

Date May 20, 2019

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF COMPLETION
TO GRAND 7 PARTNERS, LLC, FOR THE PHASE 2 IMPROVEMENTS
CONSISTING OF THE COMMERCIAL BUILDING AT 665 GRAND AVENUE

WHEREAS, on August 14, 2017, by Roll Call No. 17-1406, the City Council approved an *Amended and Restated Urban Renewal Agreement for Sale of Land for Private Redevelopment* (the "Restated Amendment") whereby Grand 7 Partners, LLC, agreed to redevelop the formerly City-owned parcel at 665 Grand Avenue, more specifically described below (the "Property") in three phases as follows, in consideration of the economic incentives to be provided by the City:

- Phase 1 Improvements to include the construction of a building (the "Skywalk Node") to be constructed at the northeast corner of the intersection of Grand Avenue and High Street to support the north end of the existing Skywalk Bridge over Grand Avenue and to support a future Skywalk Bridge over 7th Street.
- Phase 2 Improvements to include the construction of a 3-story commercial building fronting on Grand Avenue east of the Skywalk Node, with a building area of at least 18,000 square feet, and with a restaurant on the ground floor and offices on the 2nd and 3rd floors.
- Phase 3 Improvements to include the construction of an apartment building fronting on 7th and High Streets, with at least six stories and a minimum of 75 dwelling units.

WHEREAS, the Property was subsequently conveyed to Miesblock Commercial, LLC, represented by Mike Nelson; and,

WHEREAS, on June 25, 2018, by Roll Call No. 18-1077, the City Council approved the issuance of a Certificate of Completion to memorialize the satisfactory completion of the Phase 1 Improvements consisting of the Skywalk Node, in substantial conformance with the Restated Agreement and the approved Conceptual Development Plan; and,

WHEREAS, the Phase 2 Improvements consisting of the office building have now been completed in substantial compliance with the Restated Agreement and the approved Conceptual Development Plan; and,

WHEREAS, Grand 7 Partners, LLC, has requested that the City issue a Certificate of Completion to memorialize the satisfaction of its construction obligations for the Phase 2 Improvements under the Restated Agreement.

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

1. The City Council hereby finds and acknowledges that Grand 7 Partners, LLC, has satisfied its obligation to complete the Phase 2 Improvements to 665 Grand Avenue, on the Property more specifically described below, in substantial compliance with the Restated Agreement and the approved Conceptual Development Plan. This resolution shall serve as the Certificate of

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Completion to be issued by the City for the Phase 2 Improvements pursuant to Section 3.4 of the Restated Agreement.

All of Lot 6 of Block E, Grimmel's Addition to Fort Des Moines, an Official Plat; and except the South 7.0 feet, Lots 1 and 2 of the Official Plat of Lots 4 and 5 Block E Grimmel's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

A part of Block E. of Grimmel's Addition to the Town of Fort Des Moines, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, and described as follows: The vacated northerly to southerly alley lying westerly of and adjacent to Lot 1 and Lot 3, and lying easterly of Lot 6, all in said Block E of Grimmel's Addition to the Town of Fort Des Moines, an Official Plat, except the southerly 7.00 feet thereof, containing 3151.5 square feet, more or less.

2. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded in the office of the Recorder of Polk County, Iowa.

MOVED by _____ to adopt.

FORM APPROVED:

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

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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