

Date February 27, 2012.....

**Resolution Setting Date Of Hearing
on Renewal of Parking Lease Agreement
with Nelson Development, LLC for 418 East Grand Avenue**

WHEREAS, on December 22, 2003 by Roll Call No. 03-2941, the City Council of the City of Des Moines approved a five-year Lease Agreement with Nelson Development, LLC ("Nelson") for a proposed parking lot on the northeast corner of East 4th Street and East Grand Avenue that has since been constructed;

WHEREAS, on August 10, 2009 by Roll Call No. 09-1490, the City Council of the City of Des Moines approved a three-year Lease Agreement with Nelson Development, LLC ("Nelson") for the parking lot located at 418 E. Grand Avenue;

WHEREAS, the City of Des Moines and Nelson have negotiated a three-year renewal of the Lease, a copy of which is on file in the City Clerk's office ("Exhibit A), whereby Nelson will pay the City \$7,200 (\$60.00 per space per month)with Lease termination on June 30, 2015;

WHEREAS, the property was acquired by the City pursuant to its urban renewal powers under the Code of Iowa to with the long-term intent to sell the property for redevelopment with the surface parking lot as an interim use; and

WHEREAS, the leased property is legally described as:

Lot 3 (except the West 19.9 feet on the South line and the West 20 feet on the North line) and all of Lots 4 and 5, and all of the East/West alley right of way lying North of and adjoining said Lot 3 (except the West 20.0 feet thereof) and lying North of and adjoining said Lots 4 and 5 in Block 10, East Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

1. A public hearing on the lease shall be held on March 12, 2012 at 5:00 p.m. in City Council Chambers, 400 Robert D. Ray Drive, Des Moines, Iowa.
2. The City Clerk is authorized and directed to publish notice of the hearing in the attached form (Exhibit B) not less than four nor more than twenty days from the date of the hearing.

★ Roll Call Number

12-_____

Agenda Item Number

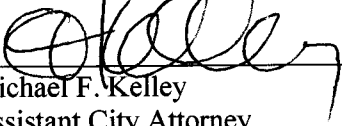
19

Date February 27, 2012

(Council Communication No. 12 ~~092~~)

Moved by _____ to adopt.

APPROVED AS TO FORM:



