

Date February 27, 2012

**RESOLUTION APPROVING SKYWALK AGREEMENT WITH KC REAL ESTATE, L.C.,
FOR THE BUILDING AT 420 WATSON POWELL JR. WAY**

WHEREAS, on September 26, 2011, by Roll Call No. 11-1637, the City Council approved a Loan Agreement with Alliance Technologies, Inc., to retain its home office and the associated employment opportunities in the City at 420 Watson Powell Jr. Way; and,

WHEREAS, the City of Des Moines agreed in Section 1.07 of that Loan Agreement to "facilitate a Skywalk Agreement with the owners and tenants of 420 Watson Powell Jr. Way in the standard form, for a Skywalk level pedestrian pathway between the building at 420 Watson Powell Jr. Way and the Skywalk Corridor in the adjoining Fifth and Keo Parking Garage, with an inchoate easement for a future Skywalk Corridor extending east along the south line of such building to a future connection to the properties to the east"; and,

WHEREAS, KC Real Estate, L.C., represented by Gerard D. Neugent, Manager, has signed a Skywalk Agreement in the standard form, which is on file in the office of the City Clerk and provides for the expansion of the Skywalk System as described above; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the Skywalk Agreement with KC Real Estate, L.C., for the building at 420 Watson Powell Jr. Way is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the Skywalk Agreement on behalf of the City of Des Moines.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown, Assistant City Attorney

C:\Rog\skywalk\420 Watson Powell\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