

★ Roll Call Number  
09998

Agenda Item Number  
43

Date June 8, 2009

**RESOLUTION APPROVING ASSIGNMENT OF TAX SALE CERTIFICATES  
TO GREATER DES MOINES HABITAT FOR HUMANITY INC., FOR THE  
DEVELOPMENT OF LOW TO MODERATE INCOME OWNER-OCCUPIED  
HOUSING**

WHEREAS, Iowa Code § 446.19A permits cities to acquire tax sale certificates for vacant lots and for abandoned property assessed as residential property or as commercial multifamily property at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the holder in the amount then due to redeem the certificate, and to give notice of expiration of the redemption period upon an expedited schedule, all for the purpose of encouraging the acquisitions and rehabilitation of abandoned dwellings and the development of vacant lots for residential use; and

WHEREAS, the parcels described below are scheduled to be sold at tax sale for nonpayment of taxes; and

WHEREAS, the parcels described below are vacant lots assessed as residential property, and all such parcels are suitable for use for low or moderate income housing following redevelopment; and,

WHEREAS, Greater Des Moines Habitat for Humanity, Inc., ("Habitat for Humanity") represented by Lance Henning, Executive Director, have offered to redevelop the parcels described below for use for low or moderate income owner-occupied housing if the City will acquire and assign the tax sale certificates for the parcels to them; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The Agreement now on file in the Office of the City Clerk between the City and Greater Des Moines Habitat for Humanity, Inc. (as the "Applicant"), whereby the City agrees to assign to Applicant the tax sale certificate(s) for the parcels described in the accompanying Council Communication in consideration of the reimbursement of the City's acquisition costs and an undertaking by the Applicant to rehabilitate the parcels for low and moderate income owner-occupied housing, is hereby approved.
2. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines.
3. Upon execution of the Agreement by all parties and receipt of payment from Applicant pursuant to the Agreement to fully reimburse the City for the City's cost to acquire any

(continued )

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outstanding tax sale certificates for each parcel, the City Manager is hereby authorized and directed to:

- a) Seek assignment from Polk County of all outstanding tax sale certificates for the parcels described above pursuant to Iowa Code §446.19A; and,
- b) Sign the Assignment of the tax sale certificate(s) for the parcels on behalf of the City of Des Moines and to release the Assignment to the Applicant.

(Council Communication Number 09 - 387 )

MOVED by Vlassis to adopt.

FORM APPROVED

Roger K Brown

Roger K. Brown

Assistant City Attorney

C:\Rog\Neighborhood\Tax Sale\Habitat\RC approve agr.doc

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

MOTION CARRIED

APPROVED

J. M. Franklin  
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 Fauh City Clerk