

★ **Roll Call Number**

Agenda Item Number

52

Date June 13, 2011

Communication from William Lillis and Chris Pose, Attorneys for 3801 LLC (Rich Eychaner), regarding possible Development Agreement for property on the northeast corner of Merle Hay and Douglas Avenue.

Moved by \_\_\_\_\_ to receive, file and refer to the City Manager for review and recommendation.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
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

LILLIS O'MALLEY OLSON MANNING POSE & VAN DIKE LLP

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June 2, 2011

**Hand Delivered**

Mayor Franklin Cownie  
and Members of the  
Des Moines City Council  
City of Des Moines  
City Hall  
E. 1<sup>st</sup> and Robert D. Ray Drive  
Des Moines, IA 50309

FILED  
2011 JUN -3 AM 10:33  
CITY CLERK  
DES MOINES, IA

SUBJECT: Property in Vicinity of Merle Hay Road and Douglas Avenue – 3801 LLC  
(Rich Eychaner)

Honorable Mayor and Members of the City Council:

Our law firm represents 3801 LLC (Rich Eychaner) regarding certain property owned by Eychaner located on the northeast corner of the intersection of Merle Hay Road and Douglas Avenue ("Site").

We request, on behalf of Eychaner, that the City Council at its meeting of Monday, June 13<sup>th</sup>, initiate, by referring Eychaner's request for a subsequent Development Agreement to the City Manager for further review.

Eychaner requests that the City Manager recommend to the City Council the Terms of Agreement for a possible Development Agreement between Eychaner and City for the Site.

The proposed Terms of Agreement would incorporate, in part, the Site, economic terms, and detailed provisions ultimately to be included in a Development Agreement ("Agreement") between Eychaner and City.

LILLIS O'MALLEY OLSON MANNING POSE & VAN DIKE LLP

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We will be present to answer any questions that you may have regarding the above project of Eychaner.

Very truly yours,



William J. Lillis



Christopher R. Pose  
For the Firm

WJL/sam