

Date November 21, 2022

RESOLUTION AUTHORIZING RELEASE OF SPECIAL ASSESSMENTS AND PARTIAL RELEASES OF JUDGMENT LIENS FOR CERTAIN PROPERTIES ACQUIRED THROUGH THE TAX SALE CERTIFICATE PROCESS

WHEREAS, Iowa Code Section 446.19A permits cities to acquire tax sale certificates for certain property through a tax sale process, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings and lots; and

WHEREAS, on June 3rd, 2019, by Roll Call No. 19-0892, the City Council approved acquisition of the tax sale certificate for the vacant and abandoned property locally known as 445 E Dunham Avenue, 802 Shaw Street, and 1012 SE 10th Street, Des Moines, Iowa ("Property"), entered into a development agreement with Neighborhood Finance Corporation (NFC) and begin the process to take tax sale deed; and

WHEREAS, on November 2, 2022, the City of Des Moines requested and was issued the tax sale deeds for the Property by the Polk County Treasurer; and

WHEREAS, the special assessments against the Property have been identified by NFC as an encumbrance to redevelopment for housing; and

WHEREAS, the City has outstanding judgments against the owners of the above properties in relation to nuisance abatement and enforcement costs, court costs and sanctions, which judgment liens encumber the real property; and

WHEREAS, City staff has reviewed these judgment liens and determined that it is in the City's best interest to release the judgment liens against these specific properties in order to encourage re-development of the sites.

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

- 1. The special assessments levied by the City and pending against the Property shall be deemed released as follows:

802 Shaw Street, Des Moines, Iowa

Table with 4 columns: Special Assessment Code, Amount, Certified Date, Certificate. Row 1: 1200020170201 - DM 00-201702 3-3-2017, \$3,394.04, 3/3/2017, 202324900. Row 2: TOTAL, \$3,394.04.

1012 SE 10th Street, Des Moines, Iowa

Table with 4 columns: Special Assessment Code, Amount, Certified Date, Certificate. Row 1: 1200020130901 - DM 00-201309 9-27-2013, \$5,503.51, 09/27/2013, 1202144200.



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1200020150301 - DM 00-201503 3-30-2015	\$1,470.47	03/30/2015	1202221800
1200020150401 - DM 00-201504 5-22-2015	\$4,251.84	05/22/2015	1202229000
1200020160901 - DM 00-201609 9-30-2016	\$2,392.58	09/30/2016	1202305000
1200020170201 - DM 00-201702 3-3-2017	\$464.16	03/03/2017	1202323800
1200020170501 - DM 00-201705 5-26-2017	\$1,027.65	05/26/2017	1202333900
1200020170901 - DM 00-201709 10-27-2017	\$248.66	10/27/2017	1202352500
1200020180101 - DM 00-201801 1-29-2018	\$2,530.10	01/29/2018	1202365200
1200020180102 - DM 00-20180102 1-29-2018	\$315.95	01/29/2018	1202365400
1200020180103 - DM 00-20180103 1-29-2018	\$246.40	01/29/2018	1202367900
1200020200301 - DM 00-202003 3-30-2020	\$969.72	03/30/2020	1202493300
1200020221001 - DM 00-202210 10-31-2022	\$492.49	10/31/2022	HLTH-2022-001019
1200520121101 - CITY OF DES MOINES - SA	\$105.34	12/03/2012	1204494100
1200520130401 - DM 05-201304 5-1-2013	\$78.10	05/01/2013	1204651300
1200520130701 - DM 05-201307 8-1-2013	\$61.48	08/01/2013	1204741900
1200520131101 - DM 05-201311 11-27-2013	\$61.48	11/27/2013	1204856400
1200520140401 - DM 05-201404 5-1-2014	\$61.48	05/01/2014	1204983700
1200520150401 - DM 05-20150401 5-1-2015	\$62.88	05/01/2015	1205312300
1200520150901 - DM 05-201509 10-2-2015	\$53.48	10/02/2015	1205431400
1200520151205 - DM 05-20151205 1-4-2016	\$53.70	01/04/2016	1205496200
1200520160404 - DM 05-20160404 4-29-2016	\$52.26	04/29/2016	1205587200
1200520160806 - DM 05-20160806 9-1-2016	\$48.48	09/01/2016	1205663400
1200520170104 - DM 05-20170104 2-2-2017	\$57.10	02/02/2017	1205759900
1200520170605 - DM 05-20170605 6-29-2017	\$44.70	06/29/2017	1205847500
1200520171004 - DM 05-20171004 11-1-2017	\$44.26	11/01/2017	1205916600
1200520180301 - DM 05-201803 4-2-2018	\$58.96	04/02/2018	1206003000
1201720121101 - CITY OF DES MOINES - SA	\$246.20	12/03/2012	1205431600
1201720130401 - DM 17-201304 5-1-2013	\$181.00	05/01/2013	1205589800
1201720130701 - DM 17-201307 8-1-2013	\$138.40	08/01/2013	1205682300
1201720131101 - DM 17-201311 11-27-2013	\$138.40	11/27/2013	1205803600
1201720140401 - DM 17-201404 5-1-2014	\$138.40	05/01/2014	1205931700
1201720150401 - DM 17-201504 5-1-2015	\$142.92	05/01/2015	1206270000
1201720150901 - DM 17-201509 10-2-2015	\$118.40	10/02/2015	1206391100
1201720151205 - DM 17-20151205 1-4-2016	\$120.00	01/04/2016	1206456900
1201720160404 - DM 17-20160404 4-29-2016	\$117.80	04/29/2016	1206548900
1201720160806 - DM 17-20160806 9-1-2016	\$108.40	09/01/2016	1206624800
1201720170104 - DM 17-20170104 2-2-2017	\$132.00	02/02/2017	1206725600
1201720170605 - DM 17-20170605 6-29-2017	\$100.00	06/29/2017	1206812800
1201720171004 - DM 17-20171004 11-1-2017	\$97.80	11/01/2017	1206884500
1201720180301 - DM 17-201803 4-2-2018	\$137.55	04/02/2018	1206968700
1202120121101 - CITY OF DES MOINES - SA	\$125.38	12/03/2012	1206355300
1202120130501 - DM 21-201305 6-3-2013	\$85.24	06/03/2013	1206552000
1202120131101 - DM 21-201311 11-27-2013	\$99.12	11/27/2013	1206716800
1202120140501 - DM 21-201405 5-30-2014	\$78.79	05/30/2014	1206879100
1202120150601 - DM 21-201506 7-6-2015	\$87.39	07/06/2015	1207228500
1202120151205 - DM 21-20151205 1-4-2016	\$84.79	01/04/2016	1207361600
1202120160602 - DM 21-20160602 6-30-2016	\$67.48	06/30/2016	1207490700
1202120161103 - DM 21-20161103 12-1-2016	\$69.02	12/01/2016	1207588400
1202120170404 - DM 21-20170404 5-1-2017	\$71.18	05/01/2017	1207679000



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1202120171004	- DM 21-20171004 11-1-2017	\$74.24	11/01/2017	1207789400
1202120180301	- DM 21-201803 4-2-2018	<u>\$75.98</u>	04/02/2018	1207877000
	TOTAL	\$23,593.11		

and the City Engineer or the City Engineer’s designee is hereby authorized and directed to notify the County of the release of such special assessments; and

2. The Neighborhood Services Director’s designee shall seek to release all other assessments levied by Polk County, Des Moines Water Works, or other governmental entities pending against the Property; and
3. The City approves partial release of its judgment liens, solely as to any liens that the City may have against the real estate locally known by the following addresses in the following Polk County District Court cases:
 - 1012 SE 10th Street, Des Moines, Iowa: City Des Moines v. Artie Moll
CE 78303 Costs of \$33,342.55 plus interest

for the sole purpose of encouraging development on properties which the city took tax sale deed to and conveyed to nonprofit organizations.

4. The Mayor and City Clerk are authorized and directed to sign and attest, respectively, any necessary partial releases, after approval as to form by the City Legal Department
5. The City hereby retains any judgment lien that it may have against Artie Moll and all other defendants personally and against any other real or personal property affected by the judgement liens in Polk County District Court Cases No. CE 78303 City Des Moines v. Artie Moll.



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(Council Communication No. 22-526)

Moved by Gatto to adopt. Second by Voss.

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, LAURA BAUMGARTNER, 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 Cowie Mayor

Laura Baumgartner City Clerk