

July 21, 2014

To: Mayor Bemrich and City Council
From: David Fierke, City Manager
Subject: Extension of Terms of SWD
Brian & Debra Bockoven
Trent & Jessica Bockoven
532 South 16th Street



ACTION: For Vote Monday, July 28, 2014

Brief History

In September of 2013 the City sold the property at 532 South 16th Street to Brian E. Bockoven and Debra K. Bockoven, and Trent Bockoven & Jessica M. Bockoven through re-developmental proposal. Terms of the special warranty deed required that the house be re-developed and brought into conformance with all currently adopted City Codes within one year of transfer. To date, the redevelopment of this property has not yet been completed.

Analysis of Issue

The Special Warranty Deed states the property can revert back to the City if the terms are not met within the required timeframe. Mr. Trent Bockoven has requested an extension to the term until February 15, 2015 to allow them to complete the work.

Budget Impact

There is no budget impact.

Strategic Plan Impact

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.

Existing Plan Impact

Consistent with Envision 2030 Plan.

Subcommittee or Commission Review / Recommendation

None

Staff Conclusions / Recommendations

Staff recommends the approval of an extension to the terms of the Special Warranty Deed.

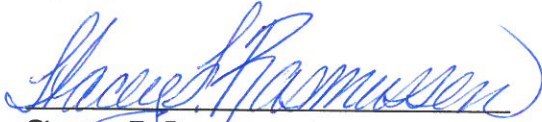
Alternatives

The only alternative would be to not allow an extension and have the property revert back to the City, which is not recommended.

Implementation and Accountability

If approved, the Neighborhood Wellness Coordinator will oversee the project to ensure completion by the extended date.

Signed



Stacey F. Rasmussen,
Neighborhood Wellness Coordinator

Approved



David R. Fierke, City Manager

RESOLUTION NO. _____

**RESOLUTION APPROVING AN EXTENSION TO THE TERMS OF
A SPECIAL WARRANTY DEED**

WHEREAS, the following property was sold in September of 2013 by re-developmental proposal to Brian E. Bockoven & Debra K. Bockoven and Trent Bockoven & Jessica M. Bockoven:

- Lot 10, Block 4, Haire & Laufersweiler Addition to Fort Dodge, Webster County, Iowa. (532 South 16th Street);

WHEREAS, terms of the Special Warranty Deed required that the property be re-developed and brought into conformance with all currently adopted City Codes; and,

WHEREAS, to date the work has not been completed; and,

WHEREAS, the developer has requested an extension in order to complete the work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA, that an extension until February 15, 2015 be granted to the developer on the terms of the above-referenced property.

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