

Date May 9, 2011

RESOLUTION APPROVING ND 22 FLEMING, L.L.C. APPLICATION FOR ENTERPRISE ZONE BENEFITS FOR A HOUSING PROJECT IN THE GATEWAY ENTERPRISE ZONE

WHEREAS, on September 14, 1998 by Roll Call No. 98-2603, the Des Moines City Council established the Des Moines Enterprise Zone Commission ("Commission"), and on June 21, 1999 by Roll Call No. 99-2002, the City Council designated the Gateway Enterprise Zone, which the State of Iowa subsequently certified, all pursuant to Iowa Code Sections 15E.196 (2001); and

WHEREAS, ND 22 Fleming, LLC, the developer, requests approval of its application for enterprise zone benefits for the ND 22 Fleming, L.L.C. project in the Gateway Enterprise Zone involving investment of approximately \$18 million for construction of 110 residential units at 604 Walnut Street; and

WHEREAS, the Developer's application appears to meet all of the requirements for enterprise zone benefits; and

WHEREAS, Council is requested to recommend approval of the Developer's application for Enterprise Zone benefits to the Commission as well as the Iowa Department of Economic Development ("IDED"), which administers the State of Iowa Enterprise Zone Tax Credits.

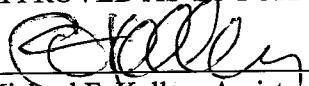
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The application describing how the ND 22 Fleming, L.L.C. project meets the requirements for enterprise zone benefits, herein referenced as Exhibit "A" is accepted.
2. The ND 22 Fleming, L.L.C. application is recommended for approval to the Des Moines Enterprise Zone Commission and to IDED.
3. The Office of Economic Development is directed to transmit a copy of this Roll Call to the Commission and to IDED and to conduct project compliance monitoring.
4. Upon IDED approval of the application, the Mayor is authorized to execute and the City Clerk is directed to attest to his signature on any documents necessary for ND 22 Fleming, L.L.C. project to receive enterprise zone benefits.

(Council Communication No. 11- 290 )

APPROVED AS TO FORM:

Moved by Hensley to adopt.

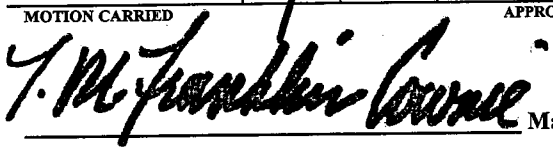
  
Michael F. Kelley, Assistant City Attorney

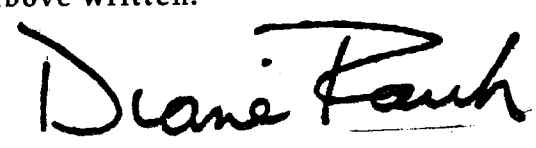
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

**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.

  
T. M. Franklin, Mayor

  
Diane Rauh, City Clerk