

Date..... January 26, 2009

RESOLUTION REQUESTING TAX SALE CERTIFICATES FROM POLK COUNTY TREASURER'S OFFICE FOR 1702 FOREST AVENUE AND 1649 E. GRAND AVENUE AND APPROVING AGREEMENT FOR ASSIGNMENT OF TAX SALE CERTIFICATES TO NFC PROPERTIES LLC

WHEREAS, Iowa Code 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property or vacant residential lots at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the holder the amount then due to redeem the certificate, and to give notice of expiration of the redemption period upon an expedited schedule, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings and vacant lots for housing; and,

WHEREAS, the parcels described below are abandoned and assessed as residential property, and

WHEREAS, the house at 1702 Forest Avenue is deteriorating in condition, has been declared a public nuisance and is suitable for owner-occupied housing following rehabilitation; and

WHEREAS, the vacant lot at 1649 E. Grand Avenue is suitable for affordable owner-occupied housing when it is combined with the 1653 East Grand Avenue; and

WHEREAS, NFC Properties LLC, an Iowa corporation, (Holly Olson, Executive Director) has submitted a proposal to renovate the properties at 1702 Forest and 1649 E. Grand Avenue described below in accordance with the character of the neighborhood for re-sale for affordable owner-occupied housing; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. The City Manager is authorized and directed to sign an application to the Polk County Treasurer requesting that any outstanding tax sale certificates for the parcels described below be assigned to the City of Des Moines for affordable owner-occupied housing.

Address: 1702 Forest Avenue
District/Parcel No.: 080/02362-000-000
Legal: Lot 55 Garden Addition to North Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Address: 1649 E. Grand Avenue
District/Parcel No.: 040/05526-000-000
Legal: West 30 Feet Lot 12, and E 4 Feet Lot 13, Block 59, Stewarts Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

( continued )

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2. The Agreement on file in the Office of the City Clerk, between the City and NFC Properties LLC, whereby the City agrees to acquire and assign to NFC Properties LLC the tax sale certificate for the parcels described above, and NFC Properties LLC agrees to rehabilitate the parcels for affordable owner-occupied housing, is hereby approved.
3. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines.
4. Upon execution of the Agreement by all parties, acquisition of the Tax Sale Certificate(s) by the City and receipt of the required reimbursement from NFC Properties LLC as required by the Agreement, the City Manager is hereby authorized and directed to sign and deliver the Assignment of the Tax Sale Certificate(s) to the Polk County Treasurer to reassign any such certificate to NFC Properties LLC.
5. Any liens held by the City against the parcel located at 1702 Forest Avenue, including those liens for delinquent utilities in the approximate amount of \$1,523.01, are hereby waived subject to receipt of the tax deed by NFC Properties LLC.
6. Any liens held by the City against the parcel located at 1659 E. Grand Avenue, including those liens for delinquent utilities and demolition costs in the approximate amount of \$15,340.05 are hereby waived subject to receipt of the tax deed by NFC Properties LLC.

( Council Communication No. 09- **024** )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown

Assistant City Attorney

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

MOTION CARRIED

APPROVED

.....  
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.

\_\_\_\_\_  
City Clerk