

RESOLUTION NO. 20-17

RESOLUTION APPROVING REQUEST TO SAC COUNTY TREASURER FOR ASSIGNMENT OF TAX SALE CERTIFICATES, APPROVAL OF CITY ACQUISITION OF PROPERTIES THROUGH TAX DEED, AUTHORIZATION OF REQUEST RELEASE OF PROPERTY TAXES AND SPECIAL ASSESSMENTS, AND RELEASE OF ALL CITY LIENS AND SPEICAL ASSESSMENTS IN TO ENCOURAGE REHABILITATION OF HOUSING.

WHEREAS, Iowa Code Section 446.19A permits cities to acquire tax sale certificates for vacant lots and 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 the redemption period upon an expedited schedule, all for the purpose of encouraging acquisition of rehabilitation of abandoned dwellings; and

WHEREAS, the parcels described below, all assessed and zoned residentially, have all been found to be a public nuisance properties that are 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;

403 Karr Avenue – Parcel Id Nos. 81060311003, 81060311004 and 81060311005 – Lots 4 and 5 of Drey's Addition to Early, Iowa.

WHEREAS, the City desires to take ownership of these properties for rehabilitation or development resulting in neighborhood revitalization and new tax base.

WHEREAS, City Attorney is recommending that the City take assignment of the tax sale certificates and ownership of these properties, find partners for neighborhood revitalization, release special assessments and request the release of past due taxes if a site is suitable for rehabilitation or redevelopment and a new tax base is established.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Early, Iowa:

1. The City Attorney is authorized and directed to execute and submit an affidavit to the Sac County Treasurer requesting that the tax sale certificates for the parcels described above be assigned to the City of Early in accordance with Iowa Code Section 446.19A.
2. The City Attorney is authorized and directed to begin the acquisition of the properties in accordance with Iowa Code Section 446.19A and the City Clerk is authorized and directed to issue checks to pay the recording costs and other costs related to the acquisitions listed above.

3. The City Attorney is directed to work with the interested parties and neighborhood organizations on a developer-initiated redevelopment proposal, or to distribute a Request for Proposal to locate a developer to acquire and renovate each property, based on an approved rehabilitation plan, including evidence of financing, examples of similar work, and a binding agreement in a form satisfactory to the City for use as single-family owner-occupied housing.
4. Upon the City taking title to the properties:
 - a. The special assessments levied by the City and pending against the properties shall be deemed released, and the City Clerk is hereby authorized and directed to notify the County of the release of such special assessments.
 - b. The City Attorney is hereby authorized and directed to seek the release of all other special assessments levied by Sac County or other governmental entities pending against the property.
 - c. The City Attorney is to request any and all property taxes including accrued interest be released by Sac County Board of Supervisors.
 - d. Any City judgment releases shall be limited only to the properties, and any such personal judgments(s) shall remain in force and effect against the judgment debtor(s) and against any other real estate and personal property owned by such judgment debtor(s). The City Attorney is hereby authorized and directed to file the necessary pleadings to implement the limited release of judgment(s) as provided herein for insubstantial judgments, and to requires Council approval of substantial judgments prior to filing such releases.

PASSED AND APPROVED this date December 1st, 2020.

L. Bainbridge
Lexi Bainbridge, City Clerk

Sharon Ann Irwin
Sharon Irwin, Mayor