

ITEM #: 15
DATE: 12/18/07

COUNCIL ACTION FORM

SUBJECT: REVISION TO PURCHASE AGREEMENT WITH HABITAT FOR HUMANITY OF CENTRAL IOWA FOR THE PROPERTY AT 2125 FURMAN DRIVE

BACKGROUND:

At the City Council meeting on March 27, 2007, the City Council, as part of the City's 2006-07 Community Development Block Grant (CDBG) Neighborhood Sustainability Program, adopted a resolution proposing the sale of the City-owned property at 2125 Furman Drive to Habitat for Humanity of Central Iowa (HHCI). The proposed sale was scheduled to occur on or before February 28, 2008, if all conditions of the purchase agreement for the rehabilitation and sale of the property were satisfied.

Habitat for Humanity of Central Iowa has identified an approved family to purchase the property at 2125 Furman Drive. However, due to the family size, an additional bedroom and bath will need to be added to the home which will require more intensive rehabilitation than first anticipated. Therefore, in order to complete the additional space, Habitat is requesting a time extension for the rehabilitation and closing of this property as follows:

- Rehabilitation to be completed on or before May 31, 2008
- Closing to a qualified homebuyer to be completed on or before June 30, 2008

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 an Amendment II, which would extend the completion date to the purchase agreement as prepared by the City Attorney.

ALTERNATIVES:

1. The City Council can approve a resolution of Amendment II, extending the completion date to the proposed contract for sale of City-owned property located at 2125 Furman Drive 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. This alternative approves a resolution approving the Amendment II, extending the completion date to the proposed contract for sale of City-owned property located at 2125 Furman Drive 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 2125 FURMAN DRIVE, 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 2125 Furman Drive, Ames, Iowa, dated the 27th day of March, 2007, is amended at Section II.D. as follows:

II. HABITAT'S OBLIGATIONS

D. 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 May 31, 2008. Habitat shall promptly sell the property to qualified home buyers on or before June 30, 2008.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment on this _____ day of _____, 2007.

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 _____, 2007, 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 _____, 2007, 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: _____
James R. Black, Board President

By: _____
Sandi Risdal, Executive Director

STATE OF IOWA, STORY COUNTY ss:

On this _____ day of _____, 2007, before me, a Notary Public in and for the State of Iowa, personally appeared James R. Black 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 James R. Black 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