

★ Roll Call Number

14-0865

Agenda Item Number

36B

Date June 9, 2014

APPROVING REQUEST TO POLK COUNTY TREASURER FOR THE 2014 TAX SALE CERTIFICATE ON THE ABANDONED PROPERTY LOCATED AT 1424 CLEVELAND AVENUE

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 1424 Cleveland Avenue 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 is abandoned and is suitable for use as housing following rehabilitation; and

WHEREAS, said property is located in the Martin Luther King Neighborhood and its condition has been a source of concern to neighborhood residents; and

WHEREAS, the current property owner has agreed to donate the property to Greater Des Moines Habitat for Humanity ("Habitat") for housing rehabilitation purposes, which donation is not anticipated to occur prior to the 2014 tax sale process, and Habitat has agreed to accept the property donation insofar as Habitat is not required to pay the tax sale amount(s) owed for special assessments upon the property; and

WHEREAS, in order to secure said property for housing rehabilitation purposes, City staff recommend that the City request the 2014 tax sale certificate for said property and thereafter release and forfeit, and direct Polk County to release, City special assessments upon the property as follows: BHNAC of \$330.53, Sewer Rental of \$232.72, Solid Waste of \$738.40 and City Storm DRN of \$369.12.

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

- 1. The Community Development Director is authorized and directed to execute and submit an affidavit to the Polk County Treasurer requesting that the 2014 tax sale certificate for the parcel described below, locally known as 1424 Cleveland Avenue, be assigned to the City of Des Moines in accordance with Iowa Code Section 446.19A:

Address: 1424 Cleveland Avenue, Des Moines, Iowa
District/Parcel No.: 110/00322-000-000
Legal: Lot 213, Ashbrook, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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2. The Community Development Department is directed to work with the Neighborhood Organization regarding rehabilitation of the property.

3. The Community Development Director is further directed to work with Greater Des Moines Habitat for Humanity regarding rehabilitation of the property for housing purposes in the event that Habitat acquires the property from the current owner; and 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 housing, in the event that Habitat does not acquire the property from the current owner.

(City Council Communication No. 14-274)

MOVED BY _____ TO ADOPT

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRAY				
HENSLEY				
MAHAFFEY				
GATTO				
MOORE				
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