



Roll Call Number

22-1008

Agenda Item Number

37

Date June 27, 2022

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO 111 JEFFERSON AVE, LLC, FOR WAREHOUSE EXPANSION PROJECT ON PROEPRTY LOCATED AT 111 JEFFERSON AVENUE

WHEREAS, on March 23, 2020, by Roll Call No. 20-0534, the City Council approved an Urban Renewal Development Agreement for the 9,000 square foot expansion of the existing warehouse facility of Commonwealth Electric Company of the Midwest on formerly-City-owner property locally known as 111 Jefferson Avenue, in conformance with an approved Conceptual Development Plan; and,

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

WHEREAS, 111 Jefferson Ave, 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, as follows:

1. The City Council hereby finds and acknowledges that as of December 1, 2020, 111 Jefferson Ave, LLC has satisfied its obligation to complete the Improvements at 111 Jefferson Ave., Des Moines, Iowa, more specifically described as:

LOTS 17 THROUGH 21, BLOCK 3, ROLLINSON'S GARDEN ADDITION TO NORTH 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 30,635 SQUARE FEET.

in substantial compliance with the Urban Renewal Development Agreement with 111 Jefferson Ave, LLC and the approved Conceptual Development Plan. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.3 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.

3. The finding by this Council that the Developer has satisfied its obligations under the Agreement and qualified for the issuance of a Certificate of Completion also entitles Developer to forgiveness of the balance of the Forgivable Loan distributed from City to Developer pursuant to the terms of the Development Agreement and the same is hereby forgiven

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and Developer is released from any further repayment obligations under the terms of the Promissory Note executed by Developer and included as Exhibit D to the Development Agreement.

MOVED by Gatto to adopt.

SECOND by Boesen

FORM APPROVED:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHUEMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

Laura Baumgartner Acting City Clerk