



Date June 27, 2016

APPROVAL OF DONATION AGREEMENT WITH EAGLE VIEW LOFTS, LLC, REGARDING GRADING SERVICES FOR ALLEN PARK

WHEREAS, the City of Des Moines Park and Recreation Department operates Allen Park at East 6th Street and Maury Street and is undertaking a project to develop community gardens at the park; and

WHEREAS, Eagle View Lofts, LLC, Troy W. Hansen, Member, is developing private property adjacent to Allen Park which requires grading such property; and

WHEREAS, Eagle View Lofts, LLC desires to make a charitable contribution to the City and has proposed to perform the site grading work needed at Allen Park (the "Site Grading Improvements"), at the time that the site grading work on its adjacent property is being performed by funding and contracting for such grading work; and

WHEREAS, the City is desirous of accepting such donation; and

WHEREAS, Park and Recreation Department staff and Eagle View Lofts, LLC have negotiated a Donation Agreement Between the Eagle View Lofts, LLC and the City of Des Moines Regarding Donation of Grading Services for Allen Park, a copy of which is on file in the City Clerk's Office; and

WHEREAS, such Donation Agreement provides that upon completion of the Site Grading Improvements and approval by the Park and Recreation Director and the City Engineer of such improvements acceptance of such improvements shall be recommended to the City Council for acceptance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Donation Agreement Between the Eagle View Lofts, LLC and the City of Des Moines Regarding Donation of Grading Services for Allen Park, a copy of which is on file in the City Clerk's Office, as described above, is hereby approved and the Mayor is authorized and directed to sign the agreement on behalf of the City and the City Clerk is authorized and directed to attest to his signature.

(Council Communication No. 16-360)

Moved By \_\_\_\_\_ to adopt.

Approved As To Form:

Ann DiDonato, Assistant City Attorney

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