



Roll Call Number

15-1440

Agenda Item Number

36

Date August 24, 2015

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF COMPLETION
FOR THE MIXED USE PROJECT BY INGERSOLL SQUARE PHASE III
ASSOCIATES, L.P., AT 2005 INGERSOLL AVENUE

WHEREAS, on November 18, 2013 by Roll Call No. 13-1809, the City Council approved an Urban Renewal Development Agreement with Ingersoll Square Phase III Associates, L.P., represented by Frank Levy, President, for the construction of a mixed use building consisting of 47 residential units and 5,500 square feet of commercial space (the "Improvements") at Ingersoll Avenue and Martin Luther King Jr. Parkway in compliance with the approved Conceptual Development Plan; and

WHEREAS, the Developer has completed the Improvements in substantial compliance with the Development Agreement and the approved Conceptual Development Plan, and has requested the City issue a Certificate of Completion as evidence of satisfaction of the developer's construction obligations for the Project.

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

1. The City Council hereby finds and acknowledges that the Developer has satisfied its obligation to complete the Improvements to the property at 2005 Ingersoll Avenue, more specifically described below, in substantial compliance with the Development Agreement and the approved Conceptual Development Plan.

Parcel "D" being described on Plat of Survey filed November 13, 2012, and recorded in Book 14528 Page 338 in the Office of the Recorder of Polk County, Iowa, being a part of Lots 1 through 6 in Harding Road Place and part of Lots 5 through 9 in Block B of West & Burton's Addition to Des Moines, Polk County, Iowa.

2. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of the 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 the Developer for recordation in the Polk County Recorder's Office

(continued)

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MOVED by Hensley 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			

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