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Date..... June 18, 2007

**Resolution Approving Issuance of Certificate of Completion  
for the inPlay Building at 215 Watson Powell Jr. Way**

WHEREAS, on November 20, 2006, by Roll Call No. 06-2311, the City Council approved an Urban Renewal Development Agreement with Nelson Development 14, L.L.C. (the "Developer"), whereby the Developer agreed to improve the former General Growth Building at 215 Watson Powell Jr. Way by rehabilitating and expanding the existing building for a mix of entertainment, restaurant, general retail and office uses (the "Improvements"), with a minimum assessed value of \$6 million, and having inPlay Franchise Services, L.L.C., as the principal tenant, subject to receipt of certain financial assistance from the City; and,

WHEREAS, on November 20, 2006, by such roll call the City Council also approved a Conceptual Development Plan for the Improvements; and,

WHEREAS, the Developer has completed the Improvements in substantial compliance with the approved Conceptual Development Plan and has requested the City issue a Certificate of Completion as evidence of satisfaction of the Developer's construction obligations under the Development Agreement; NOW THEREFORE,

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

1. The City Council hereby finds and acknowledges that Developer has satisfied its obligation to complete the Improvements described above in substantial compliance with the approved Conceptual Development Plan and the requirements of the Development Agreement. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 205 of the Development Agreement, for the Improvements to the property at 215 Watson Powell Jr. Way, more specifically described as follows:

Lot 8, River Hills Plat 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

( continued )

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- 2. The City Clerk is hereby directed to cause a certified copy of the resolution and roll call to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 07- 354 )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K Brown*

Roger K. Brown

Assistant City Attorney

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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