



Date February 11, 2013

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF COMPLETION FOR PHASE 1 OF THE SOUTHRIDGE REDEVELOPMENT PROJECT IN THE SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AREA

WHEREAS, on May 7, 2012 by Roll Call No. 12-0745, the Des Moines City Council approved an Urban Renewal Development Agreement with Macerich Southridge Mall LLC and Southridge Adjacent, L.L.C., represented by Eric Salo, Executive Vice President (collectively the "Developer") for the redevelopment and repurposing of Southridge Mall at SE 14th Street and E. Army Post Road into a mixed use district for commercial and retail use (the "Improvements") in compliance with an approved Conceptual Development Plan; and,

WHEREAS, the Developer has now completed Phase 1 of the Improvements in substantial compliance with the approved Conceptual Development Plan and has requested the City issue a Certificate of Partial Completion as evidence of satisfactory completion of the Phase 1 Improvements.

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

- 1. The City Council hereby finds and acknowledges that the Developer has satisfied its obligation to complete the Phase I Improvements in substantial compliance with the approved Conceptual Development Plan and the requirements of the Urban Renewal Development Agreement.
2. This resolution shall serve as the Certificate of Partial Completion to be issued by the City pursuant to Section 3.4 of the Urban Renewal Development Agreement.
3. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution and roll call to the Office of Economic Development for transmittal to and recording by the Developer.

MOVED by _____ to adopt.

FORM APPROVED:

(Council Communication No. 13- 068)

Roger K. Brown

Roger K. Brown, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include 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

AIA® Document G704™ – 2000

Certificate of Substantial Completion

PROJECT:
(Name and address)
Macerich - Southridge Redevelopment
1111 East Army Post Road
Des Moines, IA 50315

PROJECT NUMBER: 411436-0/
CONTRACT FOR: General Construction
CONTRACT DATE: March 20, 2012

OWNER:
ARCHITECT:
CONTRACTOR:
FIELD:
OTHER:

TO OWNER:
(Name and address)
Macerich Southridge Mall, LLC
11411 North Tatum Blvd.
Phoenix, AZ 85028

TO CONTRACTOR:
(Name and address)
Hansen Company
5665 Greendale Road, Suite A
Johnston, IA 50131

PROJECT OR PORTION OF THE PROJECT DESIGNATED FOR PARTIAL OCCUPANCY OR USE SHALL INCLUDE:

- 1) Demolition of a portion of the mall between the existing Sears and Target stores that contains the existing food court thereby provided new outside store fronts in affected areas to the existing major tenants (Younkers and Sears) and providing new outside store fronts to approximately 100,000 square feet of other currently internal retail space;
- 2) Development of a new outside pedestrian plaza adjoining the new outside store fronts;
- 3) Installation of new pylon and wayfinding signage to the Project Area;
- 4) The construction of a corridor to provide direct pedestrian access between the proposed recreational and educational facilities in the western half of the mall and the redeveloped retail space in the eastern half of the mall; and
- 5) The construction of a new parking lot in place of the demolished mall shops in the Phase I Area as shown by the approved Conceptual Development Plan, to provide convenient vehicular access to, and parking for, the redeveloped space in the eastern half of the mall. (The parking island and other parking lot improvements to the area east of the Target Store shown by the Conceptual Development Plan are not a required part of the Phase I Improvements).

The Work performed under this Contract has been reviewed and found, to the Architect's best knowledge, information and belief, to be substantially complete. Substantial Completion is the stage in the progress of the Work when the Work or designated portion is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion designated above is the date of issuance established by this Certificate, which is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below:

Warranty
All applicable warranties

Date of Commencement
November 17, 2012

Shive-Hattery, Inc.
ARCHITECT

[Signature]
BY

January 17, 2013
DATE OF ISSUANCE

A list of items to be completed or corrected is attached hereto. The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. Unless otherwise agreed to in writing, the date of commencement of warranties for items on the attached list will be the date of issuance of the final Certificate of Payment or the date of final payment.

Cost estimate of Work that is incomplete or defective: \$0.00

The Contractor will complete or correct the Work on the list of items attached hereto within thirty (30) days from the above date of Substantial Completion.

