



Date April 24, 2023

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION FOR THE JAMES 38TH AND GRAND URBAN RENEWAL PROJECT

WHEREAS, on February 8, 2021, by Roll Call No. 21-0203, the City Council approved an Urban Renewal Agreement for the construction of a new four-story, approximately 130,000 square-foot multi-residential building with 56 apartment units and 69 below-grade parking stalls ("Development Agreement") between the City and 3801 GRAND ASSOCIATES, L.P. AND NEWBURY MANAGEMENT COMPANY (collectively the "Developer") for the located upon the Property locally known as 3705 and 3707 Grand Avenue, Des Moines, Iowa, and legally described as follows:

Legal Description for 3705 and 3707 Grand Avenue, Des Moines, Iowa ("Property"): Address: 3705 Grand Avenue, Des Moines, Iowa:

The South 200 feet of Lots 20 and 22 of the Official Plat of the SE 1/4 of the SW 1/4 of Section 6, Township 78 North, Range 24, West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa

Address: Parcel North of 3705 Grand Avenue, Des Moines, Iowa

The North 92 feet of the South 292 feet of Lot Twenty-two (22); and Lot Twenty (20) (except the South 200 feet thereof); all in the OFFICIAL PLAT of the SE 1/4 of the SW 1/4 of Section 6, Township 78 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Iowa

Address: 3707 Grand Avenue, Des Moines, Iowa

The South 300 feet of the Lot Ninciccn (19) in the OFFICIAL PLAT of the SE 1/4 of the SW 1/4 of Section 6, Township 78 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Iowa

Address: 3721 Grand Avenue, Des Moines, Iowa\*

The East 28.73 feet of Lot Sixteen (16); the East 28.73 feet of the South 68.75 feet of Lot Seventeen (17); and the South 434.00 feet of Lot Eighteen (18); all in the Official Plat of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 6, Township 78 North, Range 24, West of the 5th P.M., now included in and forming a part of the City of Des Moines, Iowa

; and

WHEREAS, the terms of the Development Agreement provide that the City shall issue the Certificate of Completion upon the City's determination of satisfactory completion of the development Improvements and the Developer has requested that the Certificate of Completion for the project be issued; and



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WHEREAS, City staff has inspected the development improvements and found the Improvements have been completed in substantial compliance with the terms of the Development Agreement; and

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

- 1. The City Council hereby finds and acknowledges that Developer has satisfied its obligation to construct the Improvements on the Property in substantial compliance with the provisions of the Development Agreement and the approved Construction Plans.
2. This Resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of the Development Agreement.
3. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded with the Polk County Recorder's Office.

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, LAURA BAUMGARTNER, 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