★ **Roll Call Number**

Agenda Item Number
28 B

Date October 12, 2015

SET HEARING FOR CONVEYANCE OF 2727 LINDEN STREET TO STEPHEN P. LOGSDON FOR HOUSING REDEVELOPMENT

WHEREAS, as part of the property tax sale process, Iowa Code Section 446.31 permits municipalities to acquire Certificates of Purchase entered into the County system in the Office of the County Treasurer of the county from which the certificate was issued and assign such Certificates to a municipality by written contract for less than the full amount due all for the purpose of promoting housing; and

WHEREAS, the real property locally known as 2727 Linden Street ("Property"), more specifically described as follows:

The West 40 feet of the South 114 feet of Lot 52, INGERSOLL PLACE, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

contains a vacant structure which is suitable for rehabilitation based on exterior inspection, assessed as residential property and declared a public nuisance by the Des Moines City Council acting as the Board of Health on October 10, 2011 by Roll Call No. 11-1749; and

WHEREAS, on May 4, 2015 by Roll Call 15-0746, the City Council directed City staff to request the tax sale certificate for the Property from the Polk County Board of Supervisors pursuant to Iowa Code Section 446.31, and thereafter Polk County and the City of Des Moines entered into agreement regarding the City's acquisition of the Property for redevelopment of housing according to Iowa Code Section 446.19(a); and

WHEREAS, in order for the Property to have substantial amounts of special assessment liens removed therefrom by the Polk County Board of Supervisors, the City must first complete the tax sale process and acquire the Property by tax sale deed; and

WHEREAS, City staff distributed a Request for Proposal to redevelopers of single family housing in order to select a developer to complete the necessary redevelopment on the Property for housing usage; and

WHEREAS, Stephen P. Logsdon responded to the RFP and was selected by the City staff reviewers as the recommended developer, and has offered to acquire a fee simple interest in the Property for the purpose of said redevelopment, and the City's Real Estate Division has determined that the Property has a negative value due to the costs of redevelopment, to be provided by Mr. Logsdon as in-kind consideration, exceeding the fair market value of the Property; and

WHEREAS, if approved, the proposed conveyance by the City to Stephen P. Logsdon will be governed by and subject to approval of an acquisition agreement between Mr. Logsdon and the City of Des Moines, which agreement will be submitted to City Council for consideration concurrently with the public hearing

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on the sale, and will further be subject to completion by the City of the tax sale process and acquisition of the Property by tax sale deed; and

WHEREAS, there is no known current or future public need or benefit for the Property to be sold, and the City will not be inconvenienced by the sale of the Property, subject to the terms and conditions set forth herein.

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

1. That the City of Des Moines proposes to acquire and convey the real property locally known as 2727 Linden Avenue and legally described above to Stephen P. Logsdon for $1.00 and additional in-kind consideration of redevelopment of the property for housing purposes.

2. A public hearing will be held on October 26, 2015 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above described proposal and any other(s) submitted prior to or during the public hearing.

3. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

(Council Comm. No. _____)

MOVED BY _____ TO ADOPT.

FORM APPROVED:
Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

_____ Mayor

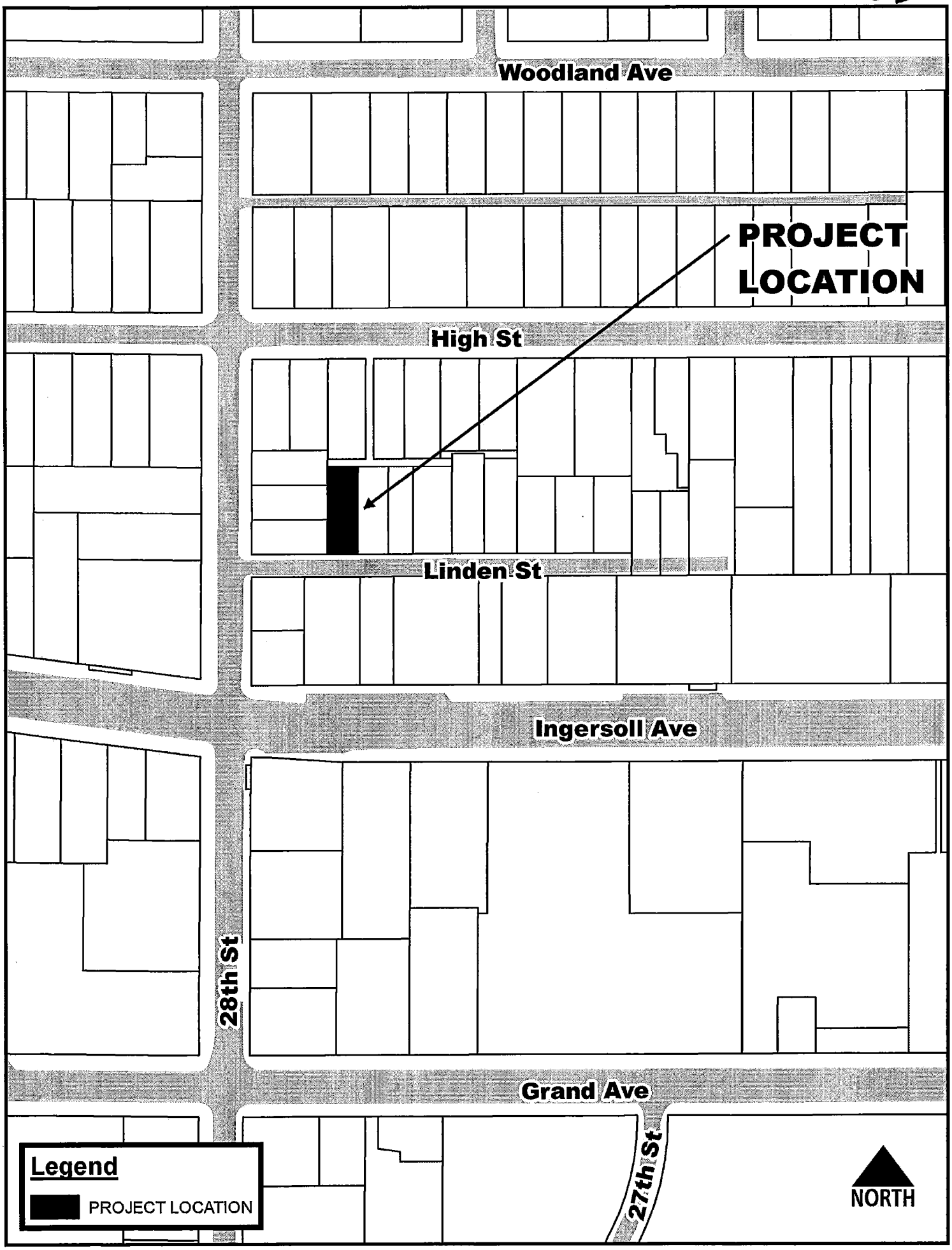
CERTIFICATE

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

28B


Woodland Ave
PROJECT LOCATION
High St
Linden St
Ingersoll Ave
28th St
Grand Ave
27th St
NORTH
Legend
PROJECT LOCATION