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Date June 18, 2006

Activity ID 29-2002-022

APPROVAL OF FARM LEASE BETWEEN THE CITY OF DES MOINES AND ROBERT CAMPFIELD FOR THE 2007 GROWING SEASON FOR APPROXIMATELY 166 ACRES OF LAND LOCATED IN THE DES MOINES AGRIMERGENT TECHNOLOGY PARK.

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, on December 6, 1999, by Roll Call No. 99-3720 the City Council approved the purchase of approximately 166 acres of land from Archer Daniels Midland Company in the vicinity of the southwest corner of 43<sup>rd</sup> Street and Vandalia Road, as described below, (hereinafter referred to as "Property") which would enhance redevelopment efforts of the Des Moines Agrimergent Technology Park:

A parcel of land in Section 17 and 18, Township 78 North, Range 23 West of the 5th P.M., more particularly described as follows: Commencing as a point of reference at the Northwest corner of said Section 17; thence S0°114'28"E, along the West line of the Northwest 1/4 of said Section 17, a distance of 33.04 feet to the present South right of way line of Vandalia Road and the POINT OF BEGINNING: thence S87°28'38"E, along said South right of way line, 2,501.52 feet; thence Southeast along a 136.09 foot radius curve, concave Southwest with a central angle of 87°27'20", a chord distance of 188.14 feet, a chord bearing of S43°44'58"E, for a distance of 207.73 feet; thence S0°0118"E, along the present west right of way line of Southeast 43rd Street, 1,160.34 feet; thence N87°32'06"W, 1,300.8 feet to a found rerod with yellow cap #6886; thence S0°16'51"E, 663.17 feet to a found "X" cut in top of post; thence S0°06'27"W, 1,226.15 feet to a found 5/8" rerod; thence N48°42'34"W, 3,670.71 feet to a found 5/8" rerod; thence N2°30'17"E, 879.50 feet to the present south right of way line of Vandalia Road; thence S87°28'40"E, 1,390.01 feet to the POINT OF BEGINNING, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and containing 7,258,667.5 square feet or 166.64 acres as surveyed. ; and

WHEREAS, on April 17, 2000, by Roll Call No. 00-1070, the City Council approved a cash farm lease to Ken Murrow of Alleman to farm the Property, which was terminated in 2006 in order to facilitate proposed development in the Agrimergent Technology Park on the Property; and

WHEREAS, on January 22, 2007, by Roll Call No. 07-145, the City Council approved an Urban Renewal Agreement with Vision Fuels Des Moines, L.L.C. for the sale of 129 acres of the Property; and

WHEREAS, Vision Fuels Des Moines, L.L.C. has agreed to take the property subject to a lease allowing farming until November 30, 2007; and

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WHEREAS, on June 8, 2007, sealed bids regarding farm lease of the Property were received by the City Properties Administrator from two prospective tenants; and

WHEREAS, the bids received were for \$115 per acre and \$116.25 per acre; and

WHEREAS, based upon the bids received, the City Properties Administrator has negotiated a short term farm lease for the 2007 growing season with Robert Campfield, Runnells, Iowa, who submitted a bid for \$116.25 per acre, for the period of June 1 2007 until November 30, 2007, for rent in the amount of \$19,297.50, a copy of which is on file in the City Clerk's Office.

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

1. That the above described Lease on file in the office of the City Clerk leasing City-owned farm land at 43<sup>rd</sup> and Vandalia Road, specifically described above, to Robert Campfield be and is hereby approved.
2. That the Mayor is hereby authorized and directed to sign said Lease on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
3. The duration of the Cash Farm Lease will not be extended beyond November 30, 2007.

(Council Communication No. 07-383)

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

APPROVED AS TO FORM:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
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

June 14, 2007



The Honorable Mayor and Members of the City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

**RE: APPROVAL OF CASH FARM LEASE FOR PROPOSED LAND PURCHASE IN THE DES MOINES  
AGRIMERGENT TECHNOLOGY PARK**

Dear Mayor Cownie and Members of the City Council:

On January 22, 2007 by Roll Call No. 07-145, the City Council approved an Urban Renewal Agreement with Vision Fuels Des Moines, L.L.C. for the purchase of approximately 129 acres at SE 43<sup>rd</sup> Street and Vandalia Road in the Des Moines Agrimergent Technology Park. We are diligently working on refining our business plan and obtaining financing to construct a 110-million gallon, dry mill fuel ethanol production facility on this site.

The Urban Renewal Agreement states that we must close on the Property by October 1, 2007. We intend to go through the formal process to request that the City amend the Agreement to allow us to purchase an additional 36 acres at SE 43<sup>rd</sup> Street and Vandalia Road to accommodate the development of our project. Consequently, we would like to close on the Property by December 1, 2007.

We encourage and support the City's decision to enter into a farm lease for the total 166 acres retroactive from June 1, 2007 through November 30, 2007 and for the City to retain any lease revenue. If we close on the Property prior to November 30, 2007, we will accept the Property subject to the farm lease. Furthermore, if we need to begin construction prior to expiration of the lease, we will compensate the farmer accordingly.

We look forward to working with you to acquire the additional 36 acres in the Agrimergent Technology Park for our project.

Sincerely,

Dan Cornelison  
CEO and President