



**Roll Call Number**

21-1126

**Agenda Item Number**

42

**Date** July 19, 2021

**RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO GRAY'S LANDING OFFICE, LLC, FOR THE OFFICE BUILDING LOCATED AT WEST MARTIN LUTHER KING PARKWAY AND SW 9<sup>TH</sup> STREET**

**WHEREAS**, on January 27, 2020, by Roll Call No. 20-0145, the City Council approved a Corrective Second Amended and Restated Parcel Development Agreement with Gray's Landing Office, LLC and River Point West, LLC for the construction of 3 story building containing at least 68,000 square feet of finished interior floor area for office use and 4,500 square feet of finished interior floor area for restaurant use

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

**WHEREAS**, Gray's Landing Office, LLC has 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, that the City Council hereby finds and acknowledges and that as of July 19, 2021, Gray's Landing Office, LLC has satisfied its obligation to complete the Improvements at West Martin Luther King Parkway and SW 9<sup>th</sup> Street, more specifically described as:

A PART OF LOT 1, LOT 3 AND LOT 4, TERMINAL PLACE, AN OFFICIAL PLAT, AND A PART OF LOT 1, LOT 2 AND LOT "A" FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT, ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL "A" OF SAID TERMINAL PLACE AS RECORDED IN BOOK 15041, PAGE 670 OF THE POLK COUNTY RECORDER'S OFFICE; THENCE SOUTH 74° 32' 20" WEST ALONG THE NORTH LINE OF SAID PARCEL "A", 92.84 FEET; THENCE NORTH 15° 17' 41" WEST, 298.32 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF W MARTIN LUTHER KING JR. PARKWAY AS PRESENTLY ESTABLISHED; THENCE NORTH 81° 40' 35" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE. 450.28 FEET TO THE WEST RIGHT-OF-WAY LINE OF SW 9TH STREET AS PRESENTLY ESTABLISHED; THENCE SOUTH 15° 27' 40" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 336.32 FEET TO THE NORTHEAST CORNER OF LOT 21, FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT; THENCE SOUTH 74° 32' 20" WEST ALONG THE NORTH LINE OF SAID LOT 21 AND ALONG THE WESTERLY EXTENSION THEREOF, 354.81 FEET TO THE EAST LINE OF SAID PARCEL "A";



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THENCE NORTH 15° 27' 40" WEST ALONG SAID EAST UNE, 93.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.54 ACRES (154,250 S.F.).

Also described as Parcel 2019-244 in the Plat of Survey filed in Book 17675 at Page 253 in the office of the Recorder of Polk County, Iowa.

The building is in material compliance with the Corrective Second Amended and Restated Parcel Development Agreement and the approved Conceptual Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 1.7 of that Agreement. 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:

/s/ Thomas G. Fisher Jr.
Thomas G. Fisher Jr.
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7 yeas). Includes signature of T. M. Franklin Cownie, Mayor.

CERTIFICATE
I, P. Kay Cmelik, 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.
Signature of P. Kay Cmelik, City Clerk