 7001 Pioneers Blvd., Lincoln, NE 68506 by mailing a copy of this resolution.

Moved by Vlassis to adopt.

FORM APPROVED:

Vicky Long Hill
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Cownie Mayor

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.

Diane Rauh City Clerk