



Date June 24, 2013

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION FOR THE N.D. 22 FLEMING, L.L.C. HISTORIC ADAPTIVE REUSE OF THE FLEMING BUILDING AT 218 6th AVENUE

WHEREAS, on September 26, 2011, by Roll Call 11-1640, the City Council approved an Urban Renewal Development Agreement with N.D. 22 Fleming, L.L.C. (the "Developer") for the historic adaptive reuse of the Fleming Building at 218 6th Avenue ("Project"); and

WHEREAS, the Developer has completed the Project in substantial compliance with the approved Conceptual Development Plan and has requested the City issue a Certificate of Completion as evidence of satisfaction of the Developer's construction obligations under the Development Agreement; NOW THEREFORE,

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

- 1. The City Council hereby finds and acknowledges that Developer has satisfied its obligation to complete the Project described above in substantial compliance with the approved Conceptual Development Plan and the requirements of the Development Agreement. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of the Development Agreement for the improvements to property, more specifically described as follows:

East 1/2 Lots 7 & 8, Block 11, Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa

- 2. The City Clerk is hereby directed to cause a certified copy of the resolution and roll call to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 13-341)

FORM APPROVED:

Moved by _____ to adopt.

Michael F. Kerley
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

MOTION CARRIED APPROVED

Mayor

City Clerk