

**CITY COUNCIL  
COMMUNICATION:**

**02-536**

**AGENDA:**

OCTOBER 7, 2002

**SUBJECT:**

RELEASE UPON  
ASSIGNMENT OF  
SKYWALK  
AGREEMENT WITH  
FEDERAL HOME  
LOAN BANK

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**SUBMITTED BY:**

RICHARD CLARK  
DEPUTY CITY  
MANAGER

**ITEM 66**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**SYNOPSIS —**

On the agenda for October 7, 2002, is a resolution approving release upon assignment of a Skywalk Agreement with the Federal Home Loan Bank (FHLB). This action is necessitated due to the proposed sale of the FHLB building to the Des Moines Independent Community School District.

**FISCAL IMPACT —**

N/A.

**RECOMMENDATION —**

**Approval.**

**BACKGROUND —**

FHLB currently owns and occupies an office building and parking lot north of Walnut Street between 9th and 10th Streets which is subject to a Skywalk Agreement that requires the timely completion of a Skywalk Corridor across a portion of the property. The extension of the skywalk corridor was required by the City's development agreement with Nationwide.

The Des Moines Independent Community School District has proposed to purchase the property for use as a downtown school. Upon purchase of the property, the School District will either directly assume FHLB's obligations under the Skywalk Agreement to complete and maintain the skywalk corridor, or it may cause an interest in the Skywalk Corridor to be conveyed to Nationwide Mutual Insurance Company and the School District, and Nationwide will collectively assume FHLB's obligations under the Skywalk Agreement.

FHLB has asked to be released from the property owner's obligations under the Skywalk Agreement in consideration of the sale of the property to the School District and an agreement by either the School District and/or Nationwide to assume and timely perform those duties.

The proposed assignment ensures that the skywalk corridor will in

fact be completed despite the change in ownership.