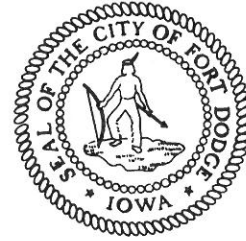


**December 1, 2014**

**To: Mayor Bemrich and City Council**  
**From: David R. Fierke, City Manager**  
**Subject: Property Disposition – Abandoned Property  
726 Avenue C**



---

**ACTION: For vote Monday, December 8, 2014**

---

**Brief History**

The property at 726 Avenue C has been abandoned by the owner and the City received title to the property through the abandoned buildings section of the Iowa Code (Chapter 657A.10A).

**Analysis of Issue**

Following public hearing, it was determined that the following described parcel shall be offered for sale through re-developmental proposal:

- Lot 7 and the West 7 feet of Lot 8, in Larson's Sub-Division of Block 32, in West Fort Dodge, Iowa (726 Avenue C).

In November of 2014, the City received the following re-developmental proposal:

- Chad Mulligan for \$300.00; estimated cost of improvements is \$0.00 as the property would potentially be demolished

The developer would be required to complete the demolition and/or redevelopment of the property within 1 year of transfer.

**Budget Impact**

Funds received from the sale of this property would offset the expenses associated with the acquisition, maintenance and disposition of the property. These funds may also be used to fund the demolition and/or maintenance of other city-owned properties acquired through the abandonment process.

**Strategic Plan Impact**

Policy D.6.1: A variety of housing types in locations consistent with their characteristics and level of services required shall be accommodated.

Policy D.6.4: Affordable housing needs shall be met through an array of rental and home ownership options including apartments, townhouses, granny flats, carriage houses (garage apartments), single family site built homes, and accessory living units.

Policy D.6.6: Incentives may be provided for infill development and the rehabilitation of existing housing already provided with urban services to acknowledge the lower service and infrastructure costs to the taxpayer. However,

development requiring the expansion of services and infrastructure may be required to assist in the cost of such service expansions.

Policy D.6.9: New infill development shall be architecturally compatible with existing structures, landscape features and the streetscape within its vicinity. Efforts by neighborhood associations to establish their own standards for development compatibility shall be encouraged.

### **Existing Plan Impact**

The sale of this property through re-developmental proposal would not impact existing plans.

### **Subcommittee or Commission Review / Recommendation**

None

### **Staff Conclusions / Recommendations**

Award redevelopment proposal to Chad Mulligan in the amount of \$300.00.

### **Alternatives**

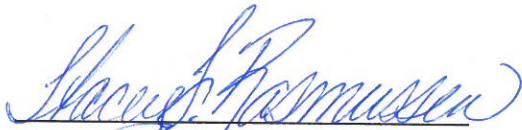
One alternative would be to not dispose of this property and continue to maintain the property, which is not recommended. The only other alternative would be to attempt to obtain/negotiate further re-developmental proposals. This alternative is also not recommended as we have been accepting proposals since June of 2014 with no other proposals received.

### **Implementation and Accountability**

If this resolution is approved, the property will be conveyed through special warranty deed based on the terms and conditions specified in the re-developmental proposal.

Signed

Approved



Stacey F. Rasmussen  
Neighborhood Wellness  
Coordinator



---

David R. Fierke  
City Manager

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ACCEPTING RE-DEVELOPMENTAL PROPOSAL FOR THE SALE OF CERTAIN REAL ESTATE AND AUTHORIZING THE CONVEYANCE OF SAID REAL ESTATE**

WHEREAS, a Public Hearing was held on June 9, 2014 at 6:00 p.m. to consider the disposal of the following real estate parcel:

Lot 7 and the West 7 feet of Lot 8, in Larson's Sub-Division of Block 32, in West Fort Dodge, Iowa. (726 Avenue C).

and,

WHEREAS, the City Council did authorize the taking of re-developmental proposals for the sale of said described real estate following public hearing; and

WHEREAS, the following re-developmental proposal was received for the purchase of said parcel:

**Chad Mulligan** **\$300.00**

and,

WHEREAS, the re-developmental proposal does meet the objective of disposing of the property, relieving the City of monetary outlay from further upkeep and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA, that the above-described parcel be conveyed to Chad Mulligan.

