

Date June 24, 2013

RESOLUTION APPROVING FIRST AMENDMENT TO THE URBAN RENEWAL DEVELOPMENT AGREEMENT WITH THE ALEXANDER COMPANY FOR THE \$36 MILLION HISTORIC RENOVATION OF THE FORMER YOUNKERS BUILDING AT 713 WALNUT STREET

WHEREAS, on December 3, 2012, by Roll Call No. 12-1884, the City Council approved an urban renewal Development Agreement with The Alexander Company, Inc., represented by Joe Alexander, President, for City assistance for the rehabilitation and renovation of the vacant building at 713 Walnut Street formerly known as the Younkens Department Store and hereinafter referred to as the "Property"; and,

WHEREAS, pursuant to the Development Agreement the Alexander Company has undertaken to acquire and renovate the Property to commercial and multiple-family residential use by retaining most of the first story and a portion of the second story for commercial use, by renovating the "Tea Room" as defined in the Development Agreement for banquet space or other public assembly use, by renovating the basement for vehicular parking, and by renovating the balance of the Younkens Building for multiple-family residential use with 120 apartments, in substantial compliance with the approved Conceptual Development Plan; and,

WHEREAS, the City's Office of Economic Development is recommending approval of an amendment to the Development Agreement sought by the Alexander Company to revise the current 10 year economic development grant payment schedule to 15 years without changing the total amount of the grant, to revise the required construction start date from April 30, 2013, to July 20, 2013, and to eliminate the historic tax credit backstop offset, all as more fully described in the accompanying Council Communication.

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

1. The proposed First Amendment to Development Agreement with The Alexander Company, Inc., which is on file in the office of the City Clerk, is hereby approved.
2. The Mayor is hereby authorized and directed to sign the First Amendment on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.
3. The City Clerk is further authorized and directed to cause the First Amendment to be promptly recorded in the office of the Polk County Recorder.
4. Upon satisfaction of the conditions for advancement of the installments on the economic development grant pursuant to Article 5 of the Development Agreement as amended by the First Amendment, and confirmation of same by the City Manager and the Legal

(continued)

Date June 10, 2013

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Department, the Finance Department is hereby authorized and directed to advance the proceeds of such grant to The Alexander Company, Inc., in accordance with the terms of the Development Agreement as so amended.

(Council Communication No. 13- 309)

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

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