



Roll Call Number

20.1975

Agenda Item Number

62

Date November 23, 2020

HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 919 E 9th STREET TO HOME OPPORTUNITIES MADE EASY, 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, in accordance with Iowa Code Section 446.18, cities may also bid on tax sales certificates as public bidders in the annual Polk County Tax Sale Auction; and

WHEREAS, on June 12, 2017, by Roll Call No. 17-0988, the City Council approved request to Polk County Board of Supervisors to assign Tax Sale Certificate of the vacant property locally known as 919 E 9th Street ("Property") to the City, authorization for execution of Polk County Agreement, approval of City acquisition of properties through tax deed, authorization to request release of property taxes and special assessments, and release of all City liens and special assessments in order to encourage housing redevelopment; and

WHEREAS, the City intends to accept title to the Property by tax sale deed on or before January 13, 2021, in order to comply with the statutory tax sale process; and

WHEREAS, the City staff has worked with Home Opportunities Made Easy, Inc. (HOME, Inc.) to build single-family affordable housing that is compatible with the neighborhood on the site; and

WHEREAS, HOME, Inc. wishes to develop the Property in accordance with City of Des Moines' requirements, and has offered to the City of Des Moines the purchase price of \$10,500 for the purchase of such Property, more specifically described below, which conveyance will be subject to restrictive covenants setting forth the City's development requirements, and which price reflects both the fair market value of the Property as currently estimated by the City's Real Estate Division; and

WHEREAS, HOME, Inc. will also be required to obtain an approved site plan by the City for redevelopment of the Property, and required to enter into a development agreement with the City should the City's Community Development Department provide funds for said future redevelopment project, which requirements will be included in the deed conveying the Property to HOME 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.

WHEREAS, on November 9, 2020, by Roll Call 20-1767, it was duly resolved by the City Council that the proposed conveyance of the Property to HOME, Inc. be set down for hearing on November 23, 2020, at 5:00 p.m., in the City Council Chambers; and



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WHEREAS, due notice of the proposal was published as provided by law in the Des Moines Register, setting forth the time and place for hearing on the proposal; and

WHEREAS, in accordance with City Council direction, those interested in this proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of the real property as described below are hereby overruled and the hearing is closed.
2. There is no public need for the real property described below and the public would not be inconvenienced by reason of the conveyance of the property locally known as 919 E. 9th Street, Des Moines Iowa, legally described as follows:

Lot 3, Block South Walkers Subdivision, an Official Plat, now included in and forming a part of the City of Des Moines, Iowa

3. That the sale and conveyance of such property, 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 919 E. 9th Street, to Home Opportunities Made Easy, Inc. in exchange for \$10,500.00 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes is hereby approved.
4. That the Agreement between the City of Des Moines and Home, Inc. for Acquisition and Rehabilitation/Redevelopment of City Property, including the Offer to Purchase attached thereto, be and is hereby approved.
5. The Mayor is authorized and directed to sign said Agreement, the Offer, and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature and to forward the original of the Offer, said Agreement, and Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department.
6. Upon fulfillment of the conditions set forth herein above and in the acquisition agreement and Offer to Purchase, the Real Estate Division Manager is authorized and directed to close upon the sale of the above-described property to HOME, Inc. and to forward the original Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.



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- 7. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.

MOVED BY Boesen TO ADOPT.

APPROVED AS TO FORM:

Judy K. Parks-Kruse
 Judy K. Parks-Kruse, Assistant City Attorney

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

MOTION CARRIES APPROVED
T. M. Frankhu Cowme
 Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

P. Kay Cmelik
 City Clerk