

★ Roll Call Number
13- 0224

Agenda Item Number
40

Date February 11, 2013

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF COMPLETION FOR PHASE 1 OF THE SOUTHRIDGE REDEVELOPMENT PROJECT IN THE SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AREA

WHEREAS, on May 7, 2012 by Roll Call No. 12-0745, the Des Moines City Council approved an Urban Renewal Development Agreement with Macerich Southridge Mall LLC and Southridge Adjacent, L.L.C., represented by Eric Salo, Executive Vice President (collectively the "Developer") for the redevelopment and repurposing of Southridge Mall at SE 14th Street and E. Army Post Road into a mixed use district for commercial and retail use (the "Improvements") in compliance with an approved Conceptual Development Plan; and,

WHEREAS, the Developer has now completed Phase 1 of the Improvements in substantial compliance with the approved Conceptual Development Plan and has requested the City issue a Certificate of Partial Completion as evidence of satisfactory completion of the Phase 1 Improvements.

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 the Developer has satisfied its obligation to complete the Phase I Improvements in substantial compliance with the approved Conceptual Development Plan and the requirements of the Urban Renewal Development Agreement.
2. This resolution shall serve as the Certificate of Partial Completion to be issued by the City pursuant to Section 3.4 of the Urban Renewal Development Agreement.
3. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution and roll call to the Office of Economic Development for transmittal to and recording by the Developer.

MOVED by Hensley to adopt.

FORM APPROVED:
Roger K. Brown
Roger K. Brown, Assistant City Attorney

(Council Communication No. 13- 068)

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

MOTION CARRIED APPROVED
T. M. Franklin 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.

Diane Rauh City Clerk