

.....
Date..... February 25, 2008

RESOLUTION APPROVING TAX ABATEMENT APPLICATION FOR THE ADDITIONAL
VALUE ADDED BY IMPROVEMENTS TO 733 SE 27th COURT TO APPLY
PROSPECTIVELY

WHEREAS, the Iowa Urban Revitalization Act, Chapter 404, Code of Iowa (the "Act"), provides for partial exemption from property tax for the actual value added by improvements to property located in a designated urban revitalization area which are consistent with the urban revitalization plan for such Area; and

WHEREAS, the Act provides that persons making improvements must apply to the City Council for tax abatement, and the City Council shall approve the application by resolution, subject to review by the County Assessor, if it finds (a) the project is located in a designated urban revitalization area; (b) the project is in conformance with the urban revitalization plan for such area; and (c) the improvements were made during the time the area was so designated; and

WHEREAS, pursuant to the Act, the Des Moines City Council passed Ordinance No. 11,026 designating the entire area within the corporate boundaries of the City of Des Moines on July 6, 1987, as a revitalization area (the "City-wide Urban Revitalization Area"); and

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council approved the Urban Revitalization Plan for the City-wide Urban Revitalization Area which Plan, among other things, specifies the types of improvements eligible for tax abatement; and

WHEREAS, the attached application is for the value added by improvements made to the property at 733 SE 27th Court; and

WHEREAS, the improvements made to 733 SE 27th Court were substantially completed in 2006, but there is no record the application was received by the City prior to January 6, 2008; and

WHEREAS, the applicant has asked that the City request retro-active application of the tax abatement by the Polk County Assessor to apply to the value added as of January 1, 2007; and,

WHEREAS, the attached application has been received, reviewed and recommended for conditional approval by City staff.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

(continued)


Date..... February 25, 2008

- 1) The attached application for tax abatement for improvements to 733 SE 27th Court is hereby received.
- 2) The following findings are hereby adopted:
 - a) The attached application was filed in a timely manner prior to February 1, 2008, but there is no indication that the application was filed with the City in a prior year.
 - b) The attached application is for a project located in the City-wide Urban Revitalization area; the project is in conformance with the Urban Revitalization Plan for the City-wide urban revitalization area; and the improvements described in the application were made during the time the applicable area was so designated.
- 3) The attached application is approved subject to review by the County Assessor under Section 404.5 of the Act, for exemption according to the schedule noted on the applications.
- 4) The City Clerk shall forward a certified copy of this resolution and the attached applications to the County Assessor.

(Council Communication No. 08-095)

MOVED by _____ to adopt, with the tax abatement to be applied prospectively.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

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



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January 6, 2008

Phil Poorman
City of Des Moines
Permit & Development Center
602 Robert Ray Dr.
Des Moines, IA 50309

Re: Tax Abatement Application

Phil Poorman/Des Moines City Council

Pursuant to my conversation with Phil Poorman, I am submitting this letter to request that the attached tax abatement application be back dated to the February 2006.

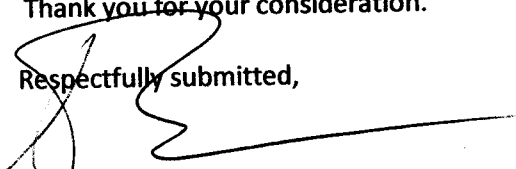
This request is due to the fact that DSG submitted five tax abatement applications in February 2006 for the following addresses:

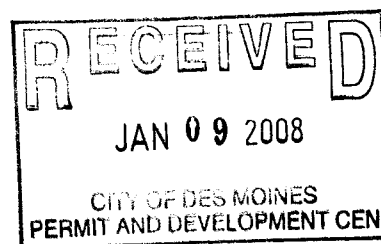
733 SE 27th Court, Des Moines IA 50317
737 SE 27th Court, Des Moines IA 50317
730 SE 27th Court, Des Moines IA 50317
729 SE 27th Court, Des Moines IA 50317
629 SE 27th Court, Des Moines IA 50317

Acknowledgement from the City of Des Moines was not received for the property in question. All other properties were granted the tax abatement status in the proper timeframe. We believe that the application 733 SE 27th has somehow fallen in the cracks. We are confident that we submitted the application, considering all were completed at the same time.

Thank you for your consideration.

