

★ Roll Call Number

08-299

Agenda Item Number

19

February 25, 2008

Date

RESOLUTION APPROVING TAX ABATEMENT APPLICATION
FOR 6125 S.E.16TH COURT

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, the Act provides that persons making improvements must apply to the City Council for tax abatement, and the City Council shall approve the application by resolution, subject to review by the County Assessor, if it finds (a) the project is located in a designated Urban Revitalization Area; (b) the project is in conformance with the Urban Revitalization Plan for such area; and (c) the improvements were made during the time the area was so designated; and

WHEREAS, pursuant to the Act, the Des Moines City Council passed Ordinance No. 11,026 designating the entire area within the corporate boundaries of the City of Des Moines on July 6, 1987 as a revitalization area (the "City-wide Urban Revitalization Area") and

WHEREAS, on September 28, 1987 by Roll Call No. 87-4009, the Des Moines City Council approved the Urban Revitalization Plan (the "Plan") for the City-wide Urban Revitalization Area which Plan, among other things, specifies the types of improvements eligible for tax abatement; and

WHEREAS, the Plan provides that, in order to qualify for tax exemption eligibility, the improvements must be completed in accordance with all applicable zoning and other regulations of the City; and

WHEREAS, on January 2, 2008, Reed Henrichsen filed the attached application for tax abatement upon a dwelling at 6125 S.E. 16th Court completed in calendar year 2007, which is NOT served by the public sanitary sewer system; and,

WHEREAS, the application has been received, reviewed and recommended for approval by City staff.

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

- 1) The attached application for tax abatement is hereby received.

(continued)

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- 2) The following findings are hereby adopted:
 - a) The attached application is for value added by improvements made or completed during the calendar year 2007; and the application was timely submitted on January 2, 2008.
 - b) The attached application is for a project located in the City-wide Urban Revitalization Area; the project is in conformance with the Plan for the City-wide Urban Revitalization Area; and the improvements described in such applications were made during the time the Area was so designated.
 - c) The Declaration of Covenants regarding the future extension of the public sewer system provided by the applicants has been approved by the Legal Department as satisfying the minimum requirements established by the Plan for a new building served by a septic system to qualify for tax abatement.

- 3) The attached application is approved subject to review by the County Assessor under Section 404.5 of the Act, for five year 100% exemption from taxation on the value of the improvements.

- 4) The City Clerk shall forward a certified copy of this resolution and the attached application to the County Assessor. The City Clerk shall also cause the Declaration of Covenants received from the applicants to be properly filed in the land records of the Polk County Recorder.

(Council Communication No. 08- 097)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

(Application attached)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

MOTION CARRIE APPROVED
T. M. Franklin
Mayor

Diane Rauh City Clerk