



Roll Call Number

21-0875

Agenda Item Number

41

Date June 14, 2021

APPROVING REQUEST TO POLK COUNTY TREASURER, AND APPROVING AGREEMENTS WITH GREATER DES MOINES HABITAT FOR HUMANITY INC. AND INVESTDSM, FOR ASSIGNMENT OF TAX SALE CERTIFICATES FOR VARIOUS PROPERTIES FOR DEVELOPMENT AND/OR REHABILITATION OF HOUSING

WHEREAS, Iowa Code Section 446.19A permits cities to acquire tax sale certificates for vacant lots and for abandoned property assessed as residential property or as commercial multi-family property 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 of 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 the development of vacant lots for residential use; and

WHEREAS, the parcels described below, all assessed and zoned residentially, have all been found to be vacant and in violation of the City’s Building Code for a period in excess of six consecutive months in accordance with the requirements of Iowa Code Section 446.19A, and are expected to be sold at tax sale in June 2021 for nonpayment of taxes; and

WHEREAS, City Neighborhood Services staff is recommending that the City make a request to the Polk County Treasurer and take assignment of the tax sale certificates in accordance with Iowa Code Section 446.19A, in order for the certificates to be further assigned by agreement to Greater Des Moines Habitat for Humanity, Inc. and InvestDSM for rehabilitation or redevelopment of the properties for housing purposes; and

WHEREAS, Greater Des Moines Habitat for Humanity, Inc. (“Habitat”), represented by Lance Henning, Executive Director, has offered to redevelop the parcels described as follows for housing if the City will acquire and assign the tax sale certificates for the parcels to Habitat:

Des Moines Property Addresses:

1029 E 7th Street, 1107 18th Street, 1111 E 9th Street, 1116 14th Place, 1126 11th Street, 1149 21st Street, 1540 13th Street, 1621 Jefferson Avenue, 3230 E Clinton Avenue and 5403 SW 8th Street.

WHEREAS, InvestDSM, represented by Amber Lynch, Executive Director, has offered to redevelop the parcels described as follows for housing if the City will acquire and assign the tax sale certificate for the parcel to InvestDSM:

Des Moines Property Addresses:

322 E Jackson Avenue, 323 E Jackson Avenue, 410 E Livingston Avenue and 429 E Dunham Avenue.

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

- 1. The assignment of the tax sale certificates and the Agreements now on file in the office of the City Clerk, by and between the City and Greater Des Moines Habitat for Humanity, Inc., and the City and InvestDSM, whereby the City agrees to assign the tax sale certificates for the parcels described above to the non-profit organization in consideration of the organization’s undertakings to rehabilitate or redevelop the parcels for owner-occupied housing, are hereby approved.



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- 2. The Mayor is hereby authorized and directed to sign the Agreement on behalf of the City of Des Moines, and the City Clerk is authorized and directed to sign the Acceptance of Restrictive Covenant for each property when provided by Habitat or InvestDSM as applicable.
- 3. Upon full execution of the Agreement, the City Manager or his designee are authorized and directed to execute and submit an affidavit to the Polk County Treasurer requesting that the tax sale certificates for all properties described above be assigned to the City of Des Moines in accordance with Iowa Code Section 446.19A, and the City Manager or his designee are hereby further authorized and directed to execute the Assignments of such tax sale certificate(s) to Greater Des Moines Habitat for Humanity, Inc. and InvestDSM on behalf of the City of Des Moines as provided in said Agreements.

(Council Communication No. 21-253)

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Judy Parks Kruse, Assistant City Attorney

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

CERTIFICATE

I, 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.

J. M. Franklin Cownie, Mayor

Kay Cmelik, City Clerk