



**Roll Call Number**

23-0323

**Agenda Item Number**

45

**Date** March 6, 2023

**HOLD HEARING FOR CONVEYANCE OF CITY-OWNED PROPERTY  
TO NFC PROPERTIES, LLC FOR REDEVELOPMENT OF HOUSING**

**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 June 3, 2019, by Roll Call No. 19-0892, the City Council approved acquisition of the tax sale certificate for the vacant and abandoned property locally known as 409 E Granger Avenue, 801 Shaw Street, 2737 Hickman Road, and 2811 Payne Road, Des Moines, Iowa ("Property"), entered into a development agreement with NFC Properties, LLC ("NFC"), successor in interest to Neighborhood Finance Corporation, and begin the process to take tax sale deed; and

**WHEREAS**, on January 23, 2023, by Roll Call No. 23-0107, the City Council released all City liens and special assessments, and, on January 24, 2023, by Resolution Nos. 27-30 the Polk County Board of Supervisors released of property taxes and special assessments, to encourage housing redevelopment; and

**WHEREAS**, if approved, the proposed conveyance by the City to NFC will be governed by and subject to approval of a development agreement between NFC and the City of Des Moines, which agreement will be submitted to City Council for consideration concurrently with the public hearing on the sale, and will further be subject to completion by the City of the tax sale process and acquisition of the Property by tax sale deed; and

**WHEREAS**, deed restrictions containing single-family owner-occupancy requirements and compliance with the conditions of the development agreement will be included in the deed conveying the NFC; 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

**WHEREAS**, on February 20, 2023, by Roll Call 23-0218, it was duly resolved by the City Council that the proposed conveyance of the NFC be set down for hearing on March 6, 2023, 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



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**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 properties described below.
3. That the sale and conveyance of real property locally known locally known as 409 E Granger Avenue, Des Moines, Iowa, legally described below, to NFC Properties, LLC, successor in interest to Neighborhood Finance Corporation, in exchange for \$11,700.00 is hereby approved. The legal description of the property is as follows:  
  
Lot 3 and the East ½ of Lot 2 (except the West 16 inches) in Block 14 in Second Plat of Clifton Heights, an official plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.
4. That the sale and conveyance of real property locally known locally known as 801 Shaw Street, Des Moines, Iowa, legally described below, to NFC Properties, LLC, successor in interest to Neighborhood Finance Corporation, in exchange for \$23,100.00 is hereby approved. The legal description of the property is as follows:  
  
LOT 1 WILLIAMS & GARVER SD, now included in and forming a part of the City of Des Moines, Polk County, Iowa.
5. That the sale and conveyance of real property locally known locally known as 2737 Hickman Road, Des Moines, Iowa, legally described below, to NFC Properties, LLC, successor in interest to Neighborhood Finance Corporation, in exchange for \$35,000.00 is hereby approved. The legal description of the property is as follows:



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-Ex ST-& -Ex N 150F- LT 10 Amarude, an official plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.

6. That the sale and conveyance of real property locally known locally known as 2811 Payne Road, Des Moines, Iowa, legally described below, legally described below, to NFC Properties, LLC, successor in interest to Neighborhood Finance Corporation, in exchange for \$24,000.00 is hereby approved. The legal description of the property is as follows:

The SE 1/4 of Lot 45 in Arnold's Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

7. That the Agreement between the City of Des Moines and NFC for Acquisition and Rehabilitation/Redevelopment of City Property, including the Offer to Purchase attached thereto, be and is hereby approved.
8. The Mayor is authorized and directed to sign said Agreement, the Offer, and Quit Claim Deed for the conveyances 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.
9. 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 NFC 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.
10. 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.
11. Non-project related proceeds shall be used to support redevelopment/rehabilitation expenses for costs associated with future properties acquired through tax sale certificate process: Neighborhood Services Department Budget Special Revenue, Nongrant NS046000 / 521035.



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(Council Communication No. 23-114 )

Moved by Gatto to adopt,  
Second by Voss.

**FORM APPROVED:**

/s/ Lisa A. Wieland  
Lisa Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

J. M. Franklin Cownie  
Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner  
City Clerk