

★ Roll Call Number

13-1360

Agenda Item Number

48B

Date August 26, 2013

**RESOLUTION APPROVING CONCEPTUAL DEVELOPMENT PLAN AND
EXECUTION OF SPECIAL WARRANTY DEED TO 425 EAST GRAND, LLC FOR
DISPOSTION PARCEL NO. 02-02A
LOCATED IN THE METRO CENTER URBAN RENEWAL PROJECT**

WHEREAS, by separate resolution of this date, the City Council of the City of Des Moines approved an Urban Renewal Agreement for Sale of Land for Private Development (“Development Agreement”) with 425 East Grand, LLC (“Developer”) to develop Disposition Parcel No. 02-02A located at 425 East Grand Avenue (“Property”) in the Metro Center Urban Renewal Project; and

WHEREAS, in accordance with Section 32 of the Development Agreement, Developer has submitted a Conceptual Development Plan for the development improvements in compliance with the requirements of the Development Agreement, including the Minimum Development Requirements and such plan has been reviewed and recommended for approval by the Urban Design Review Board and the City Manager; and

WHEREAS, Developer has submitted evidence to demonstrate that it has obtained commitments for adequate financing, including grant assistance from the State of Iowa, to complete construction of the development improvements and such evidence has been deemed satisfactory by the City Manager.

NOW, THEREFORE BE IT RESOLVED by the City council of the City of Des Moines, Iowa, that the Conceptual Development Plan for the development improvements to the Property submitted by Developer is hereby approved in accordance with Section 32 of the Development Agreement.

BE IT FURTHER RESOLVED that it is hereby determined that Developer has submitted satisfactory evidence subject to approval of grant assistance from the State of Iowa, to demonstrate commitments for adequate financing for Developer to complete construction of the development improvements to the Property.

BE IT FURTHER RESOLVED that in accordance with the terms of the Development Agreement, the Mayor is hereby authorized and directed to execute the Special Warranty Deed for conveyance of the Property to the Developer and the City Clerk is hereby directed to attest to the Mayor’s signature.

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BE IT FURTHER RESOLVED that following approval of grant assistance from the State of Iowa and issuance of a building permit for the improvements to the Property, the Real Estate Division Manager is hereby directed to complete all transactions for the conveyance of the Property to Developer in accordance with the terms of the Development Agreement and the City Manager or his designees are further directed to administer the terms of the Development Agreement on behalf of the City.

Moved by Meyer to adopt.

APPROVED AS TO FORM:


Lawrence R. McDowell
Deputy City Attorney

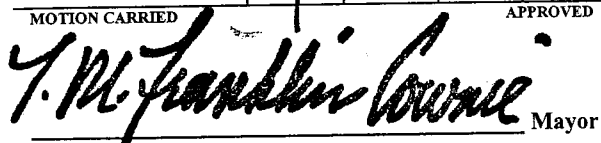
(Council Communication No. 13-442)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
GRIESS	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.


T. M. Franklin
Mayor


Diane Rauh
City Clerk