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Date..... September 11, 2006

RESOLUTION APPROVING A TAX ABATEMENT APPLICATION FOR  
THE ADDITIONAL VALUE ADDED BY IMPROVEMENTS COMPLETED  
IN 2005, AND REQUESTING RETRO-ACTIVE APPLICATION  
(2403 Hart Avenue)

WHEREAS, the Iowa Urban Revitalization Act, Chapter 404, Code of Iowa (the "Act"), provides for partial exemption from property tax for the actual value added by improvements to property located in a designated urban revitalization area which are consistent with the urban revitalization plan for such Area; and

WHEREAS, the Act provides that persons making improvements must apply to the City Council for tax abatement, and the City Council shall approve the application by resolution, subject to review by the County Assessor, if it finds (a) the project is located in a designated urban revitalization area; (b) the project is in conformance with the urban revitalization plan for such area; and (c) the improvements were made during the time the area was so designated; and

WHEREAS, pursuant to the Act, the Des Moines City Council passed Ordinance No. 11,026 designating the entire area within the corporate boundaries of the City of Des Moines on July 6, 1987, as a revitalization area (the "City-wide Urban Revitalization Area"); and

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council approved the Urban Revitalization Plan for the City-wide Urban Revitalization Area which Plan, among other things, specifies the types of improvements eligible for tax abatement; and

WHEREAS, the attached application is for value added by eligible improvements made to the property at 2403 Hart Avenue during calendar year 2005; and,

WHEREAS, the applicant has asked that the City request retro-active application of the tax abatement by the Polk County Assessor since it appears that the application was timely filed but not processed correctly by City Staff; and,

WHEREAS, the attached application has been received, reviewed and recommended for conditional approval by City staff.

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

- 1) The attached application for tax abatement for improvements to 2403 Hart Avenue is hereby received.

( continued )

16

Date September 11, 2006

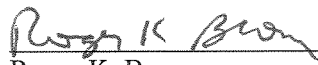
-2-

- 2) The following findings are hereby adopted:
  - a) It appears that the attached application was timely filed before February 1, 2006, but was not timely processed by the City.
  - b) The attached application is for a project located in the City-wide Urban Revitalization area; the project is in conformance with the Urban Revitalization Plan for the City-wide urban revitalization area; and the improvements described in the application were made during the time the applicable area was so designated.
- 3) The attached application is approved subject to review by the County Assessor under Section 404.5 of the Act, for exemption according to the schedule noted on the applications.
- 4) The City Clerk shall forward a certified copy of this resolution and the attached applications to the County Assessor.

( Council Communication No. 06-589 )

MOVED by \_\_\_\_\_ to adopt, and to request that the Polk County Assessor apply the tax abatement retroactively commencing with the taxes payable in FY2007/08.

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

APPLICATION FOR TAX ABATEMENT UNDER THE DES MOINES

CITY-WIDE URBAN REVITALIZATION PLAN

This application must be filed with the City by the 1st Working Day in February

RECEIVED

ADDRESS OF PROPERTY 2403 Hart Ave  
LEGAL DESCRIPTION OF PROPERTY Carmen Estates Plat 2  
APR 27 2005  
CITY OF DES MOINES  
PERMIT AND DEVELOPMENT CENTER

TITLE HOLDER OR CONTRACT BUYERS Terry's Homes Inc  
ADDRESS OF OWNER (IF DIFFERENT THAN ABOVE) 3301 NW 106th Circle  
PHONE IN EITHER HOME OR WORK 515-278-5992

TYPE OF PROPERTY USE RESIDENTIAL  
MULTIPLE PROPERTY? NO  
WILL THE PROPERTY BE SERVED BY CITY SEWER? YES

SPECIFY IMPROVEMENTS New Townhouse Dwelling

ESTIMATED OR ACTUAL DATE OF COMPLETION 12-30-05

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS \$204,700

TAX EXEMPTION SCHEDULE 1 2 3 4A AB (CIRCLE ONE)

(SEE REVERSE SIDE FOR APPLICABLE TAX SCHEDULES)

