

★ Roll Call Number

12-0895

Agenda Item Number

34

Date June 11, 2012

AUTHORIZING THE CITY MANAGER TO REQUEST TAX SALE CERTIFICATES FROM THE POLK COUNTY TREASURER'S OFFICE FOR THE PUBLIC NUISANCE AT 650 18TH STREET AND ASSIGN TO DEVELOPER FOR REHABILITATION

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,

WHEREAS, the property was declared a public nuisance by Roll Call 09-1399 on July 27, 2009 and is assessed as residential property; and

WHEREAS, the house is suitable for rehabilitation and has historic significance within the Sherman Hill Neighborhood;

WHEREAS, the owners of the property Guy and Sandra Roberts are in violation of a Court Ordered agreement entered into on March 25, 2010 requiring that the owners secure all appropriate permits and complete all exterior renovation of the structure at 650 18th Street by June 1, 2012.

WHEREAS, Robert and Michele McCammon, residents of Sherman Hill at 821 16th Street and experienced rehabilitators, have requested the City obtain the 2010 and 2011 tax sale certificates on their behalf and have provided \$21,380 to pay all costs;

WHEREAS, the McCammons have agreed to pay all costs and expenses of hiring an attorney, including but not limited to the costs of title certificates, mailing and publication, in order to obtain a tax deed for the property;

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

1. The Agreements now on file in the Office of the City Clerk between City and Michele and Robert McCammon whereby the City agrees to assign the 2010 and 2011 tax sale certificates for the parcels described in the accompanying Council Communication in consideration of their undertaking to renovate the structure for owner-occupied housing is hereby approved.
2. The Mayor is hereby authorized and directed to sign the Agreements on behalf of the

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City of Des Moines.

- 3. Upon execution of each of the Agreements by the parties thereto, the City Manager or his designee, is hereby authorized and directed to seek assignment from Polk County pursuant to Iowa Code § 446.19A of all outstanding tax sale certificates for the parcels identified in such Agreement, the City Manager, or his designee, is hereby further authorized and directed to sign the Assignment of such tax sale certificate(s) on behalf of the City of Des Moines as provided in such Agreement.

(City Council Communication No. 12-301)

MOVED BY Hensley TO ADOPT; refer to the City Manager to review tax sale certificates for 679-18th and 692-17th at the June 25th Council meeting.

FORM APPROVED:

Michael Kelley
Michael Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
COLEMAN	1			
GRIESS	5			
HENSLEY	5			
MAHAFFEY	1			
MEYER	5			
MOORE	1			
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.

Diane Rauh City Clerk