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Date May 23, 2011

**RESOLUTION APPROVING A LOAN AGREEMENT FOR RETENTION
OF SIMPSON, JENSEN, ABELS, FISCHER AND BOUSLOG, P.C.,
WITHIN THE EQUITABLE OFFICE BUILDING**

WHEREAS, on January 10, 2011, by Roll Call No. 11-036, the City Council gave preliminary approval for an Economic Development Forgivable Loan in the amount of \$27,000 to Simpson, Jensen, Abels, Fischer and Bouslog, P.C. (the "Simpson Law Firm"), to maintain its office space and employment within the City of Des Moines; and,

WHEREAS, the City Manager has now negotiated a Loan Agreement with the Simpson Law Firm whereby in exchange for an Economic Development Forgivable Loan from the City in the amount of \$27,000 to be advanced in ten equal annual installments, the Simpson Law Firm agrees to lease approximately 7,620 square feet of office space with an option for an additional 4,000 square feet of office space in the Equitable Office Building for a lease term of at least ten years, and the Firm shall collectively retain and employ at least 18 full-time employees at such space; and,

WHEREAS, in furtherance of the objectives of the Urban Renewal Law, the City has undertaken a program pursuant to the Urban Renewal Plan for the Metro Center Area Urban Renewal Area (the "Urban Renewal Plan") to stimulate economic revitalization of the downtown area; to make use of under-utilized areas of the City; to preserve and create an environment within the downtown area which will protect the health, safety, and welfare of the City; and,

WHEREAS, the economic development assistance to be provided by the City pursuant to the Loan Agreement is undertaken by the City pursuant to Chapter 15A of the Code of Iowa and the agreement will ensure job retention by assisting the Firm in maintaining its existing operations in space that would otherwise add to the existing vacant older office space in the Metro Center Urban Renewal Area; and,

WHEREAS, the undertakings by the City pursuant to the Loan Agreement further the objectives of the Urban Renewal Plan to preserve and create an environment within the Urban Renewal Area which will protect the health, safety, and general welfare of the City, promote job opportunities, maintain tax base within the municipality, and strengthen central Des Moines as the business, financial, and administrative center of the metropolitan area; and,

WHEREAS, the economic development assistance from the City is necessary to retain the Simpson Law Firm within the Metro Center Urban Renewal Area and such assistance will generate public gains and benefits for urban renewal and economic development which gains and benefits are warranted in comparison to the amount of such assistance; and,

(continued)

Date May 23, 2011

WHEREAS, the City believes that the undertakings by the City pursuant to the Loan Agreement are in the vital and best interests of the City and in accord with the public purposes and provisions of the applicable State and local laws and requirements; NOW, THEREFORE,

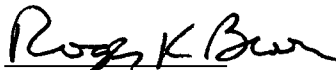
BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The Loan Agreement between the City and Simpson, Jensen, Abels, Fischer and Bouslog, P.C., which is on file in the Office of the City Clerk, is hereby approved. The Mayor is hereby authorized and directed to sign the Loan Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.
2. Upon satisfaction of the conditions for advancement of the forgivable economic development loan pursuant to the Loan Agreement and confirmation of same by the City Manager and the Legal Department, the Finance Department is hereby authorized and directed to advance the installments on the loan in accordance with the terms of the Loan Agreement.
3. The City Manager or his designees are hereby authorized and directed to administer the Loan Agreement on behalf of the City.

(Council Communication No. 11- 311)

MOVED _____ to adopt.

FORM APPROVED:



Roger K. Brown
 Assistant City Attorney
 C:\Rog\Eco Dev\Simpson PC\RC Approve.doc

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

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.

_____ Mayor

_____ City Clerk