

Date November 23, 2009

RESOLUTION APPROVING APPLICATION FOR TAX ABATEMENT
FOR IMPROVEMENTS MADE DURING 2007, AND DENYING REQUEST
TO HAVE THE TAX ABATEMENT APPLIED RETROACTIVELY
(5105 Springwood Lane)

WHEREAS, Cindy Jungweber filed the attached application for tax abatement with the City of Des Moines on November 3, 2009, seeking tax abatement for improvements made to her home at 5101 Springwood during calendar year 2007, and she further requests that the tax abatement be applied retroactively to the property taxes due in the current fiscal year as if the application has been timely filed prior to February 1, 2008; and,

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, Iowa Code §404.4 and the corresponding provisions in the City-wide Urban Revitalization Plan provide that any application for tax abatement received by the City after February 1, 2009, and before February 1, 2010, shall be reviewed by the City for approval and forwarded to the County Assessor by March 1, 2010, and shall be applied commencing with the property taxes due in FY 2011/12; and,

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 5105 Springwood Lane is hereby received.
- 2) The following findings are hereby adopted:
 - a) The attached application was not timely filed, and received by the City of Des Moines on November 3, 2009, within the two year grace period for late filed applications.
 - 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 was made during the time the applicable area was so designated.
 - c) The applicant is seeking to have the application retroactively applied as if it had been timely filed, but Iowa Code Ch 404 does not empower the City to approve such a request.

(continued)

★ **Roll Call Number**

Agenda Item Number

18

Date November 23, 2009

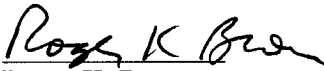
-2-

- 3) The attached application for tax abatement is hereby approved.
- 4) The City Clerk shall forward a certified copy of this resolution and the attached application to the applicant and the County Assessor.

(Council Communication No. 09- **831**)

MOVED by _____ to adopt and approve the application for tax abatement, and to deny the request to have it applied retroactively.

FORM APPROVED:


 Roger K. Brown
 Assistant City Attorney

(Request Attached)

| 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

A confirmation number will be issued by the City upon receipt of this application. This application is not effective and not be considered properly filed until the confirmation number has been issued.

Date Received: 11/13/09

By: Eduonna

Retain the confirmation as your proof of filing.

Confirmation Number 09- 2009-00216

2009

Tax Abatement Application – Des Moines, Iowa

| | | |
|---|--|---|
| Property & Owner/ Authorized Agent Info | Address: <u>5105 Springwood Lane</u> | |
| | Legal description: <u>Lot 16 Brookrun Village Plat 12</u> | |
| | Polk Co. Assessor's District & Parcel #: <u>060</u> <u>Plat 00713-226-166</u> | (Go to: http://www.assess.co.polk.ia.us/) district parcel # |
| | Title holder or contract holder name: <u>Cindi + Tony Jungweber</u> | |
| Address of owner if different than above: | | |
| Authorized Agent: | | Phone #: <u>(515) 554-4274</u> |
| Property Use Classification | <input checked="" type="checkbox"/> Residential Owner-Occupied? <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Duplex or Triplex <input type="checkbox"/> Condo or Townhouse <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Renter-Occupied? <input type="checkbox"/> Single Family <input type="checkbox"/> Duplex or Triplex <input type="checkbox"/> Condo or Townhouse <input type="checkbox"/> Multi-Family | |
| Project Type | <input checked="" type="checkbox"/> New structure <input type="checkbox"/> Addition <input type="checkbox"/> Renovation | |
| On City Sewer | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Describe Improvements | <u>New Single Family</u> | |
| Completion Date | <u>9 07</u> <input type="checkbox"/> Estimated date <input checked="" type="checkbox"/> Actual date <small>month / year</small> Your improvements will be assessed for tax abatement on Jan. 1, 2009 even if they are partially completed. This assessment will be reflected in your Sept. 2010 tax payment. | |
| Est. Cost of Improvements | \$ <u>208,000</u> | |
| Abatement Schedule | <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4A <input checked="" type="checkbox"/> 4B See reverse side for schedule information | |
| Tenant Information | If project was residential, were there tenants when project started? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes", complete "Tenant Relocation" information required on other page of this form. | |

| | | |
|--|--|--|
| Mail or return to | Questions | Submitted by |
| City of Des Moines / Permit Center 602 Robert Ray Dr. Des Moines, IA 50309 | Phil Poorman at 515-283-4751 or prpoorman@dmgov.org | I certify these statements are true to the best of my knowledge. |
| | <u>Lowman 11-11-09 BLD 2009-00111</u> | <u>Cindi Jungweber</u> <u>11-03-09</u> Signature Date |

