



Roll Call Number

19-0050

Agenda Item Number

34B

Date January 14, 2019

RESOLUTION ISSUING CERTIFICATE OF COMPLETION TO 317 E. COURT, LLC & 322 E. COURT, LLC FOR THE REDEVELOPMENT OF PROPERTY TO BE USED FOR RETAIL, RESTAURANT AND OTHER COMMERCIAL USES.

WHEREAS, on June 27, 2016, by Roll Call No. 16-1053, the City Council approved an Urban Renewal Development Agreement with 317 E. Court, LLC and 322 E. Court, LLC (Jake Christensen, Christensen Development, 215 E. 3rd Street, Suite 300, Des Moines, IA) for the redevelopment of two buildings as retail, restaurant and other commercial uses to be constructed and maintained in conformance with the approved Conceptual Development Plan (the "Agreement"); and,

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

WHEREAS, 317 E. Court and 322 E. Court have requested that 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 January 14, 2019, 317 E. Court and 322 E. Court have satisfied their obligation to complete the Improvements to 317 E. Court and 322 E. Court, Des Moines, more specifically described as shown on the attached Exhibit A in substantial compliance with the Agreement and the approved Conceptual Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 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 Gatto to adopt.

FORM APPROVED:

Thomas G. Fisher Jr. Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and 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.

J. M. Frank... Mayor

Diane Rauh City Clerk