



Roll Call Number

15-1253

Agenda Item Number

29

Date July 27, 2015

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO 215 EAST 3RD STREET, LLC, FOR CONVERSION OF THE FORMER DILLEY MANUFACTURING BUILDINGS AT 215 E. 3rd STREET FOR OFFICE, RESTAURANT AND COMMERCIAL USES

WHEREAS, on November 17, 2014, by Roll Call No. 14-1777, the City Council approved an Urban Renewal Development Agreement with 215 East 3rd Street, LLC (the "Developer"), represented by Jake Christensen, whereby the Developer has agreed redevelop and renovate the building located at 215 E. 3rd Street, more specifically below, at an estimated project cost of \$4.8 million, for office and restaurant/commercial uses, all to be in conformance with the approved Conceptual Development Plan:

Lots 3, 4, 6 and 7, excepting therefrom the West 10.00 feet of said Lot 6; and the vacated East-West alley lying South of and adjoining said Lot 4, excepting therefrom the South 11.00 feet of the vacated East-West alley lying North of and adjoining Lot 5 and the West 10.00 feet of Lot 6 all in Block 2 of SCOTT AND DEAN'S ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and being more particularly described as follows:

Commencing as a point of reference at the Southwest corner of Lot 5 in Block 2 of SCOTT AND DEAN'S ADDITION; thence North 15°(degrees) 26'(minutes) 52"(seconds) West, 143.22 feet along the West line of said Block 2 to the Point of Beginning; thence continuing North 15°26'52" West, 137.22 feet along the West line of said Block 2 to the Northwest corner of Lot 3 in said Block 2; thence North 74°36'23" East, 131.97 feet along the North line of said Lot 3 to the Northeast corner of said Lot 3; thence South 15°24'45" East, 280.19 feet along the East lines of Lots 3, 4 and 7 and the East line of the said vacated East-West alley to the Southeast corner of Lot 7 in said Block 2; thence South 74°30'00" West, 77.87 feet along the South line of said Block 2; thence North 15°26'10" West, 143.17 feet; thence South 74°33'12" West, 53.96 feet to the point of beginning.

WHEREAS, the property at 215 E. 3rd Street Avenue has been renovated in substantial compliance with the Development Agreement and the approved Conceptual Development Plan.

WHEREAS, the Developer has requested the City issue a Certificate of Completion as evidence of Developer's satisfaction of its obligations under the Development Agreement for the redevelopment and renovation of its property at 215 E. 3rd Street; and,

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

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1. The City Council hereby finds and acknowledges that 215 East 3rd Street, LLC, has satisfied its obligation to renovation of the property at 215 E. 3rd Street described above, in substantial compliance with the Development Agreement and the approved Conceptual Development Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of the Development Agreement.
2. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded in the land records of the Polk County Recorder.

MOVED by Gatto to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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