Phil Poorman 11-11-09

Mail or return application by February 1, 2010 to

City of Des Moines Permit Center

602 Robert Ray Dr.

Des Moines, IA 50309

Property Tax Abatement Schedules Information

| Choose a Schedule | Use | Must increase building assessment by: <u>Residential</u> : at least 5% <u>Commercial</u> : at least 15% | Amount eligible for abatement | How much of improvement's value is abated? | Improvement must qualify with applicable zoning, building and fire codes. Commercial and industrial must be in an approved tax abatement area. Where? |
|---|--|---|-------------------------------|---|--|
| 1 (for improvements) | Residential only | | Up to \$20,000 | 115% for 10 years | Anywhere in city, provided zoning is appropriate |
| 2 (for new construction & major improvements) | Residential, Commercial and/or Industrial | | No limit | 1 st year - 80% 2 nd year - 70% 3 rd year - 60% 4 th year - 50% 5 th & 6 th year - 40% 7 th & 8 th year - 30% 9 th & 10 th year - 20% | <u>Residential</u> : Anywhere in city with appropriate zoning. <u>Commercial and Industrial</u> : Must be in a specified tax abatement area. |
| 3 (new construction & major improvements) | Residential, Commercial Industrial | | No limit | 100% for 3 years | <u>Residential</u> : Anywhere in city with appropriate zoning. <u>Commercial and Industrial</u> : Must be in a specified tax abatement area. |
| 4A (new construction & major improvements) | Residential & Commercial with 75% of space for residential | | No limit | 100% for 10 years | Must be in specified area which are generally located in the downtown and near-downtown |
| 4B (new construction & major improvements) | Residential & Commercial with 75% of space for residential | | No limit | 100% for 5 years | Anywhere in city. <u>Not</u> permitted in area generally west of the airport where public sewer is unavailable. |

2009

Tax Abatement Application – Tenant Relocation Information

Only required if project is renovation of rental residential property

Tenant Relocation: If this project is rehabilitation of residential rental property, list the tenant's name, the date the tenant occupancy began and relocation benefits paid to each tenant. Attach information on additional paper.

| Tenant Name | Unit # | Date Tenancy Began | Relocation Benefits | |
|-------------|--------|--------------------|---------------------|--------------|
| | | | Amt. Paid | Date of Paid |
| | | | | |

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Poorman, Phil R.

From: Cindi Jungweber [Cindi.Jungweber@FBLFinancial.com]
Sent: Wednesday, November 04, 2009 3:46 PM
To: Poorman, Phil R.
Cc: Tony Jungweber
Subject: Tony and Cindi Jungweber @ 5105 Springwood Lane in Des Moines/ Brook Run

Hi Phil,

First, thanks for your help with our tax abatement form. Yesterday, you advised Tony and I to send you an e-mail outlining our issue with the tax abatement.

Please confirm you received this e-mail.

Our builder, Gratius Construction did not file the tax abatement form through the city. Our realtor, Mat Mauro from Remax, advised us the builder would take care of the tax abatement form. Basically, no one filed the form and now Nationwide Mortgage wants over \$650 more per month for our mortgage, which is not possible. We talked with Nationwide and in September they paid the \$2192 property tax bill. Another \$2192 is due in March. Reminder: Tony and I completed the tax abatement form yesterday.

We are not sure what to do now. We are going in front of the City Council on November 23rd at 4:30, but I think that's all we can do. If nothing is done, our family will have to forfeit the house, as we were not prepared to fork over thousands of dollars. Trying to find housing for our family would be very difficult (three girls and a one year old grandson). And this would trash my credit report, which I've worked very hard to maintain. We do not want to take anyone to court, as this will take us away from our jobs, and both of our employers have laid off hundreds of workers and we can not afford to miss any work (especially in this economy).

Our Goal: is to back date our property taxes to 2007 (not sure if this is possible) and just have our payments be the same since day one and somehow have Nationwide reimbursed

Question: let me know if Tony and I need to do anything else

Note: we've contacted Bob McGaffey and he was going to speak with the City Manager

Again, thanks for your help.

