Attachment B

Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 - Phone: (712) 890-5261
Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 890-5350

RESOLUTION NO. 21-210

A RESOLUTION TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 2, BLOCK 33, EVERETTS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of City owned property legally described as Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter on July 12, 2021 at 7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Florence Rhoden, and all successors in interest: Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa and

BE IT FURTHER RESOLVED

That the purchase price be $11,934.00 with costs beyond the $1,193.40 down payment being forgiven by the City of Council Bluffs upon issuance of a Certificate of Occupancy for a completed residential dwelling within twenty-four months of the approval date. Property closing shall occur within 60 days of the date of approval.

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder.

ADOPTED
AND
APPROVED: July 12, 2021.

Matthew J. Walsh Mayor

ATTEST:
Jodi Quakenbush City Clerk

Proof Of Publication

State of Iowa

Pottattwattamie County

NOTICE OF PUBLIC HEARING ON INTENT TO DISPOSE AND CONVEY CITY PROPERTY

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to dispose of property described as Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th Day of July, 2021, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush City Clerk
2021 (7) 4- 1- Sunday

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 04th day of July, 2021.

Billing Representative

Sworn to and subscribed before me this 4th day of July, A.D. 2021.

Notary Public

State of Virginia
County of Hanover
My Commission expires _____

Richard A. Hundley
Notary Public
Commonwealth of Virginia
Notary Registration No. 7904041
Commission Exp Jan 31, 2024

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

Publication Cost:	$13.12
Customer Number:	1003258
Order Number:	0000242284

E-mail

jquakenbush@councilbluffs-ia.gov

Attachment A

CITY OF COUNCIL BLUFFS - CITY-OWNED PROPERTY GROUP
CASES #OTB-21-007- LOCATION/ZONING MAP

Legend

- Subject Property Case #OTB-21-007
- Parcels

0 15 30

1 Inch = 33 Feet

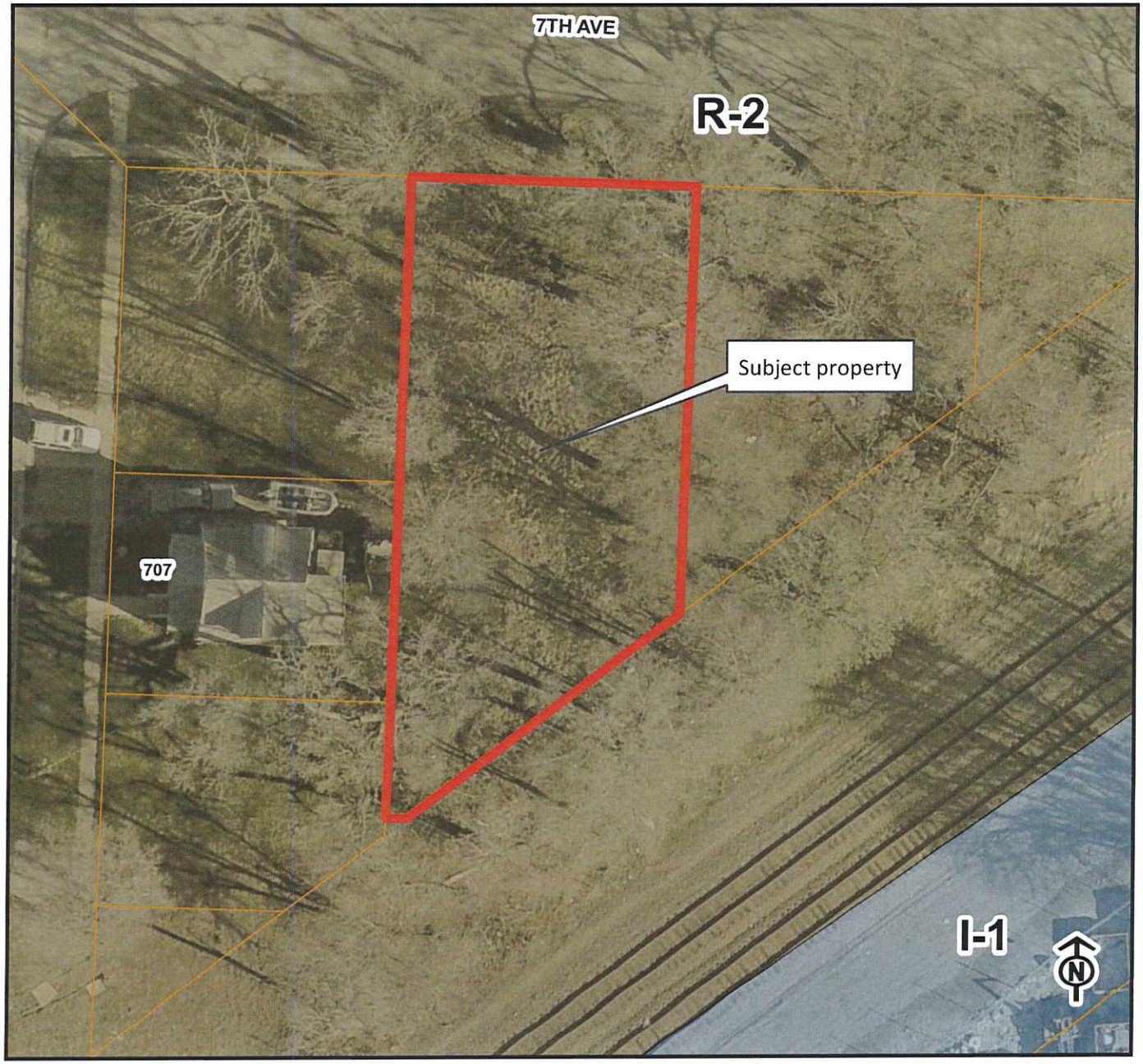


Last Amended: 6/3/2021

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



Council Communication

Department: Community Development
Case/Project No.: OTB-21-007
Submitted by: Haley Weber, Planner

