

February 12, 2007

Date

WHEREAS, on July 24, 2006 by Roll Call No. 06-1502, the City Council of the City of Des Moines approved the sale of excess property in the vicinity of Martin Luther King Jr. Parkway and High Street to Hubbell Realty Company ("Hubbell") in accordance with the terms of an approved Offer to Buy Real Estate and Acceptance ("Purchase Agreement"); and

WHEREAS, the obligations of Hubbell under the Purchase Agreement are subject to certain conditions precedent that remain unsatisfied as a result of site design issues and Hubbell has requested that the deadline for satisfaction or waiver of such conditions precedent be further extended to March 2, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the deadline for satisfaction or waiver of the conditions precedent set forth in paragraphs 3 and 7 of the Purchase Agreement is hereby further extended to March 2, 2007.

BE IT FURTHER RESOLVED that the Mayor or City Manager is authorized and directed to execute any amendment to or release of easements on the subject property consistent with the terms of the Purchase Agreement or the approved site plan and approved by the Legal Department.
(Council Communication No. 07-078)

APPROVED AS TO FORM:

Moved by _____ to adopt.


Lawrence R. McDowell
Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk