



Roll Call Number

17-1062

Agenda Item Number

32

Date June 26, 2017

RESOLUTION APPROVING ASSUMPTION AND EXTENSION AGREEMENT FOR CITY LOAN WITH HOXIE'S ADDITION, LC

WHEREAS, on December 18, 2000 by Roll Call No. 00-4656, the City Council approved a Loan Agreement, Promissory Note, Subordinate Real Estate Mortgage for \$400,000.00 with Principiant Hotel Company, LC, guaranteed by Jeffrey Hunter for renovations of the commercial buildings located at 10th and Walnut Street, Des Moines; and

WHEREAS, Principiant Hotel Company, L.C. is being dissolved and its properties assigned to Hoxie's Addition, L.C.; and,

WHEREAS, Company is requesting that the City provide for an assignment and new loan agreement that includes continued personal guarantee and additionally an Assignment of Rents and Lease from a ground lease and parking lease revenues from Davis Brown Tower; and

WHEREAS, an agreement assigning the debt to Hoxie's Addition and securing the debt with an Assignment of Rents and Lease has been negotiated with Hoxie's Addition and approved by the legal department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the Assumption and Extension Agreement assuming the city loan by Hoxie's Addition, LC and the Assignment of Lease and Rents is hereby approved and the City Manager or his designee is authorized and directed to execute any documents on behalf of the City.

(Council communication No. 17-506)

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Thomas G. Fisher, Jr., Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

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 Council Mayor

Diane Rauh City Clerk