



Roll Call Number

18-2005

Agenda Item Number

28

Date December 17, 2018

**SET HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY  
LOCATED AT 1124 13<sup>th</sup> STREET AND 1311 LAUREL STREET  
TO INDIGO DAWN, 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**, in accordance with Iowa Code 446.18, cities may also bid on tax sale certificates as public bidders in the annual Polk County Tax Sale Auction; and

**WHEREAS**, on December 19, 2011, by Roll Call No. 11-2158, the City Council determined that the real property at 1124 13<sup>th</sup> Street 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 February 5, 2018, by Roll Call No. 18-0204, the City Council approved acquisition of the vacant and abandoned properties locally known as 1124 13<sup>th</sup> Street and 1311 Laurel Street (collectively "Properties") by tax sale deed and directed Community Development staff to distribute a Request for Proposal (RFP) to developers to acquire and renovate said properties based on an approved rehabilitation plan; and

**WHEREAS**, the City intends to accept title to the Properties by tax sale deed on or before January 14, 2019, to convey the property and in compliance with the statutory tax sale process; and

**WHEREAS**, Indigo Dawn, LLC, represented by Chaden Halfhill, President, 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 Indigo Dawn, LLC will be governed by and subject to approval of an acquisition and rehabilitation agreement between Indigo Dawn, LLC and the City of Des Moines, which agreement is on file in the office of the City Clerk, and will further be subject to completion by the City of the tax sale process and acquisition of the Properties by tax sale deed; and

**WHEREAS**, deed restrictions containing single-family owner-occupancy requirements, with allowance for use as rental in accordance with the Des Moines Municipal Code until December 31, 2024, and compliance with the conditions of the RFP and submitted proposal, will be included in the deeds conveying the Property to Indigo Dawn, LLC; and

**WHEREAS**, there is no known current or future public need for the Properties proposed to be sold and the City will not be inconvenienced by the sale of said Properties.

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

★ Roll Call Number

18-2065

Agenda Item Number

28

Date December 17, 2018

- 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 properties, legally described below, to Indigo Dawn, LLC in exchange for \$200.00 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes:

Address: 1124 13<sup>th</sup> Street, Des Moines, Iowa, 50314

Legal Description: The North 78 feet of Lots 11 and 12 in the Sub-Division of Lots 8 and 9 in the Official Plat of the Northwest Fractional Quarter of the Northwest Fractional Quarter of Section 4 Township 78, Range 24, West of the 5<sup>th</sup> P.M., an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

Address: 1311 Laurel Street, Des Moines, IA, 50314

Legal Description: The West 9 feet of Lot 3 and the East Half (1/2) of Lot 4, Saucerman and English's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

- A public hearing shall be held on January 14, 2019 at 5:00 p.m. in the Council Chambers, located at 400 Robert D. Ray Drive, 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.
- 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.

MOVED BY Boesen TO ADOPT.

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED

J. M. Frank 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