

★ Roll Call Number

14-1560

Agenda Item Number

12

Date October 6, 2014

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT
1161 22nd STREET TO HOME OPPORTUNITIES MADE EASY, INC. (HOME, INC.)**

WHEREAS, on June 28, 2010, by Roll Call No. 10-1104, the City Council, acting as the Board of Health, acted to declare the property locally known as 1161 22nd Street ("Property") to be a public nuisance, and to direct the Legal Department to pursue a Court order for abatement of the fire-damaged structure assessed as a commercial multifamily housing thereon; and

WHEREAS, on June 13, 2011, by Roll Call 11-1000, the City Council authorized a request to the County Treasurer's Office as allowed by Iowa Code Section 446.19A to remove the 2011 tax sale certificate for the Property from the Tax Sale Certificate Auction and assign said Certificate to the City for future development of housing; and

WHEREAS, on September 22, 2014, by Roll Call No. 14-1451, the City Council approved acquisition of the Property by tax sale deed, authorized the Community Development Director to request release of property taxes and special assessments, and authorized release of all City liens and special assessments in order to encourage housing redevelopment; and

WHEREAS, the City intends to accept title to the Property by tax sale deed on or before October 10, 2014, in order to comply with the statutory tax sale process; and

WHEREAS, City staff have negotiated an Offer to Purchase with non-profit organization Home Opportunities Made Easy, Incorporated (HOME, Inc.), whereby HOME, Inc. will acquire the Property in exchange for in-kind consideration including property maintenance, acquisition of the Property "as-is" regarding both condition and title, and rehabilitation and/or redevelopment of the existing structure(s) on the Property for housing purposes, which in-kind consideration exceeds the negative value of the Property as determined by the City's Real Estate Division; and

WHEREAS, both HOME, Inc. and City staff will work with the Drake Neighborhood Association to determine the best development solution for the Property; and

WHEREAS, HOME, Inc. also will be required to obtain an approved site plan by the City for redevelopment of the Property, and required to enter into a development agreement with the City should the City's Community Development Department provide funds for said future redevelopment project, which requirements will be included in the deed conveying the Property to HOME, Inc.; and

WHEREAS, there is no known current or future public need for the Property proposed to be sold and the City will not be inconvenienced by the sale of said Property.

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



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1. The City of Des Moines, Iowa proposes to convey real property locally known as 1161 22nd Street, legally described below, to HOME, Inc. in exchange for in-kind consideration as set forth above for the purposes of rehabilitation and/or redevelopment of the property for housing purposes:

Lot 24, Cottage Grove Replat, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. A public hearing shall be held on October 20, 2014 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above described proposal and any other(s) submitted prior to or during the public hearing.

3. The City Clerk is authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

(Council Communication No. 14-487)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk