



**Roll Call Number**

25-0991

**Agenda Item Number**

38

**Date** July 14, 2025

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY  
AT 1168 22<sup>nd</sup> STREET TO INVEST DSM FOR REHABILITATION 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**, on April 15, 2024, by Roll Call No. 24-0584, the City Council approved acquisition of the tax sale certificate for the vacant and abandoned property locally known as 1168 22nd Street, Des Moines, Iowa ("Property"), entered into a development agreement with Invest DSM and began the process to take tax sale deed.

**WHEREAS**, on September 6, 2024, the City of Des Moines requested and was issued the tax sale deed for the Property by the Polk County Treasurer; and

**WHEREAS**, on September 17, 2024, the City of Des Moines filed a 120 Day Affidavit for the Property with the Polk County Recorder; and

**WHEREAS**, on October 21, 2024, by Roll Call No. 24-1431, the City Council released all City liens and special assessments to encourage housing redevelopment; and

**WHEREAS**, on December 17, 2024, by resolution No. 27, the Polk County Board of Supervisors released all County liens, unpaid taxes, and unpaid special assessments to encourage housing redevelopment; and

**WHEREAS**, if approved, the proposed conveyance by the City to Invest DSM will be governed by and subject to approval of a development agreement between Invest DSM and the City of Des Moines, which agreement will be submitted to City Council for consideration concurrently with the public hearing on the sale; and

**WHEREAS**, deed restrictions containing single-family owner-occupancy requirements and compliance with the conditions of the development agreement will be included in the deed conveying the Invest DSM; 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; and

**WHEREAS**, June 30, 2025, by Roll Call No. 25-0911, it was duly resolved by the City Council that the proposed conveyance of the property to Invest DSM be set down for hearing on July 14, 2025, 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. That the sale and conveyance of real property locally known locally known as 1168 22<sup>nd</sup> Street, Des Moines, Iowa, legally described below, to Invest DSM in exchange for \$1.00 and in-kind consideration in the form of development of the property by rehabilitation and/or redevelopment for housing purposes is hereby approved. The legal description of the property is as follows:  
  
THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE EAST 90 FEET OF LOT 1, BLOCK 4, COTTAGE GROVE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.
3. That the Agreement between the City of Des Moines and Invest DSM for Acquisition and Redevelopment of City Property, including the Offer to Purchase attached thereto, be and is hereby approved.
4. 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.
5. 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 Invest DSM 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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6. 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.
7. Non-project related proceeds shall be used to support redevelopment expenses for costs associated with future properties acquired through tax sale certificate process: Neighborhood Services Department Budget Special Revenue, Nongrant NS046000 / 521035.

(Council Communication No. 25-269)

Moved by Coleman to adopt.

Second by Gatto.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

### 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.

Laura Baumgartner

City Clerk