



Roll Call Number

22-0923

Agenda Item Number

60 ✓

Date June 13, 2022

**APPROVING REQUEST TO POLK COUNTY TREASURER, AND APPROVING AGREEMENTS WITH GREATER DES MOINES HABITAT FOR HUMANITY INC. AND HOME OPPORTUNITIES MADE EASY, INCORPORATED (HOME, INC.), 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**, Iowa Code Section 446.19A also permits the City to assign the tax sale certificate to another agency or under Iowa Code 446.31, 446.32, and 446.37 to secure the deed to the property itself as long as it furthers the redevelopment of housing; and

**WHEREAS**, the parcels described below, largely assessed and zoned residentially, have all been found to be vacant lots or 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 2022 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 and HOME, Inc., for rehabilitation or redevelopment of the properties for housing purposes; and

**WHEREAS**, Greater Des Moines Habitat for Humanity, (GDMHH, Ryan Doyle, Real Estate and Land Development Manager, 2200 E. Euclid Avenue, Des Moines, Iowa 50317) has offered to redevelop the parcels described as follows for housing if the City will acquire and assign the tax sale certificates or deed for the parcel as follows:

Assign tax certificate to City of Des Moines and work with GDMHH upon deed assignment for:  
1708 21st Street, 1113 37th Street, 2345 E 11<sup>th</sup> Street, 1533 Walker Street, 1915 E Grand Avenue, 1840 Logan Avenue, 2110 E Walnut Street, 916 Hartford Avenue, 5403 SW 8<sup>th</sup> Street, 1552 E 36<sup>th</sup> Street, 3135 7<sup>th</sup> Street, Des Moines.

Assign tax certificate to GDMHH for: 1926 10<sup>th</sup> Street and 1306 E 15<sup>th</sup> Street, Des Moines.

**WHEREAS**, HOME, Inc. (Tony Montgomery, 1618 6th Ave, Des Moines, IA 50314) has offered to redevelop the parcels described as follows for housing if the City will acquire and assign the tax sale certificate or deed for the parcel as follows:



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Assign tax certificate to City of Des Moines and work with HOME, Inc. upon deed assignment for: 2719 Franklin Avenue, 1013 E 8th Street, 1621 Jefferson Avenue, 1507 10th Street, Parcel 7824.28.103.026, Parcel 7824.01.180.015, Parcel 7824.01.180.016, and 3103 47th Street, Des Moines.

WHEREAS, Neighborhood Services Department staff have identified one parcel described as follows for housing in conjunction with other City revitalization efforts. The City will acquire the tax sale certificate and work with other departments on integration into existing redevelopment plans the parcel as follows:

Assign tax certificate to City of Des Moines for: 2003 Washington Avenue, Des Moines.

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 and HOME, Inc., 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.
2. The Legal Department is authorized and directed to begin the acquisition of said properties in accordance with Iowa Code Section 446.19A, 446.18, 446.32 and 446.37, and the Finance Director is authorized and directed to issue checks to pay the recording costs and other costs certified by a City Department related to the acquisitions listed above.
3. The Neighborhood Services Department Director and his designee(s) are directed to work with the interested parties and nonprofits on developer-initiated redevelopment proposal(s), or, if applicable, to distribute a Request for Proposals to locate developer(s) to acquire and renovate each property based on an approved rehabilitation plan, including evidence of financing, examples of similar work completed in Des Moines area, and a binding agreement in a form satisfactory to the Legal Department, for use as single-family owner-occupied housing.
4. The Neighborhood Services Department Director is hereby authorized and directed to sign the Agreements on behalf of the City of Des Moines, and the Neighborhood Services Department Director is authorized and directed to sign the Acceptance of Restrictive Covenant for each property when provided by Greater Des Moines Habitat for Humanity and HOME, Inc. and the City as applicable.
5. Upon full execution of the Agreements, the Neighborhood Services Department Director is 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 Neighborhood Services Department Director is hereby further authorized and directed to execute the Assignments of such tax sale certificate(s) to Greater Des Moines Habitat for Humanity or HOME, Inc. on behalf of the City of Des Moines as provided in said Agreements.

(Council Communication No. 22-279)

Moved by Gatto to adopt,



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Seconded by Voss

FORM APPROVED:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

Laura Baumgartner

City Clerk