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Date May 19, 2014

CONSENT TO ASSIGNMENT OF ECONOMIC DEVELOPMENT GRANT PAYMENTS FOR PROJECT LOCATED AT 505 EAST GRAND AVENUE

WHEREAS, on April 21, 2014, by Roll Call No. 14-0628, the City Council approved an Urban Renewal Development Agreement (the "Agreement") with 505 East Grand, LLC (hereinafter referred to as "Developer"), represented by Jake Christensen, whereby the Developer agreed to redevelop the property at 505 E. Grand Avenue with a new 2-story building at least 40 feet in height and containing at least 18,000 square feet of finished floor area for retail/commercial uses, with off-street parking, landscaping and streetscape improvements, and the City agreed to provide an economic development grant to Developer payable in 11 annual installments commencing on December 1, 2017; and,

WHEREAS, Developer is seeking financing for the project from Lincoln Savings Bank (the "Bank") and a condition of such financing the Bank has required that Developer assign to the Bank the Developer's interest in the receipt of the future installments on the economic development grant; and,

WHEREAS, Developer and the Bank have requested that the City consent to the assignment and agree to give notice to the Bank whenever any notice is given to the Borrower under the Agreement, all as more fully described in the Consent by City in the Collateral Assignment of Urban Renewal Development Agreement Economic Development Grants between the Developer and Bank which is on file and available for inspection in the office of the City Clerk.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute the Consent by City in the Collateral Assignment of Urban Renewal Development Agreement Economic Development Grants between the Developer and Bank, described above.

MOVED by _____ to adopt.

FORM APPROVED:

(Council Communication No. 14- 222)

Roger K. Brown
Roger K. Brown, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, 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