

**Roll Call Number**10-436**Agenda Item Number**22**Date** March 22, 2010

RESOLUTION REQUESTING TAX SALE CERTIFICATE
FROM POLK COUNTY TREASURER'S OFFICE FOR 1649 E. GRAND AVENUE,
FOR ASSIGNMENT TO NFC PROPERTIES LLC

WHEREAS, Iowa Code 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property, and for vacant residential lots at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the holder 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 acquisition and rehabilitation of abandoned dwellings and vacant lots for housing; and,

WHEREAS, the vacant lot at 1649 E. Grand Avenue is abandoned and assessed as residential property, and is suitable for affordable owner-occupied housing if combined with the adjoining lot at 1653 East Grand Avenue which is owned by NFC Properties LLC, an Iowa corporation, represented by its Executive Director, Holly Olson; and

WHEREAS, on January 26, 2009, by Roll Call No. 09-108, the City Council approved an agreement with NFC Properties LLC whereby the City acquired the outstanding 2007 tax sale certificate for 1649 E. Grand Avenue and assigned it to NFC Properties LLC for redevelopment with the adjoining lot for owner-occupied housing; and,

WHEREAS, NFC Properties LLC was unable to timely convert the 2007 tax sale certificate to a tax deed, and has requested that the City now acquire and convey to it the 2009 tax sale certificate upon the same terms and conditions; NOW THEREFORE,

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

1. The existing Agreement with NFC Properties LLC approved by the City Council on January 26, 2009, by Roll Call No. 09-108, whereby the City agreed to acquire and assign to NFC Properties the tax sale certificate for the parcel described above, and NFC Properties agreed to rehabilitate the parcel for affordable owner-occupied housing, is hereby reaffirmed.
2. The City Manager is authorized and directed to sign an application to the Polk County Treasurer requesting that any outstanding tax sale certificates for the parcel described below be assigned to the City of Des Moines for affordable owner-occupied housing.

Address:	1649 E. Grand Avenue
District/Parcel No.:	040/05526-000-000
Legal:	West 30 Feet Lot 12, and E 4 Feet Lot 13, Block 59, Stewarts Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

(continued)



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3. Upon acquisition of the 2009 Tax Sale Certificate by the City and receipt of the required reimbursement from NFC Properties LLC as required by the Agreement, the City Manager is hereby authorized and directed to sign and deliver an Assignment of the Tax Sale Certificate to the Polk County Treasurer to reassign such certificate to NFC Properties LLC.
4. Any liens held by the City against the parcel located at 1659 E. Grand Avenue, including those liens for delinquent utilities in the approximate amount of \$2,500 and demolition costs in the approximate amount of \$15,000, are hereby waived subject to receipt of the tax deed by NFC Properties LLC.

(Council Communication No. 10- 145)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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