

Date June 4, 2007

RESOLUTION APPROVING REQUEST TO POLK COUNTY TREASURER FOR ASSIGNMENT OF 2007 TAX CERTIFICATE FOR 1131 28<sup>th</sup> STREET

WHEREAS, the 1999 and 2004 amendments to the Iowa Code 446.19A permit cities to acquire tax sale certificates for abandoned property assessed as residential or as commercial multifamily housing property without paying the taxes then due, and to give notice of expiration of the redemption period three months after the sale, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings for rehabilitation of housing; and,

WHEREAS, the parcel at 1131 28<sup>th</sup> Street, more specifically described as follows, is an abandoned property, assessed as residential property, is deteriorating in condition, has been declared a public nuisance and is suitable for housing following rehabilitation:

Lot 58 Drake University Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, the City Council directed staff to abate the nuisance at 1131 28<sup>th</sup> Street on February 28, 2005 by Roll Call No. 05-513 and,

WHEREAS, the City may request the 2007 tax sale certificate for 1131 28<sup>th</sup> Street from Polk County pursuant to Iowa Code 446.19A; and

WHEREAS, the City staff has spoken with the 2006 tax sale certificate holder, Oak Helm Partners (OPHP), represented by John Howes, and it has indicated its willingness to work with the City on transferring the 2006 tax sale certificate; and

WHEREAS, the Community Development Department will distribute a Request for Proposals for the rehabilitation of the property, with the condition that the City assign the certificate to a developer based on an appropriate rehabilitation plan, understanding of the tax deed acquisition process, and that the property will be restricted for use as single-family 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 hereby authorized and directed to sign the accompanying Affidavit of Abandoned or Public Nuisance Property and submit it to the Polk County Treasurer requesting that the 2007 tax certificate for 1131 28<sup>th</sup> Street be assigned to the City of Des Moines for rehabilitation for housing.

( continued )

★ Roll Call Number

Agenda Item Number

18 C

Date June 4, 2007

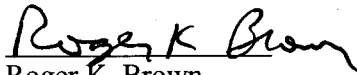
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- The City Manager is directed to delay demolition of the property while the City staff distributes a Request for Proposals for the property and locates a developer to acquire and renovate the property based on a rehabilitation plan for the property, including evidence of financing satisfactory to the City Manager, examples of similar work completed in Des Moines area, and a binding agreement in a form satisfactory to the Legal Department to sell for use as single-family owner-occupied housing.

( Council Communication No. 07- 341 )

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

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

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