

★ **Roll Call Number**

12-1837

**Agenda Item Number**

19

**Date** December 3, 2012

RESOLUTION SCHEDULING HEARING ON PROPOSED URBAN RENEWAL AGREEMENT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY AND HELENA INDUSTRIES, INC., REGARDING THE SALE AND REDEVELOPMENT OF 30 ACRES OF CITY-OWNED LAND SOUTH OF THE 3600 BLOCK OF 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, Helena has declared its intention to secure space for its future growth and expansion by either acquiring a portion of the adjoining City-owned land or by moving its regional office and industrial facility to a new location with room to accommodate its future growth and expansion; and,

WHEREAS, on April 20, 2009, the City Council received and filed a communication from Helena Industries, Inc. ("Helena"), regarding the purchase of 20 acres of the adjoining City-owned land and directed the City Manager to proceed with further review and negotiation; and,

WHEREAS, Helena's planned expansion or its regional office and industrial facility was delayed by changes in market conditions and concerns regarding the recertification of the nearby levy along the north bank of the Des Moines River; and,

WHEREAS, Helena is now prepared to proceed with a larger expansion of its corporate campus and seeks to purchase 30 acres of the adjoining City-owned land; and,

WHEREAS, the City Manager has negotiated an *Urban Renewal Agreement for the Sale of Real Estate* with Helena which is more specifically described below and is on file and available for public inspection in the office of the City Clerk; NOW THEREFORE,

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

1. The City of Des Moines hereby declares its intent to consider approving the proposed *Urban Renewal Agreement for the Sale of Real Estate* with Helena Industries, Inc., whereby the City is to sell and convey 30 acres of City-owned land more specifically described below to Helena and to provide an Economic Development Grant in the maximum amount of \$168,000 to be paid from project generated tax increment revenues over a five year period, and Helena is to pay the City \$450,000 for the purchase of the land and to commence construction of a new building by November 1, 2014, containing at least 100,000 square feet of floor area for office, manufacturing or liquid terminal storage, for industrial use by Helena and related businesses. Such agreement, sale and conveyance shall be considered by the City

( continued )

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-2-

Date December 3, 2011

Council at a public hearing on December 17, 2012, at 5:00 p.m., in the Council Chambers at City Hall.

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:

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.

- 2. The City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with § 362.3 of the Iowa Code.

( Council Communication No. 12- 599 )

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and 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.

Y. M. Franklin Cownie Mayor

Diane Rauh City Clerk