Resolution 21-210
ITEM 4.D.

Council Action: 7/12/2021

Description

Resolution to dispose of City property described as Lot 2, Block 33, Everetts Addition. Location: Property formerly addressed as 1619 7th Avenue. OTB-21-007

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	7/2/2021
Attachment A - Case Map	Map	7/2/2021
Attachment B - Applicant Submittal	Other	7/2/2021
Resolution 21-210	Resolution	7/7/2021

Council Communication

Department: Community Development CASES #OTB-21-007 Applicant: Florence Rhoden 3509 Lafayette Avenue Omaha, NE 68131	Reso. of Intent No. _____ Reso. to Dispose No. _____	Set Public Hearing: 6/28/2021 Public Hearing: 7/12/2021

Subject/Title

Request of Florence Rhoden to purchase property legally described as Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Property formerly addressed as 1619 7th Avenue

Background/Discussion

The Community Development Department has received an offer from Florence Rhoden to purchase surplus city-owned property legally described as Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa. The subject property is zoned R-2/Two-Family Residential District and is classified as 'transitional dispose' and 'buildable-restrictions'. The subject property is located in an AH flood zone and therefore any structure that is built on the subject property shall be required to comply with the City Floodplain building regulations.

The applicant proposes to acquire the subject property to build a single-family dwelling. According to the adopted *Inventory and Disposal Policy for Surplus City Property*, dated April 23, 2018, the subject property shall be priced at its most recent assessed land value, which is $11,934.00. The applicant has offered $4,500.00 to purchase the property, and has submitted the required 10% down payment ($1,193.40) and $50.00 application fee.

The subject property was acquired by the City of Council Bluffs on July 22, 2014 via 657A. As stated in the adopted *Inventory and Disposal Policy for Surplus City Property*, the property would be eligible for a forgivable mortgage as it is buildable and has been actively marketed on the Surplus Property list for more than the required 24 months. The applicant has requested the remaining land value beyond the 10% down payment ($10,740.60) be waived using a forgivable mortgage.

The City has incurred a total of $10,420.35 in Building Division costs for the subject property.

The subject property is currently zoned R-2/Two-Family Residential District. The subject property is an irregularly shaped lot with a total of 6,720 square feet, which exceeds the minimum lot size requirements for the R-2 District. The applicant has not submitted any conceptual house plans to the City for review at this time. However, based on the size of the parcel, the applicant shall be able to construct a new single-family residential dwelling on the subject property that meets or exceeds the City's minimum single-family residential dwelling size requirements (20 feet wide with a minimum 500 square feet ground floor area).

Recommendation

The Community Development Department recommends disposal of the property legally described as as Lot 2, Block 33, Everetts Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

1. The purchase price shall be $11,934.00, with the remaining balance beyond the $1,193.40 submitted down payment being forgiven upon issuance of a Certificate of Occupancy for a residential dwelling on the parcel; and
2. The applicant shall close on the subject property within 60 days of the date of Council's decision, and shall have twenty-four months from the date of their decision to construct a residential dwelling on the property.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Applicant Submittal

Prepared by: Haley Weber, Planner, Community Development Department

Attachment B

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

1619 7th Ave
Council Bluffs IA

Buyers are applying to purchase this property for the following purpose(s):

Single family Home

Buyers offer a total sum of $ 4500.00

Buyers submit a down payment in the sum of $ 243.40 Included + $50 Non-refundable Administrative Fee. ($50 fee included w/down payment sum) MW

In consideration of the information above, Buyers hereby certify and agree to the following:

(a) Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.

(b) The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.

(c) City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.

(d) Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.

(e) City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.

(f) Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.

(g) Buyers shall finance the purchase of the property by any one of the following means (please circle):
   a. Cash
   b. Certified Check
   c. Third Party Mortgage
   d. City Financing with Mortgage/Promissory Note

(h) All subsequent taxes shall be paid by Buyers.

(i) All subsequent special assessments shall be paid by Buyers.

(j) Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Florence Rhoden | Jun 2021
Buyer Signature Date

Florence M. Rhoden
Print Name

Address 3579 Lafayette Ave, Omaha NE 68131
Phone 564 252 5627
Email florhoden@yahoo.com

Buyer Signature Date

Print Name

Address

Phone

Email

Internal Use Only

___Buildable Lot
___Remnant Parcel
___Previously Vacated ROW

_____Date Received
_____Case #Assigned
_____Payment with Offer

___Offer Sufficient for Review

Approved for Processing:_____