

Date April 23, 2007

RESOLUTION APPROVING TAX A ABATEMENT APPLICATION FOR THE  
ADDITIONAL VALUE ADDED BY IMPROVEMENTS TO 4411 SE 14<sup>th</sup> STREET

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 4411 SE 14<sup>th</sup> Street; and

WHEREAS, the improvements made to 4411 SE 14th Street were substantially completed in 2006, but the property did not satisfy the applicable design criteria for the tax abatement area and therefore did not qualify for tax abatement until further improvements were recently completed in 2007; 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 )

15

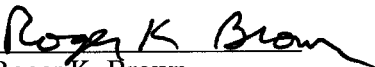
Date..... April 23, 2007

- 1) The attached application for tax abatement for improvements to 4411 SE 14<sup>th</sup> Street is hereby received.
- 2) The following findings are hereby adopted:
  - a) The attached application was filed prior to February 1, 2007, but the property did not qualify for tax abatement until March 2007.
  - 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. **07-241** )

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

FORM APPROVED:

  
 Roger K. Brown  
 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

TAX 2006-00027

ORIGINAL 15

3-20-06

APPLICATION FOR TAX ABATEMENT UNDER THE DES MOINES CITY-WIDE URBAN REVITALIZATION PLAN

This application must be filed with the City by the 1st Working Day in February

ADDRESS OF PROPERTY 4411 SE, 14th ST DES MOINES, IA

LEGAL DESCRIPTION OF PROPERTY EX S 10 E - N 1/2 NW 1/4 SW 1/4 S 10 E SW 1/4 NW 1/4 SW 1/4 SEC 23-78-24

TITLE HOLDER OR CONTRACT BUYERS FORGET PROP LLC

ADDRESS OF OWNER (IF DIFFERENT THAN ABOVE) 4214 FLEUR DR STE 13 (50321) DM, IA

PHONE NUMBER HOME 515-962-1564 WORK 515-223-0019

PROPOSED PROPERTY USE: RESIDENTIAL, COMMERCIAL (CIRCLED), INDUSTRIAL (CIRCLE ONE). WILL THE PROPERTY BE? RENTAL, OWNER OCCUPIED (CIRCLED). WILL THE PROPERTY BE SERVED BY CITY SEWER? YES (CIRCLED), NO.

SPECIFY IMPROVEMENTS NEW CAR WASH

ESTIMATED OR ACTUAL DATE OF COMPLETION JUNE 1, 2006

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS 1,200,000

TAX EXEMPTIONS SCHEDULE 1, 2 (CIRCLED), 3, 4A, 4B (SEE REVERSE SIDE FOR APPLICABLE TAX SCHEDULES)

IF RESIDENTIAL RENTAL PROPERTY, COMPLETE THE FOLLOWING NUMBER OF UNITS

TENANTS OCCUPYING THE BUILDING WHEN PURCHASED (OR PRESENT TENANTS IF UNKNOWN) / DATE OF TENANT OCCUPANCY / RELOCATION BENEFITS RECEIVED BY ELIGIBLE TENANTS / ATTACH LIST OF BUILDINGS BEING DEMOLISHED, IF ANY (TO BE CONTINUED ON A SEPARATE PAGE IF NECESSARY)

TENANT DATE OF OCCUPANCY RELOCATION BENEFITS

Certify That the above statements are true to the best of my knowledge.

SIGNATURE DATE 3-20-06

FOR AGENCY USE ONLY. THE ABOVE APPLICATION IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY-WIDE URBAN REVITALIZATION PLAN. CONSTRUCTION PERMIT NO. DATE ISSUED. COMMUNITY DEVELOPMENT DEPARTMENT DATE. RELOCATION BENEFITS PAID. CITY RIGHT OF WAY DEPARTMENT DATE. DES MOINES CITY COUNCIL DATE. AS ATTESTED BY THE CITY CLERK. PRESENT ASSESSED VALUE. ASSESSED VALUE WITH IMPROVEMENTS. ELIGIBLE OR NOT ELIGIBLE FOR TAX ABATEMENT. POLK COUNTY ASSESSOR DATE.

WHEN COMPLETED RETURN TO: TAX ABATEMENT, PERMIT AND DEVELOPMENT CENTER 602 ROBERT D. RAY DR. (FORMERLY E. 1ST STREET), DES MOINES, IA 50309



FILING THIS APPLICATION DOES NOT CONSTITUTE APPROVAL