Michael F. Kelley
Assistant City Attorney

Exhibit A – Proposed Lease
Exhibit AB - Public Notice

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

< Exhibit A - Site Plan >

To be provided

Aerial Photo of Property to be Leased

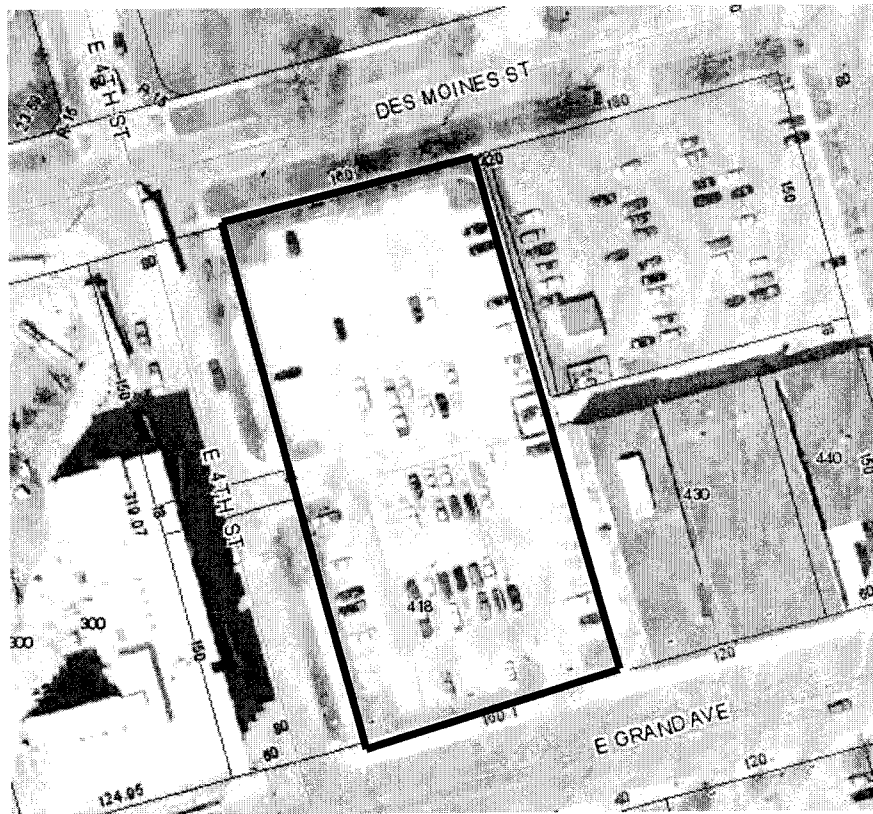
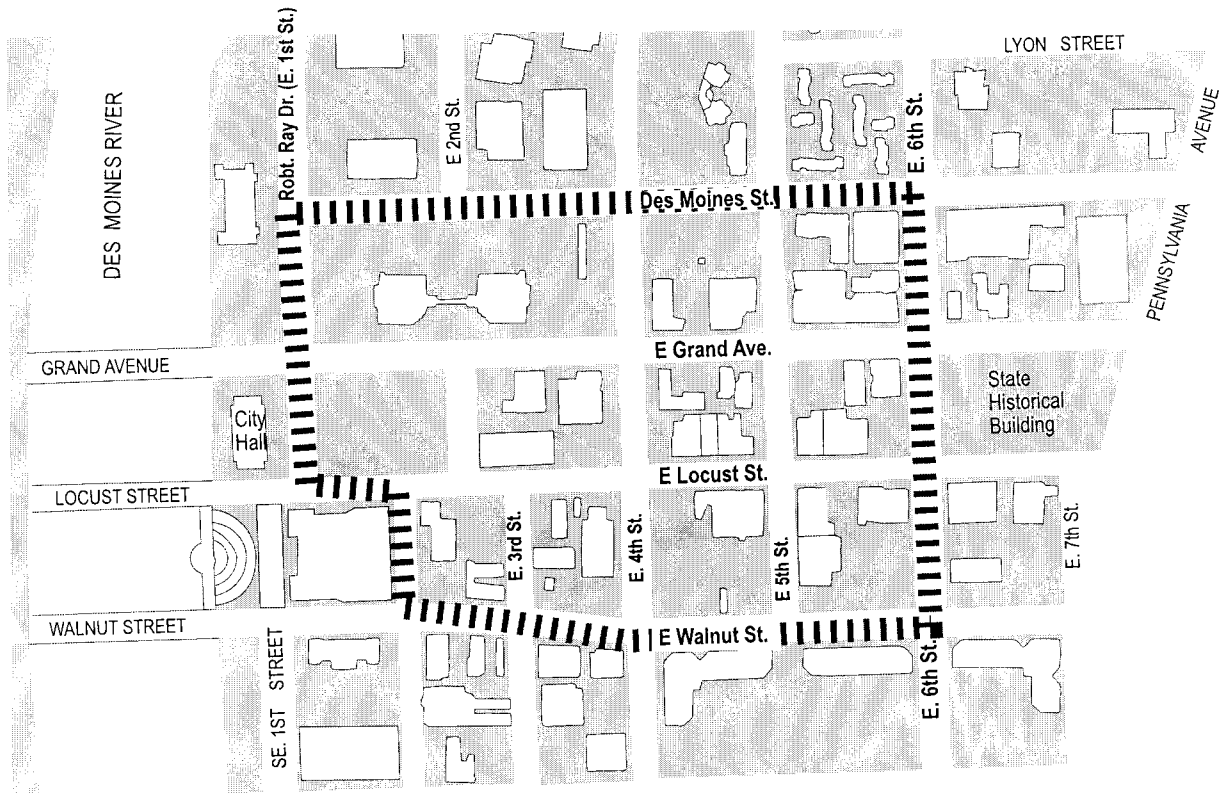


Exhibit B - Map of Area for Replacement Parking for Lease Associated with 418 E. Grand Ave.



Area for Replacement Parking

Previously Approved by:

Roll Call 03-2941 on 12/22/03

Roll Call 09-1490 on 8/10/09