BE IT FURTHER RESOLVED, that the Mayor shall execute, on behalf of the City, a Special Warranty Deed to the described real estate and the City Clerk shall co-sign said deed and deliver same to the successful Developer within sixty days after the date of this Resolution and upon compliance with the developer's instructions and payment of the consideration.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2014.

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
OTHER: \_\_\_\_\_

CITY OF FORT DODGE, IOWA

By: \_\_\_\_\_  
Matt Bemrich, Mayor

ATTEST:

\_\_\_\_\_  
Jeff Nemmers, City Clerk

STATE OF IOWA, WEBSTER COUNTY, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared Matt Bemrich and Jeff Nemmers to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its City Council; and that the said Mayor and City Clerk as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public

**PROPOSAL TO PURCHASE PROPERTY FOR PRIVATE RE-DEVELOPMENT**

Name of Developer: Chad Mulligan

Address: 935 S. 19<sup>th</sup> Street

Telephone: 515-227-6381

Legal Description: Lot 7 and the West 7 feet of Lot 8, in Larson's Sub-Division of Block 32, in West Fort Dodge, Iowa. (726 Avenue C).

Proposal Amount: \$300,00

Good Faith Deposit: \$30,00

Description of Project: (This explanation of the housing project can be attached as separate page)

I propose to tear down existing structures in the Spring of 2015. I will rent the necessary components needed to tear down and dispose of garbage. I plan to keep land vacant.

Estimated Cost of Improvements: NA

Funding Source (s): Self funded

Estimated Sale Price or Rental Cost, if applicable: \_\_\_\_\_

Estimated Time For Commencement: 5 months

Estimated Time For Completion: One year.

Additional Comments: I have already spoke with my insurance agent about insuring property.

The City reserves the right to waive informalities in the sale procedures herein provided and to reject any and all proposals. If this Proposal is accepted, the City shall provide a Special Warranty Deed to the Developer specifying the terms and conditions of the re-developmental proposal as stated in the Resolution provided within ninety (90) days from notification of acceptance and upon completion of requirements set forth within.

In the event this Proposal is accepted by the City Council and the Developer fails or refuses to accept title to the property within 150 days after notification of acceptance of proposal, the City may terminate all rights of the Developer hereunder, and, in such event, may retain the good faith deposit of the Developer as liquidated damages and the City may proceed with other arrangements or plans for the sale of the Property to which this Proposal relates.

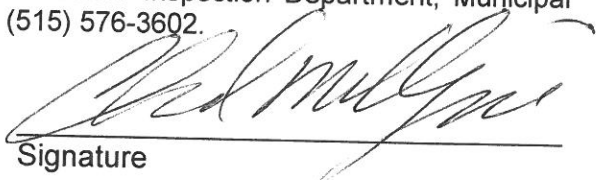
The City may withdraw from the sale of the Property at any time prior to conveyance of title and possession of said property by reason of the City being enjoined or prevented from so doing by any order or decision or act of any judicial, legislative, or executive body having authority in the premises, or by reason of the City not being able to transfer unencumbered title. In such case, the deposit can be refunded to the Developer.

Failure by the Developer to perform the requirements set forth above in the required time frame will result in the property reverting back to the City of Fort Dodge. In such event, the City may retain all funds paid by the Developer.

Sale of the property by the Developer prior to the development requirements must have prior approval by the City of Fort Dodge.

If you have questions, contact Stacey Hamilton, Nuisance Inspection Department, Municipal Building, 819 1<sup>st</sup> Avenue South, Fort Dodge, Iowa; (515) 576-3602.

Chad Mulligan  
Name of Developer (type or print)

  
Signature

11-4-14  
Date