



Roll Call Number

Agenda Item Number

24

Date September 9, 2013

**APPROVING SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT – TEMPLE FOR PERFORMING ARTS
REHABILITATION PROJECT (1101 LOCUST STREET)**

WHEREAS, on January 28, 2002 by Roll Call No. 02-291, the City Council of the City of Des Moines approved a Development Agreement for the Temple for Performing Arts rehabilitation project with B.H. Temple, Inc., Downtown Preservation Partners, L.L.C. and The Temple Partners, L.P. for the restoration, rehabilitation, renovation and related improvements to the former Masonic Temple building property; and

WHEREAS, on September 9, 2002 by Roll Call No. 02-2200, the City Council approved the First Amendment to the Development Agreement; and

WHEREAS, a Second Amendment to the Development Agreement has been prepared to revise certain requirements for accounting and records related to the operation of the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Second Amendment to the Development Agreement between the City of Des Moines and B.H. Temple, Inc., Downtown Preservation Partners, L.L.C. and The Temple Partners, L.P., on file in the Office of the City Clerk, is hereby approved and the Mayor is hereby authorized and directed to sign the Second Amendment to Development Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Lawrence R. McDowell
Deputy City Attorney

(Council Communication No. 13-470)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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