



Roll Call Number

17-0671

Agenda Item Number

25

Date April 17, 2017

SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 3011 5TH AVENUE TO GREATER DES MOINES HABITAT FOR HUMANITY, INC.

WHEREAS, Iowa Code Section 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 certificate holder the amount then due to redeem the certificate, and to further assign said certificates, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings and lots; and

WHEREAS, on June 13, 2016, by Roll Call No. 16-0962, the City Council approved acquisition of the vacant and abandoned lot locally known as 3011 5th Avenue ("Property") by tax sale deed, authorized the Community Development Director to request release of property taxes and special assessments, authorized release of all City liens and special assessments in order to encourage housing redevelopment and directed staff to distribute a Request for Proposal (RFP) to developers to acquire and build houses for use as single-family owner-occupied housing; and

WHEREAS, the City intends to accept title to the Property by tax sale deed on or before April 28, 2017, in order to comply with the statutory tax sale process; and

WHEREAS, the City staff has worked with Greater Des Moines Habitat for Humanity, Inc. ("Habitat") on a developer-initiated proposal to build single-family affordable housing on the Property that is compatible with the neighborhood; and

WHEREAS, Habitat wishes to develop the Property in accordance with City of Des Moines' requirements, and has offered to the City of Des Moines the purchase price of \$6,000.00 for the purchase of such Property, more specifically described below, which conveyance will be subject to restrictive covenants setting forth the City's development requirements, and which price reflects both the fair market value of the Property as currently estimated by the City's Real Estate Division as well as the City's current investment in the Property; and

WHEREAS, Habitat will also 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 Habitat; 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:

1. Following and subject to completion of the tax sale process and issuance of the tax sale deed, the City of Des Moines, Iowa proposes to convey real property locally known as 3011 5th Avenue, legally described below, to Greater Des Moines Habitat for Humanity, Inc. in



Roll Call Number

17-0621

Agenda Item Number

25

Date April 17, 2017

exchange for \$6,000.00 and in-kind consideration in the form of development of the property by redevelopment for housing purposes:

Lot 132, Block 6, Lake Park, an Official Plat, now included in and forming a part of the city of Des Moines, Polk County, Iowa.

- 2. A public hearing shall be held on May 8, 2017 at 5:00 p.m. in the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, 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. 17-356)

MOVED BY Hensley TO ADOPT.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED T. M. Franklin APPROVED 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