

Date April 23, 2007

RESOLUTION APPROVING A TAX ABATEMENT APPLICATION FOR THE ADDITIONAL VALUE ADDED BY IMPROVEMENTS COMPLETED IN 2005 and 2006, AND REQUESTING RETRO-ACTIVE APPLICATION (3400 3rd Street and 2809 Brockway Drive)

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 applications are for value added by eligible improvements made to the property at 3400 3rd Street and 2809 Brockway Drive during calendar years 2005 and 2006; and,

WHEREAS, the applicant has asked that the City request retro-active application of the tax abatement by the Polk County Assessor since it appears that the application was timely filed but not processed correctly by City Staff; 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:

- 1) The attached applications for tax abatement for improvements to 3400 3rd Street and 2809 Brockway Drive is hereby received.

(continued)

Date..... April 23, 2007

- 2) The following findings are hereby adopted:
 - a) It appears that the attached applications were timely filed before February 1, 2007, but was not timely processed by the City.
 - b) The attached applications are for projects located in the City-wide Urban Revitalization area; the projects are in conformance with the Urban Revitalization Plan for the City-wide urban revitalization area; and the improvements described in the applications were made during the time the applicable area was so designated.
- 3) The attached applications are 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. 07-242)

MOVED by _____ to adopt, and to request that the Polk County Assessor apply the tax abatement retroactively commencing with the taxes payable in FY2008/09 upon the value existing on January 1, 2007.

FORM APPROVED:

Roger K. Brown
 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

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

2/11/07 ORIGINAL

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

ADDRESS OF PROPERTY 3400 3rd Street

LEGAL DESCRIPTION OF PROPERTY LOT 11 BLK Highland Park

TITLE HOLDER OR CONTRACT BUYERS

ADDRESS OF OWNER (IF DIFFERENT THAN ABOVE)

PHONE NUMBER HOME 244-5704 WORK 213-4860

PROPOSED PROPERTY USE RESIDENTIAL

WILL THE PROPERTY BE? RENTAL COMMERCIAL OWNER-OCCUPIED INDUSTRIAL (CIRCLE ONE)

WILL THE PROPERTY BE SERVED BY CITY SEWER? YES NO (CIRCLE ONE)

SPECIFY IMPROVEMENTS New Construction

ESTIMATED OR ACTUAL DATE OF COMPLETION 11/05

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS \$130,000

TAX EXEMPTION SCHEDULE 1 2 3 4A 4B (CIRCLE ONE)

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

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

SIGNATURE DATE 4/9/07

FOR AGENCY USE ONLY. THIS SECTION IS FOR THE CITY'S USE TO TRACK COMPLIANCE WITH THE REQUIREMENTS OF THE URBAN REVITALIZATION PLAN. It includes fields for Construction Permits, Community Development Department, Relocation Benefits Paid, City Right-of-Way Department, Des Moines City Council, Present Assessed Value, Assessed Value with Improvement, Eligible or Not Eligible for Tax Abatement, and Polk County Assessor.

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



2/1/07
original

FILING THIS APPLICATION DOES NOT CONSTITUTE APPROVAL
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 2809 Brockway Drive

LEGAL DESCRIPTION OF PROPERTY Lot 47 Three Lakes Estates Plat 5

TITLEHOLDER OR CONTRACT BUYERS REGENCY HOMES

ADDRESS OF OWNER (IF DIFFERENT THAN ABOVE) 6600 WESTOWN PKWY, WEST DES MOINES, IA 50266

PHONE NUMBER HOME N/A WORK (515) 273-9652

PROPOSED PROPERTY USE RESIDENTIAL COMMERCIAL INDUSTRIAL (CIRCLE ONE)

WILL THE PROPERTY BE? RENTAL OWNER OCCUPIED (CIRCLE ONE)

WILL THE PROPERTY BE SERVED BY CITY SEWER? YES NO (CIRCLE ONE)

SPECIFY IMPROVEMENTS SINGLE FAMILY - NEW CONSTRUCTION

ESTIMATED OR ACTUAL DATE OF COMPLETION May 2006

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS 176,645.00

TAX EXEMPTION SCHEDULE 1 2 3 4a 4b
(CIRCLE ONE)

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 SEPERATE PAGE IF NECESSARY)

TENANT	DATE OF OCCUPANCY	RELOCATION BENEFITS

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

SIGNATURE Walter Kennedy Date _____

FOR AGENCY USE ONLY	
THE ABOVE APPLICATION IS/IS NOT IN COMPLIANCE WITH REQUIREMENTS OF THE CITY-WIDE REVITALIZATION PLAN.	
CONSTRUCTION PERMIT No.(S) <u>RLD 2005-03164</u>	DATE ISSUED <u>12/16/05</u>
	DATE ISSUED _____
	DATE ISSUED _____
COMMUNITY DEVELOPMENT DEPARTMENT <u>Philip Poorman</u>	DATE <u>2/1/07</u>
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 E. FIRST STREET, DES MOINES, IA 50309
QUESTIONS: PHILIP R. POORMAN 283-4751



FILING THIS APPLICATION DOES NOT CONSTITUTE APPROVAL