



Roll Call Number

23-0594

Agenda Item Number

34

Date April 24, 2023

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION TO AUST REAL ESTATE, LLC FOR REDEVELOPMENT OF A BUILDING LOCATED AT 1201 KEOSAUQUA WAY

WHEREAS, on September 14, 2020, by Roll Call No. 20-1454, the City Council approved an Urban Renewal Development Agreement for the historic renovation of the existing commercial building located at 1201 Keosauqua Way, and replacement of all systems, utilities, and finishes associated therewith ("Improvements"), 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 prior to the completion obligation of Developer; and,

WHEREAS, Aust Real Estate, 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 April 24, 2023, Aust Real Estate, LLC has satisfied its obligation to complete the Improvements at 1201 Keosauqua Way, Des Moines, Iowa, more specifically described as:

Lots 1, 2, and 3 in FERRINGTON PLACE, an Official Plat now in and forming a part of the City of Des Moines, Polk County, Iowa.

in substantial compliance with the Urban Renewal Development Agreement with Aust Real Estate, LLC and the approved Conceptual Development Plan.

2. This resolution shall serve as the Certificate of Completion to be issued by the City pursuant to Section 2.4 of that Agreement.

3. 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 [Signature] TO ADOPT.

SECOND BY [Signature]



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APPROVED AS TO FORM:

/s/ Gary D. Goudelock

Gary D. Goudelock

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	4			1
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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. Franklin Cownie Mayor

Laura Baumgartner City Clerk