



Date May 20, 2024

RESOLUTION APPROVING FIRST AMENDMENT TO PARCEL DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF DES MOINES, IOWA, MERIDIAN AT GRAY’S LANDING LLC, AND RIVER POINT WEST LLC

WHEREAS, the City of Des Moines, Iowa (“City”), Meridian at Gray’s Landing LLC (“Owner”) and River Point West LLC (“Developer”) entered into a Parcel Development Agreement dated April 18, 2022, recorded May 31, 2022 as Document Number 202200043720 in Book 19130, Page 310 of the Polk County Recorder’s Office (the “Agreement”), as authorized by the Des Moines City Council on April 18, 2022, by Roll Call No. 22-0614; and

WHEREAS, a certain section of the Agreement was agreed to by all the original parties to the Agreement but was inadvertently omitted in the final form of the Agreement; and

WHEREAS, the parties now wish to amend the Agreement to reflect said omitted section and add further specificity to the affordability requirements provided therein; and

WHEREAS, in addition, the parties further wish to acknowledge Developer’s satisfaction of obligations under the Agreement and assign any remaining interest to Owner; and

WHEREAS, City staff has negotiated terms of a First Amendment to the Agreement to set forth the specific criteria to satisfy the requirements of Section 2.4 of the Agreement.

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

1. The First Amendment to the Parcel Development Agreement between the City, Owner and Developer, as on file in the office of the City Clerk, is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and attest to, respectively, the Agreement on behalf of the City of Des Moines.

2. The Development Services Director or designee(s) are hereby authorized and directed to continue to administer the Parcel Development Agreement on behalf of the City, and to monitor compliance by the Owner with the terms and conditions of the Agreement. The Development Services Director is further directed to forward to City Council all matters and documents that require City Council review and approval in accordance with the Agreement.

(Council Communication No. 24-221)



Roll Call Number

Agenda Item Number

30

Date May 20, 2024

MOVED BY _____ TO ADOPT. SECOND BY _____.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland

Lisa A. Wieland, Assistant City Attorney
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				

MOTION CARRIED APPROVED

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.

_____ Mayor

_____ City Clerk