

**COUNCIL ACTION FORM**

**SUBJECT: SECOND 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 FY 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 begin promptly, in July 2015, Habitat requested and received a time extension to complete the rehabilitation on the property to September 30, 2015 due to asbestos being found around the furnace duct work in the basement. Habitat has decided that they would like to install all new basement windows on the property to reduce the need for maintenance and for energy efficiency for the homebuyers and, therefore would like to request a 2<sup>nd</sup> time extension to complete the rehabilitation work only. The rehabilitation and the closing will occur as outlined below:

- Rehabilitation to be completed on or before October 23, 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 approve a resolution approving a second 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 support Alternative #1 thereby approving an extension of 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 until October 31, 2015.

SECOND 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 13th day of October, 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 October 30, 2015. Habitat shall promptly sell the property to qualified home buyers on or before October 30, 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