



Roll Call Number

17-2156

Agenda Item Number

35B

Date December 18, 2017

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO CONFLUENCE ON THIRD LLC FOR THE REDEVELOPMENT OF PROPERTY IN THE VICINITY OF 123 SW 3RD STREET AND 106 AND 112 SW 2ND STREET FOR A MULTI-FAMILY HOUSING PROJECT

WHEREAS, on October 12, 2015, by Roll Call No. 15-1733, the City Council approved an Urban Renewal Development Agreement (Metro Center Urban Renewal Area) with Confluence on Third LLC for the construction of a four-story multi-family residential building, including at least approximately 211 units of finished residentially assessed living units and approximately 187 on-site, underground parking spaces, to be constructed and maintained in conformance with the approved Conceptual Development Plan, with an estimated project cost of \$40,000,000; and

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

WHEREAS, Confluence on Third 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 18, 2017, Confluence on Third LLC has satisfied its obligation to complete the Improvements to property in the vicinity of 123 SW 3rd Street and 106 and 112 SW 2nd Street, more specifically described as:

Approximately one and six tenths (1.6) Developable Acres of land (excludes ponds, wetlands and other land unable to support improvements within the Premises) comprising the following four (4) parcels (excluding city owned alleyways separating them):

- 1. Lots 1 and 2 in Block 29 in the Original Town of Fort Des Moines, now in and forming a part of the City of Des Moines, Iowa, and locally known as 103 S.W. 3rd, Des Moines, Iowa.
2. Lots 3 and 4 in Block 29 in Fort Des Moines, now included in and forming a part of the City of Des Moines, Iowa.
3. Lots 5 and 6, in Block 29, in Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County Iowa.
4. Lots 7 and 8, in Block 29, in Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County Iowa.

And

ALL OF THE VACATED NORTH/SOUTH ALLEY RIGHT OF WAY, AND ALL OF THE VACATED EAST/WEST ALLEY RIGHT OF WAY, INCLUDING INTERSECTION OF BOTH ALLEYS, IN BLOCK 29, FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 9041 SQUARE FEET.



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in substantial compliance with the Urban Renewal Development Agreement (Metro Center Urban Renewal Area) with Confluence on Third LLC as recorded in the Polk County Recorder's Office in Book 15776, Page 285, and the approved Conceptual Development Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 3.5 of that Agreement.

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:

Glenna K. Frank
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.

T. M. Franklin Cownie Mayor

Diane Rauh City Clerk