

★ **Roll Call Number**

Agenda Item Number

36

Date March 20, 2006

WHEREAS, the City of Des Moines owns and operates an airport known as Des Moines International Airport (hereinafter called the "Airport"), located in Des Moines, Polk County, Iowa; and

WHEREAS, on September 20, 1993, by Roll Call No. 93-3490, the Des Moines City Council approved Ordinance 12,040 assigning certain rights and responsibilities pertaining to the Airport to the Des Moines International Airport Board (hereinafter called the "Board"), including the right to enter into leases up to three years in duration and certain other agreements; and

WHEREAS, Federal Express Corporation and Des Moines International Airport staff have negotiated an agreement for the lease of 17,500 square feet of space in a newly constructed building located at 3023 Army Post at the Airport and legally described as

Part of the Southeast Quarter of Section 30, Township 78 North, Range 24 West of the 5th P.M. more particularly described as follows:

Commencing as a point of reference at a found "X" in concrete at the Southeast corner of said Section 30; thence North 89° (Degrees) 48' (Minutes) 10" (Seconds) West. 925.90 feet: Thence North 0° 11' 50" East. 63.74 feet to the point of beginning: Thence North 47° 30' 55" West. 114.32 feet: Thence North 42°29'05" East 66.77 feet: Thence North 47°38'44" West 85.44 feet: Thence North 42°21'16" East 156.08 feet: Thence South 47°38'44" East 199.61 feet: Thence South 42°21'15" West 223.10 feet: to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 38,797 square feet; and

WHEREAS, under the terms of the lease, Federal Express Corporation will pay the city base rent revenue of \$204,336 annually (\$17,028 monthly) plus certain maintenance and parking fees, such payments will commence upon the City completing certain improvements to the facility and turning over possession to Federal Express, and

WHEREAS, on March 7, 2006, by Resolution A06-37, the Des Moines International Airport Board recommended City Council approval of the lease agreement with Federal Express Corporation; and

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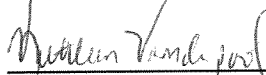
WHEREAS, the lease term is ten (10) years with two (2) five (5) year options, which therefore requires a public hearing and City Council approval, NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That this City Council meet in the Council Chambers, City Hall, City of Des Moines, Iowa, at 5:00 p.m. on the 10th day of April 2006 for the purpose of taking action on the matter of the approval of a lease agreement at the Des Moines International Airport with Federal Express Corporation; and
2. That the proposed lease is on file with the City Clerk; and,
3. That Notice of said proposal be given by publication not less than four (4) nor more than twenty (20) day before the date of the public hearing, all as specified in Section 364.7 and Section 362.3 of the Iowa Code 2005; and
4. That the Notice above referred to shall be in the form hereto attached, and
5. That the City Clerk is hereby authorized and directed to publish the Notice above referred to in Paragraph 3.

Moved by _____ to adopt.

Approved as to form:



 Kathleen Vanderpool
 Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
BROOKS				
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