



Roll Call Number

17-0972

Agenda Item Number

22

Date June 12, 2017

**RECEIVE AND FILE COMMUNICATION FROM COMMUNITY DEVELOPMENT
DEPARTMENT AND SETTING PUBLIC HEARING FOR CONVEYANCE OF
CITY-OWNED PROPERTY LOCATED AT 911 25TH STREET TO
MARK AND NANCY McCAUNE**

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 execution of a contract with Polk County for acquisition of the vacant and abandoned lot locally known as 911 25th 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 or work with neighborhood organizations and interested parties on developer-initiated proposals to acquire and construct single-family houses; and

WHEREAS, on August 8, 2016, the City Council and Polk County Board of Supervisors entered into an agreement for the "Assignment of Certificate of Purchase at Tax Sale" to perfect the deed for the Property for the stated purpose of promoting housing; and

WHEREAS, on April 3, 2017, by Roll Call No. 17-0590, the City Council voted to deny distributing a Request for Proposal to develop the lot as a single family house and instructed the City Manager to report back to City Council in 60 days regarding the ownership of the Property, which report is provided by the Community Development Department in Council Communication No. 17-469; and

WHEREAS, on April 17, 2017, by Roll Call No. 17-0662, the City Council directed the Legal Department to complete the tax sale process and request that the Polk County Treasurer issue, to the City, the tax sale deed for the Property; and

WHEREAS, City staff and adjacent property owners Mark and Nancy McCaune are negotiating an Offer to Purchase by which the McCaunes would purchase the Property for the fair market value of \$15,000 plus payment of all owed delinquent taxes and special assessments; 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 sale of said Property.



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

1. Council Communication No. 17-469 is hereby received and filed, in accordance with Roll Call No. 17-0590 regarding report of ownership of the Property.
2. The City proposes to convey real property locally known as 911 25th Street, legally described below, to Mark and Nancy McCaune in exchange for \$15,000 and payment of delinquent property taxes and special assessments now due on the property:

Lot 20 IRA P. WETMORE'S ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. A public hearing shall be held on June 26, 2017 at 5:00 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.
4. 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. 17-469)

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	✓			
GREY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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