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Date June 19, 2006
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RESOLUTION APPROVING FIRST AMENDMENT TO AGREEMENT
FOR ASSIGNMENT OF TAX SALE CERTIFICATES TO
S & G REAL ESTATE INVESTMENTS, INC.

WHEREAS, Iowa Code 446.19A permits cities to acquire tax sale certificates for abandoned property assessed as residential property or as commercial multifamily property at a tax sale without paying the taxes then due, to obtain the assignment of outstanding tax sale certificates by payment to the holder the amount then due to redeem the certificate, and to give notice of expiration of the redemption period upon an expedited schedule, all for the purpose of encouraging the acquisition and rehabilitation of abandoned dwellings; and,

WHEREAS, on October 10, 2005, by Roll Call No. 05-2455 City Council approved the assignment of the 2005 tax sale certificate for the property described below to S&G Real Estate Investments, Inc. ("S & G Real Estate"), an Iowa for-profit corporation represented by Paul Gengler, President, and it has successfully obtained the tax deed for the property in accordance with Iowa Code 446.19A; and

WHEREAS, S&G Real Estate has had the home inspected by a registered engineer and is requesting that the agreement be amended to allow the property described below to be demolished and a new single family dwelling(s) be built on the lot for re-sale for owner-occupied housing;

WHEREAS, the City and S & G Real Estate proceeded under the requirements of 446.19A in the belief the existing dwelling could be rehabilitated for single family residential use, but it has now been determined after further investigation that it is neither feasible or reasonable to renovate the dwelling; and,

WHEREAS, it is in the best interest of the City to allow S & G Real Estate to demolish the existing dwelling and to construct one or two new single-family dwellings upon the property;
NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

(continued)

★ Roll Call Number

Agenda Item Number

41

Date June 19, 2006

1. The First Amendment to Agreement on file in the Office of the City Clerk, between the City and S&G Real Estate, whereby S & G Real Estate agrees to demolish the existing dwelling upon the following described property, and to construct one or two new single-family dwellings for sale to owner occupants, is hereby approved.

Address: 202 Williams Street
 District/Parcel No.: 050/04067-000-000
 Legal: W 146.4F & N 300F E 65F W ½ Lt 50 lyg N of Williams St. ORP Sec 5-78-23, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. S & G Real Estate agrees construct the dwelling(s) in substantial compliance with plans to be reviewed and approved by the Community Development Director to ensure the dwelling(s) are in character with the existing neighborhood.
3. The Mayor is hereby authorized and directed to sign the First Amendment to Agreement on behalf of the City of Des Moines.

(Council Communication No. 06- 358)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, 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.

City Clerk