

Date November 7, 2016

RESOLUTION APPROVING SECOND AMENDMENT TO SKYWALK
AGREEMENT WITH GRAND 7 PARTNERS, LLC, FOR THE PROPERTY EAST
OF 7TH STREET BETWEEN GRAND AVENUE AND HIGH STREET

WHEREAS, on April 11, 2016, by Roll Call No. 16-0632, the City Council approved a Skywalk Agreement with 7&Grand Ramp Developer, LLC (represented by Principal), and Grand 7 Partners, LLC (represented by Mike Nelson), for the block west of 7th Street between Grand Avenue and High Street (the "West Block"), and the one-half block east of 7th Street between Grand Avenue and High Street (the "East Half-Block"); and,

WHEREAS, the West Block was subsequently purchased by 7&Grand Ramp Developer for redevelopment with a new parking ramp, and the East Half-Block was subsequently purchased by Grand 7 Partners for redevelopment with a new mixed-use building to be known as the Miesblock Building; and,

WHEREAS, on October 10, 2016, by Roll Call No. 16-1758, the City Council approved a First Amendment to Skywalk Agreement with Grand 7 Partners for the East Half-Block to address the insurance and indemnity requirements for the work undertaken by Grand 7 Partners to attach its new building on the East Half-Block to the existing Skywalk Bridge over Grand Avenue, and to construct the foundation and support for the future connection of a Skywalk Bridge over 7th Street to the new parking ramp on the West Block; and,

WHEREAS, Grand 7 Partners has requested City approval of a second amendment to the Skywalk Agreement to apply the insurance and indemnification requirements only to the design and construction of the elements necessary for the attachment and support of the Skywalk Bridges and to match the insurance coverage that is commercially available, all as more specifically provided in the Second Amendment to Skywalk Agreement which is on file and available for inspection in the office of the City Clerk.

WHEREAS, the City Manager recommends approval of the proposed Second Amendment to Skywalk Agreement.

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

1. The proposed Second Amendment to Skywalk Agreement between the City and Grand 7 Partners, LLC, is hereby approved.
2. The Mayor is hereby authorized and directed to execute the Second Amendment to Skywalk Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such document.

Date November 7, 2016

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- The City Clerk shall forward a duplicate original or certified copy of the Second Amendment to Skywalk Agreement and all exhibits thereto to the Office of Economic Development for release to Grand 7 Partners.

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				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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