



Roll Call Number

10-921

Agenda Item Number

39

Date June 14, 2010

RESOLUTION AUTHORIZING CITY MANAGER TO REMOVE REQUESTED PROPERTIES FROM THE POLK COUNTY TAX CERTIFICATE SALE FOR FUTURE DEVELOPMENT FOR HOUSING

WHEREAS, Iowa Code 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property or 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 lots; and,

During the 2005 Iowa General Assembly legislative session, Iowa Code §446.19A was amended to permit cities to acquire tax sale certificates for vacant lots assessed as residential property for the purpose of encouraging development of housing; and

WHEREAS, the parcels described below are abandoned and assessed as residential property; and

WHEREAS, by Roll Call 07-1797 on September 7, 2007 the City Council, acting as the Board of Health, acted to request court authority to abate the public nuisance at 1712 8th Street and the property has lost its grandfathering rights as an eight-plex.

WHEREAS, the 1700 block of 8th St. is suitable for redevelopment of housing and staff will work with the River Bend Neighborhood Association for determination of the best course of action; and

WHEREAS, on September 13, 2004 by Roll Call 04-1978, the City Council acting as the Board of Health declared the structure on the lot at 1147 27th Street a public nuisance and proceeded through court action to demolish the structure.

WHEREAS, the vacant lot at 1147 27th Street is suitable for new construction for owner-occupied housing; and

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

1. The City Manager is authorized and directed to sign an affidavit to the Polk County Treasurer requesting that the 2010 tax sale certificates for the parcels described below be assigned to the City of Des Moines for development as housing owner-occupied housing

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Address: 1712 8th Street
 District/Parcel No.: 080/05311-000
 Legal: Lot 5 and south ½ Lot block 14 Polk County Homestead and Trust Company Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

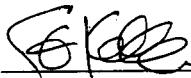
Address: 1147 27th Street
 District/Parcel No.: 030/1370-000-000
 Legal: Lot 28 Drake University Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

BE IT FURTHER RESOLVED, by the City Council of the City of Des Moines, Iowa, that all judgments and special assessments, including demolition and staff costs, against the parcel located at 1147 27th Street are hereby waived subject to receipt of the tax deed by the City of Des Moines with the intent that the parcel be sold for redevelopment of single family housing (\$30,128.33).

(City Council Communication No. 10-328)

MOVED BY Moore TO ADOPT;
 refer to the City Manager to identify any City-owned property that is buildable/useable. Also, work with Polk County to jointly market the lots.

FORM APPROVED:



Michael Kelley Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GRIESS | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| MOORE | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

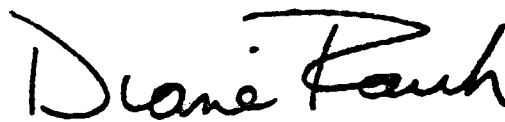
APPROVED

T. 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.



City Clerk