

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: April 11, 2016
	Agenda Item No. 36 Roll Call No. <u>16-0579</u> Communication No. <u>16-203</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Approving request to Polk County Treasurer for assignment of 2014 tax sale certificate for the public nuisance property at 2019 30th Street to the City of Des Moines for rehabilitation of housing.

SYNOPSIS:

The request to Polk County Treasurer for the tax sale certificate and acquisition by the City or assignment of the tax sale certificate to a developer for acquisition may result in the rehabilitation of the public nuisance house for sale to a home buyer.

FISCAL IMPACT:

Amount:

- \$5,418.61 owed for 2014 Tax Sale.
- \$12,170.47 Total amount of taxes and special assessment due through April 30, 2016.

Funding Source: Funding advanced will be reimbursed by developer or the owner if the tax sale certificate is redeemed.

ADDITIONAL INFORMATION:

- Iowa Code Section 446.19A permits cities to obtain the assignment of outstanding tax sale certificates for vacant and public nuisance residential properties by paying the certificate holder the amount that is due to redeem the certificate.
- The City can assign the tax sale certificate to another agency or the City can take tax deed to the property itself as long as it furthers the redevelopment of housing.
- On February 25, 2013 by Roll Call No. 13-0367, the City Council, acting as the Board of Health, determined the property at 2019 30th Street to be a public nuisance and authorized the legal department to proceed with court action seeking authority to abate the public nuisance.
- The property at 2019 30th Street has a 2014 and a 2015 tax sale certificate and has additional taxes and assessments have accumulated that will be sold at the 2016 tax sale if not paid by the owner.
- Neighbors have requested the City’s assistance in saving and/or demolishing the house with an end purpose of redevelopment for an owner-occupant.
- The current owner is Amy, L.L.C. with an address of 230 7th Street, West Des Moines, IA. The property was purchased at Sheriff’s sale for \$7,000.

- It is possible that the existing title holder will redeem the tax sale certificate, in which case the City's action is moot. In that case, the City/developer will be reimbursed any funds paid for the tax sale certificate.

PREVIOUS COUNCIL ACTION(S):

Date: February 25, 2013

Roll Call Number: [13-0367](#)

Action: Authorizing the Legal Department to proceed with court action seeking authority to abate the public nuisances at the following locations:

- (B) [2019](#) 30th Street, main structure, titleholder: Marilyn R. Weir, deceased, The Estate of Marilyn R. Weir and All Known and Unknown Heirs: Mortgage Holder: MetaBank. Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Either council action to assign the tax sale certificate to developer or Public Hearing if City takes ownership.

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