



Roll Call Number

09-726

Agenda Item Number

19A

Date May 4, 2009

RESOLUTION APPROVING ONE TAX ABATEMENT
APPLICATION FOR THE ADDITIONAL VALUE ADDED BY IMPROVEMENTS
MADE DURING 2008
(1001 Cherry Street)

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 for the City-wide Urban Revitalization Area which Plan, among other things, specifies the types of improvements eligible for tax abatement; and

WHEREAS, the City has designated several additional urban revitalization areas within territory annexed into the City after July 6, 1987, and the City has adopted urban revitalization plans for such additional areas in accordance with the Act; and

WHEREAS, the urban revitalization plan for each of the designated urban revitalization areas 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, the attached application is for value added by eligible improvements made during calendar year 2008, and the application was submitted after February 1, 2008, and before February 1, 2009; and

WHEREAS, the application was inadvertently omitted from the other applications approved on February 23, 2009; and

WHEREAS, the attached 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:

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- 1) The attached application for tax abatement for improvements to 1001 Cherry Street in Des Moines is hereby received.
- 2) The following findings are hereby adopted:
 - a) The attached application was filed on or before February 1st of the assessment year for which the exemption (tax abatement) is claimed.
 - b) The attached application is for a project located in a designated urban revitalization area; the project is in conformance with the urban revitalization plan for the urban revitalization area in which the project is located; and the improvements described in such application was made during the time the applicable area was so designated.
- 3) The attached application is approved subject to review by the County Assessor under Section 404.5 of the Act, for exemption according to the schedules noted on each application.
- 4) The City Clerk shall forward a certified copy of this resolution and the attached application to the County Assessor.

(Council Communication No. 09- 263)

MOVED by Hensley to adopt.

FORM APPROVED:

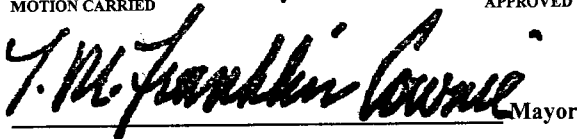

Michael F. Kelley
Assistant City Attorney

(List of applications attached)

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

MOTION CARRIED

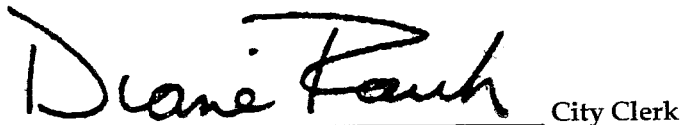
APPROVED


T. M. Franklin Cownie
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.


Diane Rauh
City Clerk