

Date ..... November 23, 2015 .....

**RESOLUTION APPROVING FIRST AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY AGREEMENT FOR DEVELOPMENT OF 60 UNITS OF HOUSING AT THE WILKINS BUILDING, 713 WALNUT WITH WILKINS REDEVELOPMENT, LLC. (Justin Doyle)**

**WHEREAS**, on July 13, 2015, by Roll Call No. 15-1156, the City Council approved a \$3,000,000 Community Development Block Grant – Disaster Recovery Agreement and correlating loan and covenant documents for development of 60 units of housing at 713 Walnut Street, known as the Wilkins Building (formerly Younkers Building), with Blackbird Investments, LLC or its successor entity Wilkins Redevelopment, LLC; and

**WHEREAS**, the Wilkins Building property is legally described as follows:

Lots Three (3) and Four (4) in Block One (1) in Fort Des Moines, now included in and forming a part of the City of Des Moines, Iowa

and

The North/South alley lying Northerly of the Westerly extension of the South line of Lot Five (5) and lying Southerly of the Westerly extension of the North line of Lot Six (6) in Block One (1), in Fort Des Moines, now included in and forming a part of the City of Des Moines, Iowa

and

The Westerly three feet and six inches (3'-6") of Lots Five (5) and Six (6) in Block One (1) in Fort Des Moines, now included in and forming a part of the City of Des Moines, Iowa; and

**WHEREAS**, Wilkins Redevelopment, LLC has requested, and the City of Des Moines and the Iowa Economic Development Authority (IEDA) have agreed, that the CDBG-DR Agreement should be amended to allow for grant funding of “soft” costs or pre-construction work such as building acquisition, architect and engineering costs, and similar costs rather than construction costs, as set forth in the First Amendment to the CDBG-DR Agreement as on file in the office of the City Clerk; and

**WHEREAS**, the proposed First Amendment to the CDBG-DR Agreement to allow for the historic redevelopment of the Wilkins Building as 60 units of housing and approximately 20,000 sq. ft. of commercial is in the best interest of the City of Des Moines.

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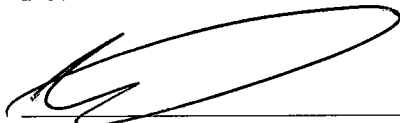
**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa:

1. That the First Amendment to the CDBG-DR Agreement, on file in the City Clerk's office, is hereby approved, and the Director of the Community Development Department is hereby authorized and directed to execute and record said document on behalf of the City.
2. That the Director of the Community Development Department and his designee(s) are directed to administer and monitor the terms of the Agreement, as amended, for compliance by the Developer; to negotiate and execute any minor amendments to said Agreement and related contract documents, following approval as to form by the Legal Department; and to submit any substantial amendments to City Council for consideration and approval.

(Council Communication No. 15- **613** )

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:



Lawrence R. McDowell  
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
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