

Date July 9, 2007

RESOLUTION REQUESTING ASSIGNMENT OF TAX SALE CERTIFICATES FROM POLK COUNTY FOR 1720 8<sup>TH</sup> STREET AND APPROVING AGREEMENT FOR ASSIGNMENT OF TAX SALE CERTIFICATE TO COMMUNITY HOUSING DEVELOPMENT CORPORATION

WHEREAS, Iowa Code 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the holder the amount then due to redeem the certificate, and to give notice of expiration of the redemption period upon an expedited schedule, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings; and,

WHEREAS, the parcel described below is an abandoned property, assessed as residential property, deteriorating in condition, has been declared a public nuisance and is suitable for owner-occupied housing following rehabilitation; and

WHEREAS, there are outstanding 2005 and 2006 tax sale certificates against the parcel described below which the City may request under Iowa Code 446.19; and

WHEREAS, Community Housing Development Corporation ("CHDC"), an Iowa nonprofit housing provider, (Executive Director, Karen Q. Jeske) has met with the residents of the River Bend Neighborhood and City staff, and proposes to renovate the dwelling on the parcel described below in accordance with the character of the neighborhood for re-sale for owner-occupied housing;

WHEREAS, the cost of the tax sale certificates is approximately \$5,000 and CHDC has agreed to reimburse the City any of its costs for the acquisition;

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

- 1. The Mayor is authorized and directed to sign the attached affidavit to the Polk County Treasurer requesting that the outstanding tax sale certificates for the parcel described below be assigned to the City of Des Moines for rehabilitation for owner-occupied housing.

Address: 1720 8th Street
District/Parcel No.: 080/05310-000-000
Legal: Lot 3 & N 1/2 Lot 4, Block 14, Polk County Homestead & Trust Co. Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

( continued )


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2. The Agreement on file in the Office of the City Clerk, between the City and CHDC, whereby the City agrees to acquire and assign to CHDC, the tax sale certificate for the parcel described above, and CHDC agrees to reimburse the City for its acquisition costs and to rehabilitate the structure for owner-occupied housing, is hereby approved.
3. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines.
4. Upon execution of the Agreement by all parties, acquisition of the Tax Sale Certificates by the City, and receipt of payment from CHDC pursuant to the Agreement, the City Manager is hereby authorized and directed to sign and deliver the Assignment of the Tax Sale Certificate to the Polk County Treasurer to reassign the certificate to CHDC.
5. The City Council hereby declares its intent to waive the City's lien upon the parcel for court fees and enforcement costs in the amount of approximately \$1805.<sup>00</sup>, if CHDC is able to take title to and rehabilitate the property.
6. The City Manager and Legal Department are directed to take no action to demolish the house while CHDC is attempting to acquire title to the property.

(Council Communication No. 07-417 )

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

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