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Date January 23, 2017

HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 1520 32ND STREET TO RALLY CAP PROPERTIES, LLC FOR REHABILITATION OF HOUSING, AND APPROVING ACQUISITION AGREEMENT

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 September 28, 2015, by Roll Call No. 15-1619, the City Council approved acquisition of the vacant and abandoned house locally known as 1520 32nd Street (“Property”) by tax sale deed, authorized the Community Development Director to request release of property taxes and special assessments, authorized release of all City liens and special assessments in order to encourage housing redevelopment and directed staff to distribute a Request for Proposal (RFP) to developers to acquire and renovate the Property based on a rehabilitation plan; and

WHEREAS, the City intends to accept title to the Property by tax sale in compliance with the statutory tax sale process on or before January 23, 2017; and

WHEREAS, the City staff distributed a Request for Proposal (RFP) to redevelopers of single family housing in order to select a developer to complete the necessary development on the Property for housing use; and

WHEREAS, Rally Cap Properties, LLC responded to the RFP and was selected by the reviewers as the recommended developer for the purpose of said redevelopment; and

WHEREAS, if approved, the proposed conveyance by the City to Rally Cap Properties, LLC will be governed by and subject to approval of an acquisition agreement between Rally Cap Properties, LLC and the City of Des Moines, which agreement is on file with the City Clerk, and will further be subject to restrictions included in the deed conveying the Property to Rally Cap Properties, LLC; and

WHEREAS, deed restrictions for single-family owner-occupancy requirements and compliance with the conditions of the RFP and submitted proposal will be included in the deed conveying the Property to Rally Cap Properties, LLC; 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

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WHEREAS, on January 9, 2017, by Roll Call 17-0035, it was duly resolved by the City Council that the proposed conveyance of the Property to Rally Cap Properties, LLC be set down for hearing on January 23, 2017, at 5:00 p.m., in the City Council Chambers; and

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. There is no public need for the real property described below and the public would not be inconvenienced by reason of the conveyance of the property locally known as 1520 32nd Street, Des Moines Iowa, legally described as follows:

Lots 8 and 9 in Block 3 in Merritt and Fischer's Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That the sale and conveyance of such property to Rally Cap, Properties LLC for \$1.00 and the in-kind consideration of rehabilitation of the Property in accordance with the acquisition agreement and the response to RFP submitted by Rally Cap Properties, LLC, together with payment by such grantee of the estimated publication and recording costs in the amount of \$113.00 for this transaction, and with closing subject to the terms and conditions set forth herein above and included in the acquisition agreement and Offer to Purchase between the City and Rally Cap, LLC, be and is hereby approved.
4. That the Agreement between the City of Des Moines and Rally Cap Properties LLC for Acquisition and Rehabilitation/Redevelopment of City Property, including the Offer to Purchase attached thereto, be and is hereby approved.
5. 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.

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6. 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 Rally Cap Properties, LLC 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.
7. 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.

(Council Communication No. 17-031)

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GREY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

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.

_____ Mayor

_____ City Clerk

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Rauh, Diane I.

From: Benjamin Foote <benafote@gmail.com>
Sent: Monday, January 09, 2017 3:29 PM
To: CityClerk
Subject: Rally Cap Properties endorsement

To whom it may concern.

My wife and I recently (June 2016) bought a pre-sale house with Ryan and Michael of Rally Cap Properties and wanted to share a little about how wonderful our experience was. We love living in the neighborhood they primarily work in and fully support them rehabbing another house at 1520 32nd St.

Not only were they professional and prompt while they were doing the work but they also continued to answer any questions after the closing. You hear and see things everyday about bad contractors and horrible experiences. I'm pleased to report that I don't think that is possible with these guys. They are making a name for themselves based on the quality of work and the quality of people they are.

Thank you for your time,
Benjamin Foote

January 9, 2017

Nicholas Kollauf
664 33rd Street
Des Moines, IA 50312

City Clerk's Office
400 E Court Ave
Des Moines, IA 50309

Subject: Rally Cap Properties RFP 1520 32nd Street

To whom it may concern:

My name is Nick Kollauf and I am a Rally Cap Believer.

