



Date February 8, 2016

APPROVING REQUEST TO POLK COUNTY TREASURER AND APPROVING AGREEMENT WITH COMMUNITY HOUSING INITIATIVES, INC., FOR ASSIGNMENT OF TAX SALE CERTIFICATE FOR 1115 E. 13TH STREET FOR HOUSING REHABILITATION

WHEREAS, Iowa Code Section 446.19A permits cities to acquire tax sale certificates for vacant lots and for abandoned property assessed as residential property or as commercial multi-family property at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the certificate holder of the amount then due to redeem the certificate, and to further assign said certificates, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings and the development of vacant lots for residential use; and

WHEREAS, the property locally known as 1115 E. 13th Street is assessed and zoned residentially, and has been found to be a public nuisance property that has been vacant since July 2015 and in violation of the City’s Building Code for a period in excess of six consecutive months in accordance with the requirements of Iowa Code Section 446.19A; and

WHEREAS, on October 12, 2015, by Roll Call No. 15-1706, the City Council approved an agreement with Community Housing Initiatives and NFC Properties LLC for Viva East Bank Acquisition/Rehabilitation to further neighborhood revitalization efforts in the East Bank Neighborhoods; and

WHEREAS, the acquisition of the tax sale certificate for 1115 E. 13th located in the Capitol Park Neighborhood, which is a part of the Viva East Bank project area, will further the efforts of neighborhood revitalization; and

WHEREAS, Community Housing Initiatives (“CHI”) is a nonprofit housing organization that has offered to rehabilitate the home located at 1115 E. 13th Street, legally described as follows, if the City will acquire and assign the tax sale certificate for the parcel to CHI:

South 40 Feet of LOTS 11 & 12, Block 31, STEWARTS ADDITION, an Official Plat, included in and forming a part of the City of Des Moines, Polk County, Iowa; and

WHEREAS, City Community Development Department staff is recommending that the City make a request to the Polk County Treasurer and take assignment of the tax sale certificates for 1115 E. 13th Street in accordance with Iowa Code Section 446.19A, in order for the certificates to be further assigned by agreement, as on file in the office of the City Clerk, to Community Housing Initiatives for rehabilitation of single family housing for sale to an owner-occupant; and

WHEREAS, the Community Development Department staff is further recommending that the City make payment of \$14,545.99, as now due to acquire the tax sale certificate, with reimbursement of such cost to come from CHI per said assignment agreement.

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

1. The City’s Community Development Director and designee are authorized and directed to request the tax sale certificate for 1115 E. 13th Street, Des Moines, Iowa, from the Polk County Treasurer; to make payment to the County in amounts required for said request; and to submit necessary affidavits and documents for said request.

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2. The assignment of the tax sale certificate and the Agreement now on file in the office of the City Clerk, by and between the City and Community Housing Initiatives whereby the City agrees to assign the tax sale certificates for 1115 E. 13th Street to CHI in consideration of rehabilitation of the property for owner-occupied housing, is hereby approved; the Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines; and the City Clerk is directed to attest to his signature.

3. The City Manager or his designee are hereby further authorized and directed to execute the Assignment of such tax sale certificate(s) to Community Housing Initiatives on behalf of the City of Des Moines as provided in said Agreement.

(Council Communication No. 16- 059)

MOVED by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

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