



Roll Call Number

17-0672

Agenda Item Number

26

Date April 17, 2017

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT
1074 26TH STREET TO DSMBLC HOLDINGS, 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. 16-0961, the City Council approved acquisition of the vacant and abandoned house locally known as 1074 26th Street ("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 renovate the Property based on a rehabilitation plan; and

WHEREAS, on June 13, 2016, by Roll Call No. 16-0961, the City Council authorized the Community Development Director to solicit funding from the Polk County Housing Trust Fund (PCHTF) and to execute agreement(s) required by PCHTF for use and repayment of funds for acquisition of the tax sale certificate for the Property for \$8,431.52; and

WHEREAS, the City intends to accept title to the Property by tax sale deed on or before April 24, 2017, in order to comply with the statutory tax sale process; and

WHEREAS, the City staff distributed a Request for Proposal (RFP) to redevelopers of single family housing in order to select a developer to complete the necessary development on the Property for housing use; and

WHEREAS, DSMBLC Holdings, Inc. responded to the RFP and was selected by the reviewers as the recommended developer for the purpose of said redevelopment; and

WHEREAS, if approved, the proposed conveyance by the City to DSMBLC Holdings, Inc. will be governed by and subject to approval of an acquisition agreement between DSMBLC Holdings, Inc. and the City of Des Moines, which agreement will be submitted to City Council for consideration concurrently with the public hearing on the sale, and will further be subject to completion by the City of the tax sale process and acquisition of the Property by tax sale deed; and

WHEREAS, deed restrictions containing single-family owner-occupancy requirements and compliance with the conditions of the RFP and submitted proposal will be included in the deed conveying the Property to DSMBLC Holdings, 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.

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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 1074 26th Street, legally described below, to DSMBLC Holdings, Inc. in exchange for \$8,431.52 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes:

That part of Lot 223 in UNIVERSITY LAND COMPANY'S FIRST ADDITION to Des Moines, Iowa, described as follows:

Commencing at a point 18 feet north of the Southeast corner of Lot 223, thence North along the East line of Lot 223, 56.4 feet, thence West 94 feet, thence Southwest 5.6 feet, thence South 31 feet, thence Southeast 65 feet, thence East 35 feet to the point of beginning, 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. 17-355)

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, MOORE, WESTERGAARD, and TOTAL (YEAS: 7).

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

MOTION CARRIED APPROVED T. M. Franklin Mayor