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Date..... February 25, 2008

RESOLUTION APPROVING TAX ABATEMENT APPLICATION  
FOR THE ADDITIONAL VALUE ADDED BY IMPROVEMENTS TO  
1010 MAURY STREET FOR AN EIGHT YEAR PERIOD

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 1010 Maury Street; and

WHEREAS, the improvements made to 1010 Maury Street were substantially completed in 2004, but the abatement application was not filed until January, 2008; and

WHEREAS, since the application was not timely filed within the two year grace period allowed by statute, the application can only be approved for 8 years instead of 10 years; and

WHEREAS, the application should be processed by the Polk County Assessor and applied to the value added as of January 1, 2008; 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

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- 1) The attached application for tax abatement for improvements to 1010 Maury Street is hereby received.
- 2) The following findings are hereby adopted:
  - a) The attached application was filed prior to February 1, 2008, but not filed within the two year grace period allowed by statute from when the improvements were completed in 2004. The abatement application can only be approved for 8 years instead of 10 years.
  - 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- 096 )

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

FORM APPROVED:

  
 Michael F. Kelley  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAVS	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

TAX 2007-00492

Date Received :

ENTERED

07-

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2007 Tax Abatement Application - Des Moines, Iowa	
Property & Owner/ Authorized Agent Info	Address: 1010 MAURY ST. DES MOINES, IA 50309
	Legal description: 2100F LOTS 6-7 - EX BLK 4 N10F-E100FS 1/2 LTR ALLEYS SECOND EDITION
	Polk Co. Assessor's District & Parcel #: 040-00045-000-000 (Go to: <a href="http://www.assess.co.polk.ia.us/">http://www.assess.co.polk.ia.us/</a> ) district parcel #
	Title holder or contract holder name: CURTIS FORNEY - BRENDA FORNEY
	Address of owner if different than above: _____
Authorized Agent: _____ Phone #: (515) 282-5209 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 type="checkbox"/> New structure <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Renovation
On City Sewer ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Improvements	STRUCTURE WAS TORN OUT TO THE SHELL AND COMPLETELY PUT BACK NEW.
Completion Date	<del>001</del> 01 04 <input checked="" type="checkbox"/> Estimated date <input 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	\$ 40,000
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 checked="" 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 2003-02042 8/6/03  
 Phil Poorman at 515-283-4751 or [prpoorman@dmgov.org](mailto:prpoorman@dmgov.org)  
 Phil Poorman 2/10/08

**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.**

<i>Abatement Schedule #</i>	<i>Use</i>	Must increase building assessment by: <u>Residential:</u> at least 5% <u>Commercial:</u> at least 15% <i>Amount eligible for abatement</i>	<i>How much of improvement's value is abated?</i>	Improvement must qualify with applicable - zoning, - building and - fire codes  <i>Where?</i>
<b>1</b> (for improvements)	Residential only	Up to \$20,000	115% for 10 years	Anywhere in city, provided zoning is appropriate
<b>2</b> (for new construction & major improvements)	Residential , Commercial and/or Industrial	No limit	1 <sup>st</sup> year - 80% 2 <sup>nd</sup> year - 70% 3 <sup>rd</sup> year - 60% 4 <sup>th</sup> year - 50% 5 <sup>th</sup> & 6 <sup>th</sup> year - 40% 7 <sup>th</sup> & 8 <sup>th</sup> year - 30% 9 <sup>th</sup> & 10 <sup>th</sup> year - 20%	<u>Industrial</u> permitted in Central Place & Guthrie Ave. urban renewal areas.
<b>3</b> (new construction & major improvements)	Residential , Commercial and/or Industrial	No limit	100% for 3 years	Anywhere in city provided zoning is appropriate.
<b>4A</b> (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
<b>4B</b> (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.

*Curtis Forney*      **CURTIS FORNEY**      12/27/07  
 Signature                      Printed Name                      Date