

Date May 4, 2009

**HEARING AND APPROVAL OF FARM LEASE AGREEMENT FOR APPROXIMATELY 241 ACRES OF CITY-OWNED PROPERTY LOCATED IN THE DES MOINES AGRIMERGENT TECHNOLOGY PARK AT SE 43<sup>RD</sup> STREET AND VANDALIA ROAD TO ROBERT CAMPFIELD FOR \$69,289.91 PER YEAR**

**WHEREAS**, on January 26, 1998, by Roll Call No. 98-275, the City Council of the City of Des Moines approved the Southeast Agribusiness Urban Renewal Plan to create and sustain development that will generate an increased tax base and retain and create livable wage jobs in a healthy, high quality environment based upon research and development, manufacturing and other industrial uses while protecting existing residentially-zoned areas from negative impacts; and

**WHEREAS**, the City of Des Moines has acquired and assembled numerous parcels of land in the Des Moines Agrimergent Technology Park located near SE 43<sup>rd</sup> Street and Vandalia Road and totaling approximately 241 acres more particularly described in the attached map; and

**WHEREAS**, on February 20, 2009, a Request for Bid was prepared by the City's Real Estate Division and was mailed to fourteen (14) potential farm tenants regarding the leasing of the 241-acre Property; and

**WHEREAS**, on March 13, 2009, sealed bids from three prospective tenants were opened and Robert L. Campfield, 11281 SE 56<sup>th</sup> Avenue, Runnells, IA 50237, submitted the highest bid of \$287.51 per acre or \$69,289.91 per year; and

**WHEREAS**, the Real Estate Division has negotiated a Farm Lease Agreement, a copy of which is on file in the City Clerk's office, for the 2009 growing season with Robert L. Campfield that will renew automatically on an annual basis, unless and until the tenant terminates the Agreement or the City of Des Moines terminates the Agreement for any reason by issuing a Notice of Termination of Farm Tenancy to Lessee prior to September 1 of the lease term year, as provided for in said Agreement; and which the City, by and through its Real Estate Division Manager, and Robert Campfield may amend in the future to add additional acres within the Agrimergent Technology Park to the Lease Agreement if both parties so choose; and

**WHEREAS**, on April 20, 2009, by Roll Call No. 09-636, it was duly resolved by the City Council that the proposed lease of City-owned real property located in the Des Moines Agrimergent Technology Park at SE 43<sup>rd</sup> Street and Vandalia Road be set down for hearing on May 4, 2009 at 5:00 p.m., in the City Council Chambers; and

**WHEREAS**, due notice of said proposal to lease this public real property was given as provided by law, setting forth the time and place for hearing on said proposal; and

Date May 4, 2009

WHEREAS, in accordance with City Council direction, those interested in this proposed lease, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, the objections to the proposed lease of this property as described below are hereby overruled and the hearing is closed.
2. There is no current public need for the property described below and the public would not be inconvenienced by reason of the lease of approximately 241 acres of real property located in the Des Moines Agrimergent Technology Park at SE 43<sup>rd</sup> Street and Vandalia Road, with the option to amend to add additional acres within the Park if both parties so choose, which property is more specifically described as follows:

Part of Sections 7, 8, 17 and 18, Township 78 North, Range 23 West of the 5th P.M., more particularly described as follows: Beginning at the Northeast corner of the Northwest 1/4 of said Section 8; thence South along the East line of the West 1/2 of said Section 8 to the Southeast corner of the Southwest 1/4 of said Section 8; thence continuing South along the East line of the West 1/2 of said Section 17 to the center line of the Burlington Northern Railroad right of way; thence northwesterly along said Railroad center line to the West line of said Section 7; thence North along the West line of said Section 7 to the center line of Maury Street East; thence easterly along said center line to the East line of the West 1/2 of the Northwest 1/4 of said Section 7; thence North along the East line of the West 1/2 of the Northwest 1/4 of said Section 7 to a point 330 feet South of the North line of the Northwest 1/4 of said Section 7; thence Easterly along a line parallel and 330 feet South of the North line of the Northwest 1/4 of said Section 7 to the East line of the Northwest 1/4 of said Section 7; thence North to the Northeast corner of the Northwest 1/4 of said Section 7; thence Easterly along the North line of the Northeast 1/4 of said Section 7 to the Northeast corner of the Northeast 1/4 of said Section 7; thence easterly along the North line of the Northwest 1/4 of said Section 8 to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 1,177 Acres;

3. That the lease of such real property, on an annual basis with automatic renewals unless and until terminated as stated above, to Robert Campfield for \$287.51 per acre per year, totaling \$69,289.91 per year for 241 acres (said total amount to increase if additional acres are added by amendment to the Lease Agreement), together with payment by such grantee of the estimated publication and recording costs for this transaction, be and is hereby approved.

