



Roll Call Number

17-0111

Agenda Item Number

24A

Date January 23, 2017

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO 420 COURT AVENUE, LLC, FOR THE HY-VEE GROCERY STORE AND APARTMENT PROJECT AT 420 COURT AVENUE

WHEREAS, on April 6, 2015, by Roll Call No. 15-0629, the City Council approved an Urban Renewal Agreement for Sale of Land for Private Redevelopment with 420 Court Avenue, LLC, represented by Peter Hosch with Hy-Vee, and Gerard Neugent with Knapp Properties, for the sale of the City-owned parcels at 420 Court Avenue for redevelopment with:

- A 108,000 square foot mixed use building with approximately 35,000 square feet on the ground level devoted to a full service Hy-Vee grocery store with a restaurant, and 82 apartments in the upper three floors;
• A one-story parking deck with at approximately 100 parking spaces on the upper level;
• Surface parking with approximately 100 parking spaces; and,
• Landscape and streetscape improvements,

all to be constructed and maintained in conformance with the approved Conceptual Development Plan; and,

WHEREAS, the Improvements have been completed in substantial compliance with the Development Agreement and the approved Conceptual Development Plan; and,

WHEREAS, 420 Court Avenue, LLC, has requested the City issue a Certificate of Completion as evidence of the satisfaction of its construction obligations under the Agreement.

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 as of December 31, 2016, 420 Court Avenue, LLC, has satisfied its obligation to complete the Improvements to 420 Court Avenue, more specifically described below, in substantial compliance with the Urban Renewal Agreement for Sale of Land for Private Redevelopment and the approved Conceptual Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 3.4 of that Agreement.

All of Block 20, Fort Des Moines, an Official Plat - except Lots 6 and 7 in said Block 20 and except all that part of the vacated North/South alley right of way in said Block 20 lying between said Lots 6 and 7, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and containing approximately 2.37 acres (103,085 square feet).



Roll Call Number

17-0111

Agenda Item Number

24A

-2-

Date January 23, 2017

- 2. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded in the office of the Recorder of Polk County, Iowa.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger Brown

Assistant City Attorney

G:\APPDATA\LEGAL\Urban-Renewal\Metro\Projects\420 Court\RC Cert of Completion.docx

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

Diane Rauh

City Clerk