

Date June 13, 2016

**APPROVING REQUEST TO POLK COUNTY TREASURER AND APPROVING AGREEMENT WITH GREATER DES MOINES HABITAT FOR HUMANITY INC. FOR ASSIGNMENT OF TAX SALE CERTIFICATES FOR VARIOUS PROPERTIES FOR DEVELOPMENT OF HOUSING**

**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 parcels described below, all assessed and zoned residentially, have all been found to be public nuisance properties that are vacant 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 are expected to be sold at tax sale in June 2016 for nonpayment of taxes; 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 in accordance with Iowa Code Section 446.19A, in order for the certificates to be further assigned by agreement to Greater Des Moines Habitat for Humanity for rehabilitation or redevelopment of the properties for housing purposes; and

**WHEREAS**, Greater Des Moines Habitat for Humanity, Inc. ("Habitat"), represented by Lance Henning, Executive Director, has offered to redevelop the parcels described as follows for housing if the City will acquire and assign the tax sale certificates for the parcels to Habitat:

Des Moines Property Addresses:

1931 Franklin Avenue; 1930 Jefferson Avenue; 1400 Mondamin Avenue; 1700 Washington Avenue; 1341 McCormick Street; 3801 Dubuque Avenue; 2935 Walker Street; 1623 Buchanan Street; 1303 4<sup>th</sup> Street; 3012 5<sup>th</sup> Avenue; 1520 5<sup>th</sup> Avenue; 212 Arthur Avenue; 215 Arthur Avenue; 1328 Harrison Avenue; 1540 10<sup>th</sup> Street; 2410 Saylor Road (Vacant Lot Only – Lot 7 Addington Place); 1433 12<sup>th</sup> Street

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

1. The assignment of the tax sale certificates, and the Agreement by and between the City and Greater Des Moines Habitat for Humanity, Inc. related thereto, on file in the office of the City Clerk, whereby the City agrees to assign the tax sale certificates for the parcels described above to the non-profit organization in consideration of the organization's undertakings to rehabilitate or redevelop the parcels for owner-occupied housing, are hereby approved.
2. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines.
3. Upon full execution of the Agreement, the City Manager or his designee are authorized and directed to execute and submit an affidavit to the Polk County Treasurer requesting that the tax sale certificates for all properties described above be assigned to the City of Des Moines in accordance with Iowa Code Section 446.19A, and the City Manager or his designee are hereby further authorized and directed to execute the Assignments of such tax

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sale certificate(s) to Greater Des Moines Habitat for Humanity on behalf of the City of Des Moines as provided in said Agreements.

(Council Communication No. 16- 304)

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

**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