

10-6-2022



Council,

After negotiations, we have been offered \$6500 plus the deeds for two properties: 221 4<sup>th</sup> st NW and 902 1<sup>st</sup> ave SW. They are both placarded nuisance properties with extensive damage. They have sat vacant for nearly two years.

The property management company that owns, End of the Road LLC, is from out of state and has no plans for their renovation. They are both behind on taxes and would go up for tax sale. I recommend we take the \$6500 before we get nothing.

-David Kral



20 2nd Ave. S.W.  
Oelwein, Iowa 50662



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www.CityofOelwein.org



Phone: (319) 283-5862  
Fax: (319) 283-4032

902 1<sup>st</sup> ave SW (holes in back of roof not shown)







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**221 4<sup>th</sup> ave SW (extensive fire damage)**



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Policy: Oelwein Property Forfeiture Policy

Adopted by Resolution: 5297-2021

Date: September 13, 2021

The City is willing to work with property owners when the situation is advantageous to the city and community members. Anyone who owns a property, residential or commercial, that they can no longer manage may submit a request to sign the property over to the city. The process below outlines how a property owner can quitclaim deed their property over to the city:

- The property owner works with Community Development on an inspection of the property
- Community Development inspects the property and produces a report
- The property owner writes a letter to the city making a request for the property to be quitclaim deeded to the city
- The report and letter from the owner is presented to the Planning, Finance, Enterprise and Economic Development Committee with a recommendation from the City Administrator
- The Committee will make a recommendation to council
- Council will vote the same night through a motion to accept or deny the property transfer
- At the following meeting, the council will accept the property through a resolution
  - City council must accept all property through a resolution

Conditions do apply when requesting to surrender a property to the city through a quitclaim deed:

- The property owner must provide to the city evidence of a significant hardship to be eligible to quitclaim deed the property
- The property must be current on all taxes and utility bills
- The property must be clean inside and out
- All immediate nuisances on the property should be cleaned or eradicated before presenting to council

While the city strives to follow the above guidelines, exceptions can be made in dire circumstances. The city accepts dilapidated properties because going through the court system would prove costly for the city. While the city can assess demolitions or clean-ups to the taxes, these circumstances have not paid off for the city. The most cost-effective option for the city is to take a property and demolish it rather than going after an individual who does not and will not have the resources to demolish a property. All enforcement roads lead to demolition for the city. With the city taking possession of the property, the city avoids court costs and attorney fees.



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

Resolution accepting the deeds to 221 4<sup>th</sup> St NW and 902 1<sup>st</sup> Ave SW

WHEREAS, The city has been pursuing both of these houses for significant abatement issues;  
and

WHEREAS, the current property owner is another out of state investment firm that purchased the home on tax sale because they thought they were going to get rich; and

WHEREAS, the out of state firm will let these go back to tax sale and the city will end up with the property regardless of the outcome;

WHEREAS, even if the city used the court system to tear down these properties, the assessed fees would never be paid, and the city would use unnecessary funds on legal cost through the courts;  
and

WHEREAS, these homes do not follow the Oelwein Property Forfeiture Policy, but taking the deeds is most advantageous to the city and local taxpayers; and

WHEREAS, both of these homes are not salvageable; and

WHEREAS, the city has been aggressive in removing homes that do not bring value to the community and only hurt the local neighborhoods; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Oelwein, Iowa accepts the deeds to 221 4<sup>th</sup> St NW and 902 1<sup>st</sup> Ave SW

Passed and Approved this 10th day of October, 2022.

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Brett DeVore, Mayor

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded October 11, 2022.

\_\_\_\_\_  
City Administrator

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the  
Resolution as read be adopted, and upon roll call there were:

AYES      NAYS      ABSENT      ABSTAIN

Stewart  
Weber  
Lenz  
Garrigus  
Seeders  
Payne