Hansen Company
CONTRACTOR

[Signature]
BY

1/22/13
DATE

The Owner accepts the Work or designated portion as substantially complete and will assume full possession at 8:00AM (time) on November 12, 2012 (date).

Macerich

OWNER

BY

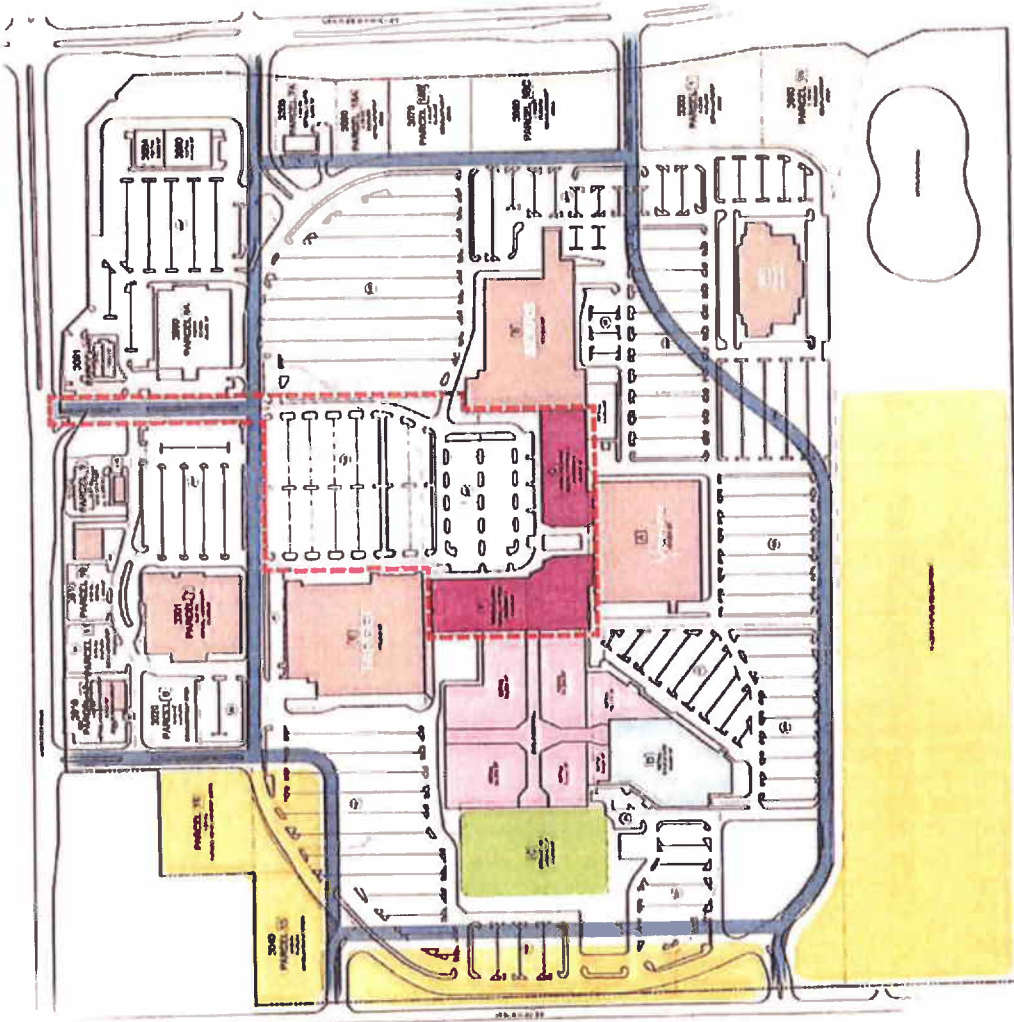
DATE

The responsibilities of the Owner and Contractor for security, maintenance, heat, utilities, damage to the Work and insurance shall be as follows:

(Note: Owner's and Contractor's legal and insurance counsel should determine and review insurance requirements and coverage.)

N/A

- Existing
- Proposed Residential
- Proposed Athletics
- Proposed Retail/Public
- Proposed Education
- Phase 1 Project
- Proposed Commercial
- Vehicular Circulation
- Phase 1 Project Limits



SOUTHRIDGE PHASE 1 REDEVELOPMENT

FUTURE LAND USE PLAN

FEBRUARY 2, 2012

