



Date July 15, 2019

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF COMPLETION TO HELENA INDUSTRIES, INC., FOR THE EXPANSION OF ITS INDUSTRIAL FACILITY AT 3525 VANDALIA ROAD

WHEREAS, Helena Industries, Inc. ("Helena"), is a multi-state business with a regional office and industrial facility located in the City of Des Moines, at 3525 Vandalia Road in the SE AgriBusiness Park Urban Renewal Area, and,

WHEREAS, on February 25, 2013, by Roll Call No. 13-0344, the City Council approved an Urban Renewal Agreement for the Sale of Real Estate (the "Agreement") with Helena whereby Helena agreed to purchase approximately 30 acres of adjoining land more specifically described below, from the City for the expansion of Helena's facilities, and to construct one or more buildings on the purchased property for industrial use containing at least 100,000 square feet in conformance with a City approved Conceptual Development Plan; and,

WHEREAS, on November 4, 2013, by Roll Call No. 13-1729, the City Council approved a Conceptual Development Plan for a 100,000 square foot expansion of Helena's existing warehouse building onto the land purchased from the City; and,

WHEREAS, the warehouse building and other improvements to the property purchased from the City were timely completed in substantial compliance with the Agreement and the approved Conceptual Development Plan; and,

WHEREAS, Helena Industries, Inc., has requested that the City issue a Certificate of Completion to memorialize the satisfaction of its construction obligations for the property described below.

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 Helena Industries, Inc., has satisfied its obligations to complete the expansion of its industrial facility on the property more specifically described below, in substantial compliance with the Agreement as amended, and the approved Conceptual Development Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.6 of the Agreement for the improvements to be located on the property described below.

A part of Lots 2, 3 and 4 of Henderson Estate, being an Official Plat in Section 18, Township 78 North, Range 23 West of the 5th P.M., in the City of Des Moines, Polk County, Iowa, and described as follows:

Date July 15, 2019

Commencing at the Northeast corner of said Section 18; thence North 87°31'38" West along the North line of said Northeast 1/4, a distance of 1388.35 feet; thence South 2°27'46" West, 50.00 feet to the Point of Beginning; thence South 87°31'38" East, 983.68 feet; thence South 0°20'49" East, 1722.54 feet to the northeasterly right-of-way line of the Burlington Northern Santa Fee Railroad; thence North 48°45'27" West along said northeasterly right-of-way line, 1370.15 feet; thence North 2°27'46" East, 862.48 feet to the Point of Beginning and containing 30.00 acres (1,306,800 S.F.), being Parcel "A" as shown by the Plat of Survey recorded on April 26, 2013, in Book 14758 at Pages 650-651.

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

G:\APPPDATA\LEGAL\Urban-Renewal\SE Ag\Projects\Helena\Roll Calls\RC Cert of Completion.docx

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

MOTION CARRIED APPROVED

 Mayor

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.

 City Clerk