



Roll Call Number

18-0048

Agenda Item Number

27

Date January 8, 2018

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY  
LOCATED AT 1637 HUNTLAND DRIVE TO REALTY CONCEPTS, LLC  
FOR REDEVELOPMENT OF HOUSING**

**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 March 9, 2015, by Roll Call No. 15-0463, the City Council determined that the real property at 1637 Huntland Drive was a public nuisance and authorized the City Legal Department to proceed with court action seeking authority to abate the public nuisance; and

**WHEREAS**, on May 8, 2017, by Roll Call No. 17-0756, the City Council approved acquisition of the vacant and abandoned house locally known as 1637 Huntland Drive ("Property") by tax sale deed, authorized the Finance Director to issue a check of \$12,889.60 to pay the negotiated amount of outstanding tax sale certificates, directed the Legal Department to begin the process to take tax sale deed and 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 Community Development Department staff to distribute a Request for Proposal (RFP) to developers for acquisition and renovation of the Property based on a rehabilitation plan; and

**WHEREAS**, on November 16, 2017, 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**, Realty Concepts, LLC, represented by Adam Metzker (President), responded to the RFP and was selected by the City staff reviewers as the recommended developer for the purpose of said redevelopment; and

**WHEREAS**, if approved, the proposed conveyance by the City to Realty Concepts, LLC will be governed by and subject to approval of an acquisition agreement between Realty Concepts, LLC 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 Realty Concepts, LLC; and

**WHEREAS**, the City intends to accept title to the Property by tax sale deed on or before January 22, 2018, in compliance with the statutory tax sale process; 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 1637 Huntland Drive, legally described below, to Realty Concepts, LLC, in exchange for \$14,690.18 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes:

All of Lots 64 and 65 in WEST UNIVERSITY PLACE, an Official Plat, all now included in the City of Des Moines, Polk County, Iowa, except that part of said Lots described as follows: Commencing at the Northwest corner of said Lot 65; thence in an Easterly direction along the North line of said Lots 64 and 65, a distance of 110.23 feet to the Northeast corner of said Lot 64; thence in a Southerly direction along the Easterly side of said Lot 64, a distance of 50 feet; thence in a Westerly direction and parallel to the North line of said Lots 64 and 65, a distance of 103.1 feet to the East line of Sani Drive; thence along the East line of Sani Drive, a distance of 51.2 feet to the place of beginning.

2. A public hearing shall be held on January 22, 2018 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. 18-006)

MOVED BY Gatto 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, BOESEN, COLEMAN, GATTO, GREY, MANDELBAUM, WESTERGAARD, and TOTAL (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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk