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Date..... September 25, 2006

RESOLUTION APPROVING TAX ABATEMENT APPLICATION FOR THE
ADDITIONAL VALUE ADDED BY IMPROVEMENTS MADE DURING 2004
TO APPLY PROSPECTIVELY
(2721 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 application is for value added by eligible improvements made to the property at 2721 Brockway Drive during calendar year 2004; and,

WHEREAS, the applicant has asked that the City request retro-active application of the tax abatement by the Polk County Assessor as if the application were timely filed; 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 application for tax abatement for improvements to 2721 Brockway Drive are hereby received.

(continued)

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- 2) The following findings are hereby adopted:
 - a) The attached application was filed after February 1st following the calendar year in which the improvements were completed, but within the two year grace period.
 - 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. 06- 599)

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

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

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.

 Mayor

 City Clerk

September 6, 2006

Phil Poorman
City of Des Moines
Permit and Development Center
Armory Building
602 Robert D. Ray Drive
Des Moines, Iowa 50309-1811
Re: 2721 Brockway Drive

To Whom It May Concern:

It appears that the Tax Abatement for 2721 Brockway Drive may not have been submitted back in June of 2004. The house was completed in November of 2004.

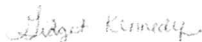
Please submit this Tax Abatement to benefit the Homeowner Ryan Matthias. Please bring before the City Council on September 25, 2006. Please consider the abatement to be retro-activated, to wipe away taxes that will be due for March 2007.

I can not tell you if the original Tax Abatement for the address was submitted and lost or if the individual who was responsible to fill out the form failed at this task. It may have been lost or misplaced by the Builder while in transporting to your office. The Builders use to take the Tax Abatements down when they took the checks down in 2004.

Today we send the Tax Abatements electronically with the Building Permit submittals.

Thank you for your time and consideration. If you have any questions, please let me know.

Sincerely,



Gidget Kennedy
Regency Homes
Construction Support
6600 Westown Parkway
West Des Moines, IA 50266
515-273-9652

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 2721 Brockway Drive

LEGAL DESCRIPTION OF PROPERTY Lot 37 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 Completed

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS 145,035.00

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)

Table with 3 columns: TENANT, DATE OF OCCUPANCY, RELOCATION BENEFITS

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

SIGNATURE [Signature] Date Sep 6, 2006

FOR AGENCY USE ONLY
THE ABOVE APPLICATION IS/IS NOT IN COMPLIANCE WITH REQUIREMENTS OF THE CITY-WIDE REVITALIZATION PLAN.
CONSTRUCTION PERMIT No.(S) DATE ISSUED
COMMUNITY DEVELOPMENT DEPARTMENT DATE
RELOCATION BENEFITS PAID
CITY RIGHT OF WAY DEPARTMENT DATE
DES MOINES CITY COUNCIL DATE
(POLK COUNTY ASSESSOR DATE)