

COUNCIL ACTION FORM

SUBJECT: EXTENSION OF THE PURCHASE AGREEMENT WITH HABITAT FOR HUMANITY OF CENTRAL IOWA FOR THE PROPERTY AT 1109 ROOSEVELT AVENUE.

BACKGROUND:

At the City Council meeting on February 24, 2015 the City Council, as part of the City's 2014-15 Community Development Block Grant (CDBG) Neighborhood Sustainability Program, adopted a resolution proposing the sale of the City-owned property at 1109 Roosevelt Avenue to Habitat for Humanity of Central Iowa (HHCI) for \$25,000. The proposed sale was scheduled to occur on or before August 30, 2015, if all conditions of the purchase agreement for the rehabilitation and sale of the property were satisfied.

The City has approved Habitat's family selected to purchase the property at 1109 Roosevelt Avenue. Although the rehabilitation work began promptly, there was an area identified in the basement that appeared to possibly contain asbestos material, thereby the rehabilitation work on the property was stopped. The material was tested and found to contain asbestos fibers and bids were taken to have the materials removed by a certified asbestos company. This action delayed the rehabilitation for several weeks causing a delay to the completion schedule. Therefore, Habitat is requesting a time extension for the rehabilitation and closing as outlined below:

- Rehabilitation to be completed on or before September 30, 2015;
- Closing to a qualified homebuyer to be completed on or before October 31, 2015

The time extension of this agreement still requires Habitat to be responsible for the care and maintenance of the property until the final closing.

Attached for Council review and approval is a time extension Amendment. The extension agreement was prepared by the City Legal Department.

ALTERNATIVES:

1. The City Council can support a resolution approving a time extension Amendment of City-owned property located at 1109 Roosevelt Avenue to Habitat for Humanity of Central Iowa for affordable housing.
2. The City Council can deny approval of the proposed resolution.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council approve Alternative #1 thereby extending the completion date for the proposed contract for sale of City-owned property located at 1109 Roosevelt Avenue to Habitat for Humanity of Central Iowa for affordable housing.

**AMENDMENT TO AGREEMENT BETWEEN THE CITY OF AMES
AND HABITAT FOR HUMANITY OF CENTRAL IOWA, INC., FOR PURCHASE AND
REHABILITATION OF PROPERTY AT 1109 ROOSEVELT AVENUE, AMES, IOWA**

THE AGREEMENT Between the City of Ames, Iowa and Habitat for Humanity of Central Iowa, Inc., for Purchase and Rehabilitation of Property at 1109 Roosevelt Avenue, Ames, Iowa, dated the 24th day of February, 2015, is amended at Section II.F. as follows:

II. HABITAT'S OBLIGATIONS

F. Completion Date and Terms.

Habitat shall be permitted to commence rehabilitation as soon as it has paid the down payment to the City. Habitat shall complete the rehabilitation of the property on or before September 30, 2015. Habitat shall promptly sell the property to qualified home buyers on or before October 31, 2015.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment on this _____ day of _____, 2015.

CITY OF AMES, IOWA

By: _____
Ann H. Campbell, Mayor

Attest by: _____
Diane R. Voss, City Clerk

STATE OF IOWA, STORY COUNTY ss:

On this _____ day of _____, 2015, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 2015, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

**HABITAT FOR HUMANITY OF
CENTRAL IOWA, INC.**

By: _____
Annette Forbes, Board President

By: _____
Sandi Risdal, Executive Director

STATE OF IOWA, STORY COUNTY ss:

On this _____ day of _____, 2015, before me, a Notary Public in and for the State of Iowa, personally appeared Annette Forbes and Sandi Risdal, to me personally known, who being by me duly sworn, did say that they are the Board President and Executive Director, respectively of said corporation, that the seal affixed to said instrument is the seal of said corporation, or no seal has been procured by the said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors and the said Annette Forbes and Sandi Risdal acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

Notary Public in and for the State of Iowa

