



Roll Call Number

140864

Agenda Item Number

36A ✓

Date June 9, 2014

**APPROVING REQUEST TO POLK COUNTY TREASURER FOR THE 2013 TAX SALE CERTIFICATE ON THE ABANDONED PROPERTY LOCATED AT 671 37th STREET AND DIRECTING THE CITY MANAGER TO SEND A REQUEST FOR PROPOSAL TO INTERESTED DEVELOPERS FOR REHABILITATION AND SALE OF THE PROPERTY**

**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 of 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 lots; and

**WHEREAS**, the real property locally known as 671 37th Street is assessed and zoned residentially, and has been determined by City staff to be vacant and in violation of the City's Building Code for a period in excess of six consecutive months in accordance with the requirements of Iowa Code Section 446.19A, and is in danger of becoming a public nuisance; and

**WHEREAS**, said property was sold at tax sale in 2013 for nonpayment of taxes; and

**WHEREAS**, said property is abandoned and is suitable for use as housing following rehabilitation, and the North of Grand Neighborhood Association is in favor of the acquisition and rehabilitation of the property for owner occupancy, as shown by the letter attached hereto.

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

1. The communication regarding 671 37<sup>th</sup> Street from the North of Grand Neighborhood Association, a copy of which is attached hereto, is received and filed.
2. The Community Development Director is authorized and directed to execute and submit an affidavit to the Polk County Treasurer requesting that the 2013 tax sale certificate for the parcel described below, locally known as 671 37<sup>th</sup> Street, be assigned from the current certificate holder to the City of Des Moines, or a duplicate certificate of purchase issued, in accordance with Iowa Code Section 446.19A:

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Address: 671 37th Street, Des Moines, Iowa  
 District/Parcel No.: 090/05305-001-000  
 Legal: W 170 F Lot 58 Miller Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. The Community Development Director is directed to distribute a Request for Proposals for said property and to locate a developer to acquire and renovate the property based on an approved rehabilitation plan, including evidence of financing, examples of similar work completed in the Des Moines area, and a binding agreement in a form satisfactory to the Legal Department for use as single family owner-occupied housing.

(City Council Communication No. 14-274)

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

*Glenna K. Frank*  
 Glenna K. Frank  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

*T. M. Franklin*  
 T. M. Franklin  
 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.

*Diane Rauh*

City Clerk