



**Date** August 4, 2025

**RESOLUTION AUTHORIZING RELEASE OF JUDGMENT AND SPECIAL ASSESSMENTS  
(1315 12<sup>TH</sup> STREET)**

**WHEREAS**, the City of Des Moines filed a lawsuit (Case No. EQCE 88009) and obtained a judgment in 2022 against All Known and Unknown Heirs of Virginia Johnson in relation to nuisance abatement. The judgment encumbers the real property formerly owned by Virginia Johnson and located at 1315 12<sup>th</sup> Street in the King Irving Neighborhood in Des Moines (“Property”). Because of the nature of the nuisance abatement, the costs were assessed to the property. There are \$33,044.85 in City code enforcement related special assessments encumbering the property; and

**WHEREAS**, June 6, 2025, Greater Des Moines Habitat for Humanity (“Habitat”) acquired the Property by tax sale deed. Habitat intends to build a new house on the Property to sell to a qualified low-income home buyer; and

**WHEREAS**, the City has been requested by Habitat to release the above-listed judgment and City special assessments against the Property; and

**WHEREAS**, the City’s Neighborhood Services Department staff have reviewed the requested judgment and special assessment release and have determined that it would be in the City’s best interest to release the above-listed judgment and special assessments against the Property to allow for redevelopment by Habitat.

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

1. All special assessments levied by the City and pending against the Property shall be deemed released. This shall include assessments listed below and any other City of Des Moines special assessments incurred by the property and tracked by the Polk County Treasurer’s Office prior to the date of this roll call.

**1315 12<sup>th</sup> Street, Des Moines, Iowa**

Special Assessment Code	Unpaid	Certified Date	Certificate
Special DM 00-202201 3-28-1022	\$527.00	3/28/2022	HLTH-2021-001509
Special DM 00-202203 4-25-2022	\$652.00	4/25/2022	HLTH-2021-001191
Special DM 00 202304 6-1-23	\$178.00	5/30/2023	EMER 2023-000041
Special DM 00 202306 8-17-23	\$1,491.17	8/15/2023	HLTH 2023-001086
Special DM 00 202305 7-10-23	\$279.00	7/3/2023	EMER 2023-000079
Special DM 00 202408 8-27-24	\$29,713.15	8/26/2024	NUIS-2022-000044
Special DM 00 202412 1-2-2025	<u>\$203.53</u>	1/2/2025	WGCC-2024-000967
<b>Total</b>	<b>\$33,043.85</b>		

The City Engineer or the City Engineer’s designee is hereby authorized and directed to notify the County of the release of such special assessments; and

2. The City approves release of its in rem judgment lien, solely as to any judgment and lien that the City may have against the real property locally known as 1315 12<sup>th</sup> Street, Des Moines, Iowa 50314 in the Polk County District Court case City of Des Moines v. All Known and Unknown Heirs of Virginia Johnson, EQCE88009, for the sole purpose of benefitting the redevelopment of the



# Roll Call Number

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Property of 1315 12<sup>th</sup> Street from Greater Des Moines Habitat for Humanity to a low-income home buyer who has completed the Habitat Home Ownership Program.

3. The Legal Department is authorized and directed to sign and attest to, respectively, the partial release of judgment lien as described above.
4. The City hereby retains any judgment lien that it may have against All Known and Unknown Heirs of Virginia Johnson and all other defendants personally and against any other real or personal property affected by the judgment lien, in Polk County District Court Case No. EQCE88009, City of Des Moines v. All Known and Unknown Heirs of Virginia Johnson.

..(Council Communication No. 25-283)

Moved by \_\_\_\_\_ to adopt.

Second by \_\_\_\_\_

FORM APPROVED:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED		APPROVED		

## CERTIFICATE

I, LAURA BAUMGARTNER, 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