

Date July 9, 2007

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION FOR 112 11<sup>TH</sup> STREET (MULBERRY LOFTS) AND AUTHORIZING PAYMENT OF ECONOMIC ASSISTANCE

**WHEREAS**, on May 9, 2005, by Roll Call No. 05-1203, the City Council approved an Urban Renewal Development Agreement with Mulberry Development, LLC, (the "Developer"), whereby the Developer agreed to convert the former Harger-Blish Building at 112 11<sup>th</sup> Street into a residential condominium project of no fewer than 45 units with adjacent surface parking (the "Improvements"); and,

**WHEREAS** pursuant to the Development Agreement, 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; **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 25 of the Development Agreement, for the Improvements to the property at 112 11<sup>th</sup> Street, more specifically described as follows:

Lots 1 and 2, Frantz Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The City Manager or his designee are hereby authorized to distribute to the Developer the Economic Development Grant in one installment of Three Hundred Thirty-Two Thousand Dollars (\$332,000.00) pursuant to Section 52 of the Development Agreement.

( continued )

★ Roll Call Number

Agenda Item Number

39B

Date July 9, 2007

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

(Council Communication No. 07- 415 )

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

FORM APPROVED:

*Roger K. Brown*  
 Roger K. Brown  
 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