Respectfully submitted,


Steve Johnson
President



Date Received : _____

07- 20

2007 Tax Abatement Application – Des Moines, Iowa	
Property & Owner/ Authorized Agent Info	Address: <u>733 SE 27th Ct, Des Moines IA 50317</u>
	Legal description: <u>Lts 21' 22' BLK 17 Larison Place</u>
	Polk Co. Assessor's District & Parcel #: <u>050</u> <u>02276-003-000</u> (Go to: http://www.assess.co.polk.ia.us/) district parcel #
	Title holder or contract holder name: <u>Sara Lewis</u>
	Address of owner if different than above: _____
	Authorized Agent: _____ Phone #: (____) _____ if different than above
Use Classification	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial
	Owner-Occupied? Renter-Occupied? <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Single Family <input type="checkbox"/> Duplex or Triplex <input type="checkbox"/> Duplex or Triplex <input type="checkbox"/> Condo or Townhouse <input type="checkbox"/> Condo or Townhouse <input type="checkbox"/> Multi-Family
Project Type	<input checked="" type="checkbox"/> New structure <input type="checkbox"/> Addition <input type="checkbox"/> Renovation
On City Sewer ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Improvements	
Completion Date	<u>02 2006</u> <input type="checkbox"/> Estimated date <input checked="" type="checkbox"/> Actual date month / year Your improvements will be assessed for tax abatement on Jan. 1, 2006 even if they are partially completed. This assessment will be reflected in your Sept. 2007 tax payment.
Estimated Cost of Improvements	<u>\$ 125,000</u>
Abate. Schedule	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4A <input type="checkbox"/> 4B See reverse side for schedule information
Tenant Information	If project was rehabilitation of residential property, were there tenants when project started? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answered yes, list the tenant's name, date the tenant occupancy began and relocation benefits paid to each tenant on the reverse side of this form

Return application to:
City of Des Moines /
Permit & Development Center

602 Robert Ray Dr.
Des Moines, IA 50309

Questions: BLD 2004-03094 2/22/05
Phil Poorman at 515-283-4751 or prpoorman@dmgov.org
Phil Poorman

Your application is not officially filed until you have been assigned a confirmation number. If you have not received a confirmation number the application has not been officially received, processed, or filed.

Date Received : _____

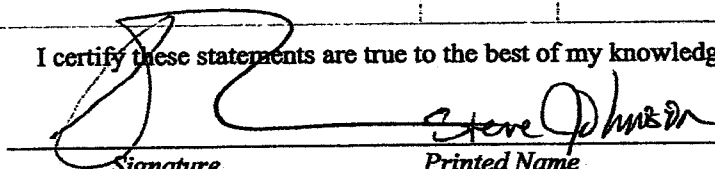
07- _____

<i>Abatement Schedule #</i>	<i>Use</i>	<i>Must increase building assessment by: Residential: at least 5% Commercial: at least 15%</i> <i>Amount eligible for abatement</i>	<i>How much of improvement's value is abated?</i>	<i>Improvement must qualify with applicable - zoning, - building and - fire codes</i> <i>Where?</i>
1 (for improvements)	Residential only	Up to \$20,000	115% for 10 years	Anywhere in city, provided zoning is appropriate
2 (for new construction & major improvements)	Residential, Commercial and/or Industrial	No limit	1 st year - 80% 2 nd year - 70% 3 rd year - 60% 4 th year - 50% 5 th & 6 th year - 40% 7 th & 8 th year - 30% 9 th & 10 th year - 20%	<u>Industrial</u> permitted in Central Place & Guthrie Ave. urban renewal areas.
3 (new construction & major improvements)	Residential, Commercial and/or Industrial	No limit	100% for 3 years	Anywhere in city provided zoning is appropriate.
4A (new construction & major improvements)	Residential & Commercial with 75% of space for residential	No limit	100% for 10 years	Must be in specified area which are generally located in the downtown and near-downtown
4B (new construction & major improvements)	Residential & Commercial with 75% of space for residential	No limit	100% for 5 years	Anywhere in city. <u>Not</u> permitted in area generally west of the airport where public sewer is unavailable.

Tenant Relocation: If this project is rehabilitation of residential property, list the tenant's name, date the tenant occupancy began and relocation benefits paid to each tenant. Attach additional paper if needed.

<i>Tenant Name</i>	<i>Unit #</i>	<i>Date Tenancy Began</i>	<i>Relocation Benefits</i>	
			<i>Amt. Paid</i>	<i>Date of Payment</i>

Signature _____ I certify these statements are true to the best of my knowledge.



 Signature Printed Name

11/6 07
Date