At 26, I never dreamed I would be living in my dream home in my dream neighborhood, but thanks to Rally Cap Properties I can say that I have achieved this dream.

We started working with Rally Cap Properties at the end of September and we moved in to our new house on December 19th. The purchase process was painless and we never had any doubt that Rally Cap would finish on time. They went above and beyond our expectations and during the process we could see how motivated and passionate everyone on their team was about rehabbing the neighborhood. Whether it was subcontractors working during the Thanksgiving holiday, Ryan answering our thousands of design questions, or collaborating to throw an awesome open house that collected donations for the Animal Rescue League we knew that we made the right choice in going with Rally Cap Properties.

At the open house all of the neighbors showed up to tell us how grateful and thankful they were that someone took on the project to renovate our current home. It had sat dilapidated for quite some time and was an eye sore to all. But after 2 months of hard work in the freezing temperatures the Rally Cap team was able to turn an old eyesore into a rejuvenated 1900's craftsman with great curb appeal.

I don't plan on moving anytime soon, but if I were to invest in property again I wouldn't have to think twice about who I would partner to help me build my next dream house. Rally Cap Properties is and always will be the right team for this rehab job and will be for many more in this city.

Sincerely,

Nicholas Kollauf

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Rauh, Diane I.

From: Kelli Lydon <kelli.a.lydon@gmail.com>
Sent: Monday, January 09, 2017 4:14 PM
To: CityClerk
Cc: Ryan Francois; Michael Donlin
Subject: Comment in favor of conveyance of 1520 32nd St. to RallyCap Properties

1/9/2017 City Council Agenda Item #27, Communication 17-004

Good afternoon,
I'm writing to support the conveyance of 1520 32nd St. from the City to RallyCap Properties for rehabilitation.

I have personally toured their completed projects at 810 26th, 737 36th, and 1148 22nd St. The RallyCap team does exceptionally professional work that respects the historic character of the homes while updating them to suit a modern lifestyle.

I've read RallyCap's proposal for 1520 32nd St. and I feel their treatment of the property will retain the home's historic qualities while giving it a fresh and long-lasting beauty.

I've worked with RallyCap as their historic research consultant on two projects so far and have seen the extent to which they plan out their rehabilitations with an eye toward cooperation with the City Staff and the neighborhood residents. I am very confident that under RallyCap's care, the house at 1520 32nd St. will be brought back to being an asset to its surrounding neighborhood, with all the benefits to the City that brings with it.

I am especially impressed with RallyCap's engagement with the community. Since they've been in business in Des Moines I've known them to make the effort to go to neighborhood association meetings where they have projects in progress so they can meet the residents and make themselves available for questions and concerns. They've taken an active role in local trade organizations. They've also been very generous with their time and expertise in hosting meetings for the Des Moines Rehabbers Club.

Thank you for considering my comments and for your continued service to our community,

Kelli Lydon

515-451-7559 (cell)
1622 York St.
Des Moines, IA 50316

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Kelli Lydon

about.me/kelli.a.lydon



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Rauh, Diane I.

From: Erica Luna <erica.j.luna@gmail.com>
Sent: Sunday, January 08, 2017 5:42 PM
To: CityClerk
Subject: Rally Cap Property

To whom it may concern:

I'm writing to express my support of the conveyance of the house at 1520 32nd St in Des Moines to Rally Cap Properties, LLC. The issue is on the schedule for tomorrow's city council agenda and I hope my comments can be taken into consideration before the meeting.

I have had the opportunity to work with Rally Cap on several occasions and have been impressed with their integrity both in how they treat the buildings they rehabilitate and the individuals they hire to do the work. As someone who believes historic preservation is essential for improving our city, I appreciate their attention to preserving historic architecture. Doing so is a sustainable approach to improving neighborhoods in the long term and should be applauded and supported over projects that make cheap and easy "improvements" that look unattractive and will fail in short order. Additionally, having worked on three of their properties through my window restoration business, I know they treat those who work on their projects with respect and courtesy at all times. Rally Cap is doing great things for our city and I look forward to seeing their business flourish in the coming years.

Thanks for your consideration and please contact me if I can provide any additional information.

Regards,

Erica Luna
Knox Plat Windows
515-229-7793