

Date April 21, 2014

RESOLUTION APPROVING REQUEST BY DES MOINES APARTMENTS, LP, FOR AN EXTENSION ON THE TIME ALLOWED TO COMPLETE THE RENOVATION AND REHABILITATION OF THE DES MOINES BUILDING AT 406 6th AVENUE AND 513 LOCUST STREET

WHEREAS, on November 7, 2011, by Roll Call No. 11-1898, the City Council of the City of Des Moines approved an *Agreement for Sale of Real Estate* (the "Agreement") whereby the City agreed to convey the Des Moines Building at 406 6th Avenue and 513 Locust Street to Des Moines Apartments, LP (the "Redeveloper"), and the Redeveloper agreed to renovate and rehabilitate the building for commercial and residential use; and,

WHEREAS, Section 2.2 of the Agreement provides that the Redeveloper shall cause the renovation and rehabilitation of the Des Moines Building to be substantially completed and eligible for issuance of the Certificate of Completion by October 31, 2013; and,

WHEREAS, the renovation and rehabilitation of the Des Moines Building was delayed due to the closing of one of the main contractors on the project, and the difficulty and delays in obtaining the anticipated state assistance; and,

WHEREAS, the Redeveloper has requested that the City approve an extension on the time allowed under the Agreement for the completion of the renovation and rehabilitation of the Des Moines Building; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the time allowed under the Agreement for the substantial completion of the improvements to the Des Moines Building is hereby extended until October 31, 2015.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

Roger K Brown  
 Roger K. Brown, Assistant City Attorney

( Council Communication No. 14- 170 )

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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



April 15, 2014

Re: The Des Moines Building

Dear Andrea,

Des Moines Apartments, LP, is requesting an extension on the completion date in our development agreement. With the length of time it took to get the project started and the closing of one of our main contractors we are not able to meet our original schedule. As you know we delayed our construction start date due to financing and the CDBG application process.

We would like to extend our completion date to October 30, 2014.

If you have any questions please contact me.

Sincerely,

A handwritten signature in black ink that reads "Angie Pfannkuch". The signature is written in a cursive style.

Angie Pfannkuch  
Des Moines Apartments LP, Owners Representative