



**Roll Call Number**

23-1259

**Agenda Item Number**

35

**Date** September 11, 2023

**APPROVING FIRST AMENDMENT TO MINIMUM ASSESSMENT AGREEMENT BY AND BETWEEN CITY OF DES MOINES, IOWA, MERLE HAY ANCHORS, LLC, AND POLK COUNTY ASSESSOR FOR POLK COUNTY, IOWA**

WHEREAS, the City of Des Moines, Iowa (“City”), MERLE HAY ANCHORS, LLC, an Iowa limited liability company (“Owner”), their successors and assigns, and the COUNTY ASSESSOR FOR POLK COUNTY, IOWA (“Assessor”) entered into a Minimum Assessment Agreement (“Agreement”), as authorized by the Des Moines City Council on May 9, 2022, by Roll Call No. 22-0704; and

WHEREAS, the Agreement set forth a total Minimum Actual Value of \$6,700,000 for the Property, legally described therein, which value was to be allocated between two parcels; and

WHEREAS, the parties now wish to amend the Agreement to reallocate said total Minimum Actual Value between said parcels.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The First Amendment to Minimum Assessment Agreement by and between City of Des Moines, Iowa, Merle Hay Anchors, LLC, and Polk County Assessor for Polk County, Iowa, is hereby approved and, subject to the Legal Department’s approval of the Agreement as to form, the Mayor is hereby authorized and directed to sign said Agreement, and the City Clerk is hereby authorized and directed to attest to the Mayor’s signature.



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(Council Communication No. 23-405)

MOVED by Gatto to adopt. Second by Boesen.

**FORM APPROVED:**

/s/ Lisa A. Wieland

Lisa A. Wieland

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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. Franklin Cownie Mayor

Laura Baumgartner City Clerk