Regards,

Cindi Jungwebe

Cindi Jungweber
Procurement Associate
FBL Financial Group, Inc.
Farm Bureau Financial Services
EquiTrust Financial Services
Western Agricultural Insurance Company-Specialty Services
5400 University Avenue • West Des Moines, IA 50266
Ph. 515/226-6651 • Fax 515/226-6648

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18

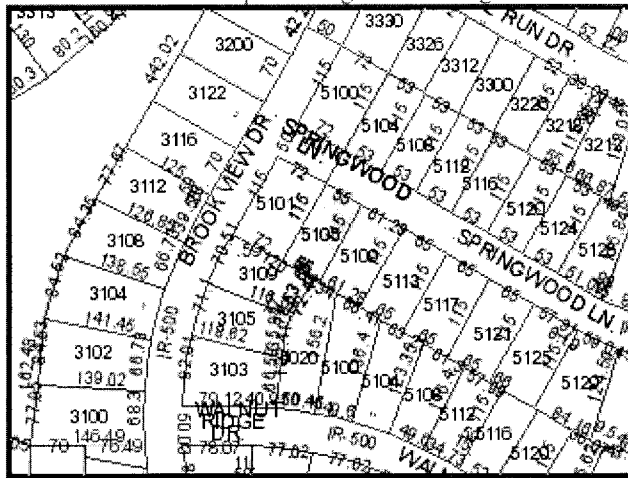
Polk County Assessor
Iowa

[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

| District/Parcel | GeoParcel | Map | Nbhd | Jurisdiction | Status |
|--------------------|--------------------------------|--------------------------|--------------------------|--------------|--------|
| 060/00713-226-166 | 7923-27-261-021 | 0378 | DM01/E | DES MOINES | ACTIVE |
| School District | Tax Increment Finance District | Bond/Fire/Sewer/Cemetery | | | |
| 3/Southeast Polk | | | | | |
| Street Address | | | City State Zipcode | | |
| 5105 SPRINGWOOD LN | | | DES MOINES IA 50317-5109 | | |

Click on parcel to get new listing

[Get Bigger Map](#)



Approximate date of photo 03/25/2008

| Mailing Address |
|---|
| TONY B JUNGWEBER 5105 SPRINGWOOD LN DES MOINES, IA 50317-5109 |

| Legal Description |
|----------------------------------|
| LOT 16 BROOK RUN VILLAGE PLAT 12 |

| Ownership | Name | Transfer | Book/Page | RevStamps |
|-----------------|-------------------|------------|-----------|-----------|
| Title Holder #1 | JUNGWEBER, TONY B | 2007-08-27 | 12346/992 | 332.00 |
| Title Holder #2 | JUNGWEBER, CINDI | | | |

| Assessment | Class | Kind | Land | Bldg | AgBd | Total |
|------------|-------------|------|--------|---------|------|---------|
| Current | Residential | Full | 23,100 | 179,300 | 0 | 202,400 |

[Market Adjusted Cost Report](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

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2009

Tax Abatement Application – Des Moines, Iowa

Property & Owner/ Authorized Agent Info

Address: 5105 Springwood lane

Legal description: Lot 16 Brookrun village Plat 12

Polk Co. Assessor's District & Parcel #: 060 7107 00713-226-166
 (Go to: <http://www.assess.co.polk.ia.us/>) district parcel #

Title holder or contract holder name: Cindi + Tony Jungweber

Address of owner if different than above: _____

Authorized Agent: _____ Phone #: (515) 554-4274

Property Use Classification

Residential

Owner-Occupied?

Single Family
 Duplex or Triplex
 Condo or Townhouse

Renter-Occupied?

Single Family
 Duplex or Triplex
 Condo or Townhouse
 Multi-Family

Commercial
 Industrial

Project Type

New structure Addition Renovation

On City Sewer

Yes No

Describe Improvements

New Single family

Completion Date

9 07 Estimated date Actual date
 month / year

Your improvements will be assessed for tax abatement on Jan. 1, 2009 even if they are partially completed. This assessment will be reflected in your Sept. 2010 tax payment.

Est. Cost of Improvements

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Abatement Schedule

1 2 3 4A 4B See reverse side for schedule information

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| City of Des Moines / Permit Center 602 Robert Ray Dr. Des Moines, IA 50309 | Phil Poorman at 515-283-4751 or prpoorman@dmgov.org | I certify these statements are true to the best of my knowledge. |
| | <u>11-14-09</u> | <u>Cindi Jungweber</u> Signature |
| | | <u>11-03-09</u> Date |

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|-------------|--------|--------------------|---------------------|--------------|
| | | | Amt. Paid | Date of Paid |
| | | | | |