



Roll Call Number

22-0045

Agenda Item Number

32

Date January 10, 2022

**RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO  
DES MOINES COLD STORAGE CO., INC. AND CROSSROADS COLD STORAGE, LLC  
(C.J. MORTON) FOR A 112,000 SQUARE FOOT OFFICE/WAREHOUSE  
AT SE 43<sup>RD</sup> AND VANDALIA ROAD**

**WHEREAS**, on June 27, 2016, by Roll Call No. 16-1087, the City Council approved an Urban Renewal Development Agreement for the Sale and Development of Real Estate and Conceptual Development Plan (“Agreement”) with Crossroads Cold Storage, LLC (Owner) and Des Moines Cold Storage Co., Inc. (collectively “Developer”), represented by C.J. Morton, Officer, whereby Developer agreed to purchase and develop City-owned real property located at SE 43<sup>rd</sup> and Vandalia Road in the City’s SE Agrimergent Business Park for relocation and expansion of the home office of the Developer’s industrial warehouse, in exchange for economic development assistance in the form of tax increment financing, an in-kind economic development grant of fill material, and other terms as described in the Agreement; and

**WHEREAS**, the Developer has acquired the Phase I Property from the City and has successfully completed construction of Phase I of the Improvements consisting of a 112,000 square foot office/warehouse, and on March 23, 2020, by Roll Call No. 20-0530, the City Council approved a First Amendment to the Agreement and to the Conceptual Development Plan for provision of an Economic Development Grant, in the same form as and concurrently with the Grant being provided for the Phase I Improvements, for Developer’s construction of an addition to the Phase I building for use by Developer as expansion of its corporate headquarters building and part of its service delivery operations for international exports, with an anticipated minimum project cost of \$12,000,000.00, and for any further additions to the Phase I building constructed by Developer for further expansion of its corporate headquarters for the same purpose and use as the Phase I and Phase I-A Improvements, and Council thereafter approved a Second Amendment to the Agreement addressing the Phase II Property; and

**WHEREAS**, on December 20, 2021, by Roll Call No. 21-1931, the City Council approved issuance of a Certificate of Completion for the Phase I-A Improvements; and

**WHEREAS**, the Phase I Improvements have been completed in substantial compliance with the Development Agreement, as amended, and the approved Conceptual Development Plan, as amended; and

**WHEREAS**, the Developer has requested the City issue a Certificate of Completion for the Phase I Improvements as evidence of the satisfaction of its construction obligations under the Agreement.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council hereby finds and acknowledges that as of January 10, 2022, Crossroads Cold Storage, LLC and Des Moines Cold Storage Co., Inc. have satisfied their obligation to complete the Phase I Improvements to property located at SE 43<sup>rd</sup> and Vandalia Road in the City’s SE Agrimergent Business Park, legally described as follows, in substantial compliance with the Urban Renewal Development



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Agreement, as amended, with Crossroads Cold Storage, LLC and Des Moines Cold Storage Co., Inc., on file in the Polk County Recorder's Office in Book 16092 Page 268, and the approved Conceptual Development Plan:

PARCEL 2016-123 BEING PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 17; THENCE ALONG THE NORTH LINE OF SAID SECTION 17 N87°28'58"W, 1416.77 FEET; THENCE S02°21'02"W, 50.00 FEET TO THE POINT OF BEGINNING; THENCE S87°28'58"E, 1272.55 FEET; THENCE 206.92 FEET ALONG A 136.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, CHORD BEARING S43°45'46"E, 187.53 FEET; THENCE S00°01'28"E, 576.53 FEET; THENCE N87°28'58"W, 1431.60 FEET; THENCE N02°21'02"E, 705.57 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 22.87 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

2. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 3.4 of said Agreement for Phase I of the Improvements.

3. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded in the office of the Recorder of Polk County, Iowa.

MOVED BY Boesen TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Frankin Cownie Mayor

P. Kay Cmelik City Clerk