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Date August 29, 2011

RESOLUTION APPROVING LICENSE AGREEMENT WITH
DES MOINES APARTMENTS, LP, FOR ACCESS
TO THE DES MOINES BUILDING

WHEREAS, on July 11, 2011, by Roll Call No. 11-1251, the City Council selected the proposed submitted by Nelson Development and Construction (represented by Mike Nelson), and Foutch Brothers LLC (represented by Steve Foutch), as the preferred proposal for the redevelopment of the Des Moines Building at 405 6th Avenue and 513 Locust Street, and designated Nelson Development and Construction and Foutch Brothers LLC, or their designee, as the preferred redeveloper for the redevelopment of the Des Moines Building; and,

WHEREAS, Nelson Development and Construction, and Foutch Brothers LLC have established Des Moines Apartments, LP, a Missouri limited partnership, as their business entity to undertake the redevelopment of the Des Moines Building; and,

WHEREAS, Des Moines Apartments, LP, has requested access to the Des Moines Building for inspection and testing purposes in preparation for preparing plans for the redevelopment of the building; and,

WHEREAS, the City Manager recommends that the City grant Des Moines Apartments, LP, access to the Des Moines Building upon the terms of the *License Agreement for Property Access* which is on file and available for public inspection in the office of the City Clerk; NOW THEREFORE,

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

1. The *License Agreement for Property Access* with Des Moines Apartments, LP, is hereby approved.
2. The Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.

(continued)

★ Roll Call Number

Agenda Item Number

77

Date August 29, 2011

(Council Communication No. 11- 585)

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				
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