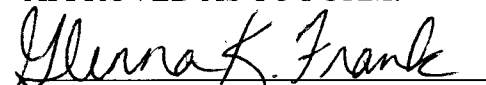
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4. The Mayor is authorized and directed to sign the Farm Lease Agreement for the lease as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. That the Real Estate Division of the Engineering Department is hereby authorized and directed to manage and enforce the terms of the Farm Lease Agreement, and the Real Estate Division Manager is hereby further authorized to approve and execute amendments to the Agreement to add additional acres within the Agrimergent Technology Park to the leased area pursuant to the terms and conditions of the Farm Lease Agreement, such added acres to be paid for at the rental price of \$287.51 per acre per year.
6. The proceeds from the lease of this property will be deposited into the following account: 2009-2010 CIP, Page 4, Economic Development - Agrimergent Technology Park, URR035.

(Council Communication No. 09- 282 )

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 Glenna K. Frank  
 Assistant City Attorney

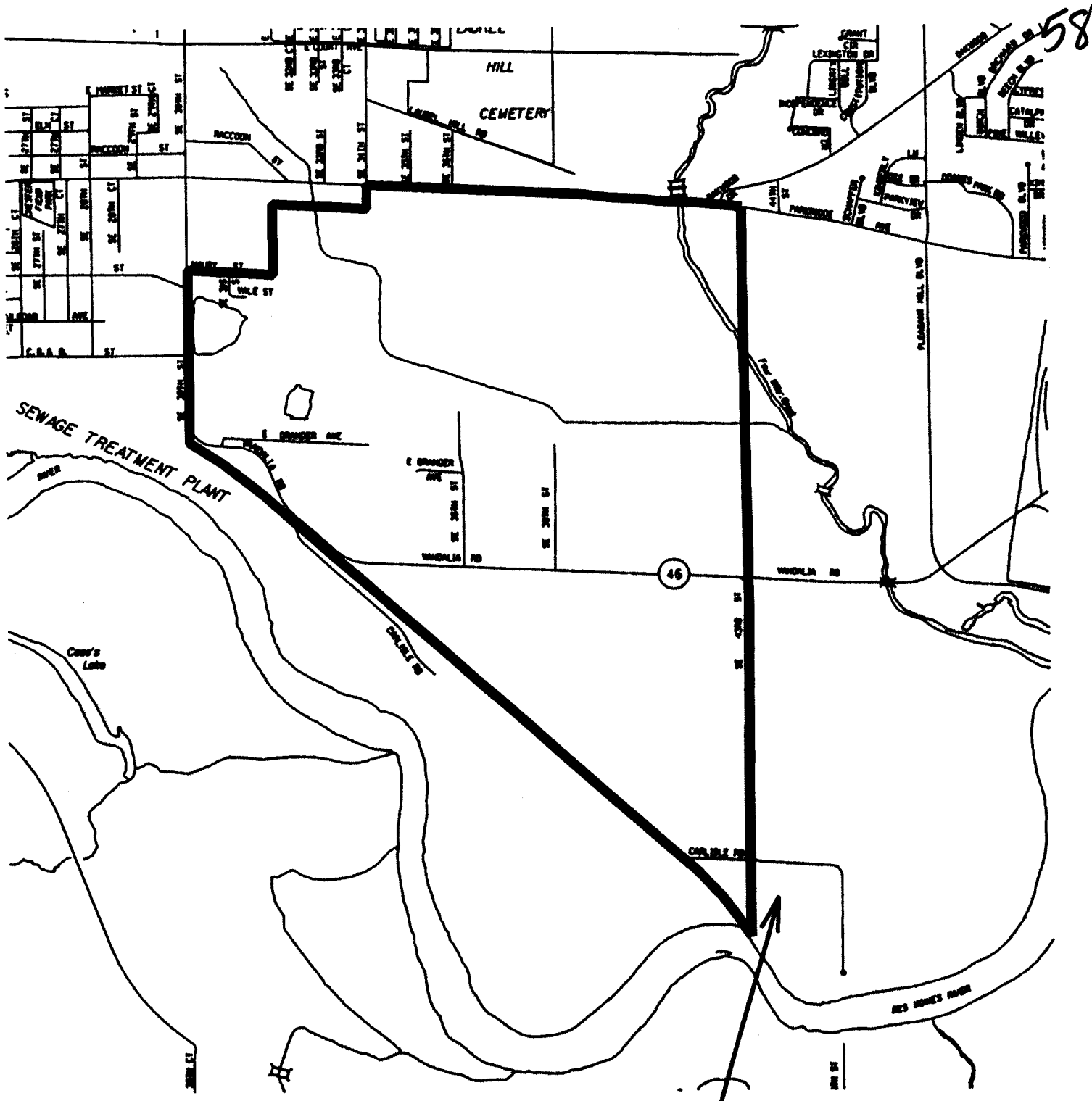
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

**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



PROJECT LOCATION

**DES MOINES AGRIMERGENT  
TECHNOLOGY PARK  
FARM LEASE AGREEMENT**

