



Roll Call Number

19-1003

Agenda Item Number

29

Date June 24, 2019

RESOLUTION APPROVING ISSUANCE OF A CERTIFICATE OF
COMPLETION TO 111 EAST GRAND, LLC, FOR THE MIXED-USE
BUILDING AT 111 E. GRAND AVENUE

WHEREAS, on April 11, 2016, by Roll Call No. 16-0634, the City Council approved an *Urban Renewal Agreement for Sale of Land for Private Redevelopment* (the "Original Agreement") with 101 East Grand Parking, LLC (the "Developer"), represented by Paul Hayes, President, which provided for the sale by City to the Developer of portions of the block east of the Des Moines City Hall for redevelopment with a parking garage fronting E. 2nd Street in the middle of the block to be re-acquired by City under a lease purchase agreement, and with separate 4-story mixed-use buildings on the parcels north and south of the parking garage; and,

WHEREAS, Developer completed the parking garage in conformance with the Original Agreement, and such parking garage is now in operation as the East Second Parking Garage; and,

WHEREAS, on April 23, 2018, by Roll Call No.18- 0702, the City Council approved a *First Amendment and Partial Assignment of Urban Renewal Agreement for Sale of Land for Private Redevelopment* (the "First Amendment") with the Developer and with 111 East Grand, LLC represented by Tim Rypma, Vice President, whereby 111 East Grand, LLC, agreed to acquire the parcel at 111 E. Grand Avenue, immediately north of the East Second Parking Garage, and to redevelop such parcel with a 4-story building with at least 75% of the ground floor devoted to retail, restaurant, and limited professional office use and the upper floors devoted to office use, in substantial conformance with the approved Conceptual Development Plan; and,

WHEREAS, the building at 111 E. Grand Avenue has now been completed in substantial conformance with the Original Agreement as amended, and with the approved Conceptual Development Plan; and,

WHEREAS, 111 East Grand, LLC, has requested that the City issue a Certificate of Completion to memorialize the satisfaction of its construction obligations for the building at 111 E. Grand Avenue.

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 111 East Grand, LLC, has satisfied its obligations to complete the 4-story mixed-use building at 111 E. Grand Avenue on the property more specifically described below, in substantial compliance with the Original Agreement as amended, 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 the Original Agreement for the phase of improvements to be located on the property described below.

(continued)



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Parcel 2016-20, as shown by the Plat of Survey recorded on March 24, 2016, in Book 15934, at Page 39, being a part of Block 3, East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 Boesen to adopt.

FORM APPROVED:

By: Roger K. Brown
Roger K. Brown, Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, 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.

Bill Gray
MAYOR PRO TEM

Diane Rauh
City Clerk