



Roll Call Number

18-1165

Agenda Item Number

29

Date July 9, 2018

**RESOLUTION APPROVING AMENDMENT OF DEVELOPMENT AGREEMENT
BETWEEN CITY OF DES MOINES AND JEFFREY STEWART FOR PROPERTY
LOCATED AT 832 24TH STREET**

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 832 24th 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, the City staff believed that the residential structure on the Property was damaged beyond repair, and the Woodland Heights Neighborhood Association agreed and recommended the demolition of the structure and construction of a new single family owner-occupied home, and

WHEREAS, on April 17, 2017, by Roll Call 17-0707 the City Council approved sale and conveyance of the Property to Lighthouse Development, LLC for redevelopment of housing subject to the terms and conditions included in the Acquisition Agreement and Offer to Purchase between the City of Des Moines and Lighthouse Development, LLC; and

WHEREAS, on June 11, 2018, Lighthouse Development, LLC assigned its interest and obligations in the Acquisition Agreement to Jeffrey Stewart, following approval of assignment by the City Community Development Director as authorized by the Acquisition Agreement, and thereafter Jeffrey Stewart acquired the Property from Lighthouse Development, LLC; and

WHEREAS, Jeffrey Stewart has requested an amendment of the Acquisition Agreement extending the agreement to May 1, 2019 to allow completion of new construction of a single-family home on the site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the First Amendment to Acquisition Agreement between the City of Des Moines and Jeffrey Stewart, to allow extension of the Agreement until May 1, 2019, is hereby approved; the Mayor is authorized and directed to sign the Amendment on behalf of the City; and the City Clerk is authorized and directed to attest his signature.

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(Council Communication No. 18-347)

MOVED BY Gatto TO ADOPT.

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
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.

Diane Rauh

City Clerk

MOTION CARRIED APPROVED
T. M. Franklin Mayor