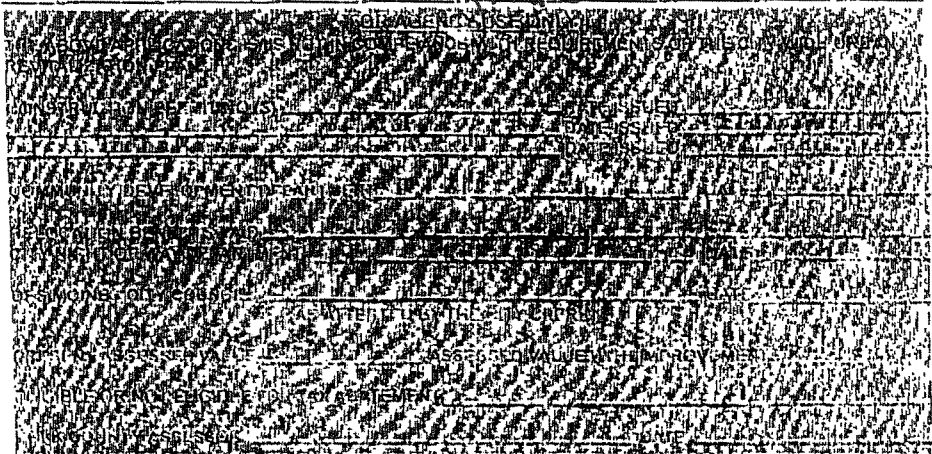
IF RESIDENTIAL RENTAL PROPERTY, COMPLETE THE FOLLOWING NUMBER OF UNITS

TENANTS OCCUPYING THE BUILDING WHEN PURCHASED (OR PRESENT TENANTS IF UNKNOWN) / DATE OF TENANT OCCUPANCY / RELOCATION BENEFITS RECEIVED BY ELIGIBLE TENANTS / ATTACH LIST OF BUILDINGS BEING DEMOLISHED, IF ANY (TO BE CONTINUED ON A SEPARATE PAGE IF NECESSARY)

Table with columns: TENANT, DATE OF OCCUPANCY, RELOCATION BENEFITS

I Certify That the above statements are true to the best of my knowledge.

SIGNATURE NANCY KATLOTT DATE 9/5/06



BLD 2005-00806 5/2/05  
Phyllis R  
Votman  
9/5/06

WHEN COMPLETED RETURN TO: TAX ABATEMENT, PERMIT AND DEVELOPMENT CENTER  
602 ROBERT D. RAY DR. (FORMERLY E. 1ST STREET), DES MOINES, IA 50309



FILING THIS APPLICATION DOES NOT CONSTITUTE APPROVAL.

APPLICATION FOR TAX ABATEMENT UNDER THE DES MOINES CITY-WIDE URBAN REVITALIZATION PLAN

This application must be filed with the City by the 1st Working Day in February

RECEIVED

APR 27 2005

ADDRESS OF PROPERTY 2403 Hart Ave. LEGAL DESCRIPTION OF PROPERTY Carmen Estates Plat 2 CITY OF DES MOINES PERMIT AND DEVELOPMENT CENTER

PROPERTY HOLDER OR CONTRACT BUYERS Terry's Homes Inc.

ADDRESS OF OWNER (IF DIFFERENT THAN ABOVE) 3301 NW 106th Circle

PHONE NUMBER HOME WORK 515-278-5992

PROPOSED PROPERTY USE WILL THE PROPERTY BE? RESIDENTIAL RENTAL COMMERCIAL OWNER-OCCUPIED INDUSTRIAL (CIRCLE ONE) (CIRCLE ONE) (CIRCLE ONE) WILL THE PROPERTY BE SERVED BY CITY SEWER? YES NO (CIRCLE ONE) (CIRCLE ONE)

SPECIFY IMPROVEMENTS New Townhouse Dwelling

ESTIMATED OR ACTUAL DATE OF COMPLETION 12-30-05

ESTIMATED OR ACTUAL COST OF IMPROVEMENTS \$204,700

TAX EXEMPTION SCHEDULE 1 2 3 4A 4B (CIRCLE ONE) (SEE REVERSE SIDE FOR APPLICABLE TAX SCHEDULES)

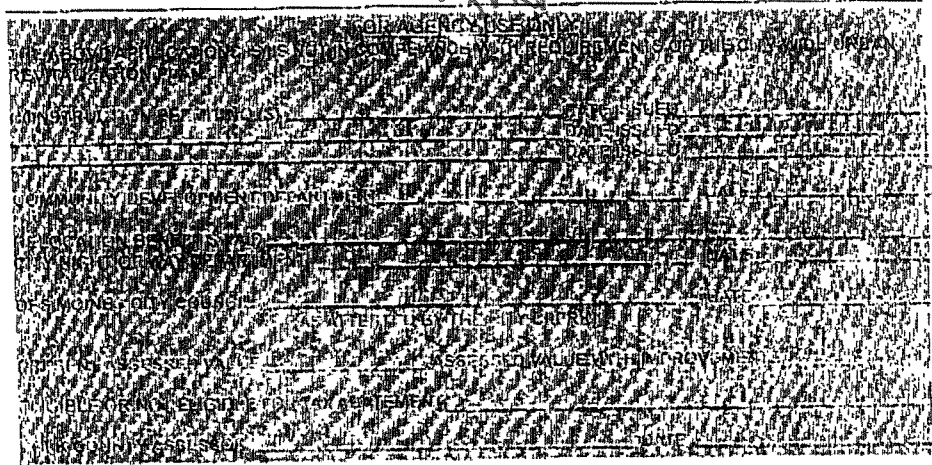
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Table with columns: TENANT, DATE OF OCCUPANCY, RELOCATION BENEFITS

I Certify That the above statements are true in the best of my knowledge

SIGNATURE NANCY KATICHOTT DATE 9/5/06



BLD 2005-00846 5/2/05 Plying R9 Upman 9/5/06

WHEN COMPLETED RETURN TO: TAX ABATEMENT, PERMIT AND DEVELOPMENT CENTER 602 ROBERT D. RAY DR. (FORMERLY E. 1ST STREET), DES MOINES, IA 50309



FILING THIS APPLICATION DOES NOT CONSTITUTE APPROVAL