

Date May 22, 2023

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE URBAN RENEWAL DEVELOPMENT WITH 217 E. SECOND LC, AND ACCEPTANCE OF REVISED CONCEPTUAL DEVELOPMENT PLAN

WHEREAS, the City of Des Moines ("City") and 217 E. Second LC ("Developer") are parties to an Urban Renewal Development Agreement dated December 21, 2020 (the "Agreement") and recorded in the office of the Polk County Recorder at Book 18317, Page 658; and

WHEREAS, the parties desire to amend certain portions of the Agreement to remove a portion of the Property locally known as 200 E. Court Avenue and currently included in the Agreement and subject to restrictive covenants so that such property can be removed and the removed parcel can be conveyed to a third party free and clear of the Agreement; and

WHEREAS, the parties have negotiated a First Amendment to Urban Renewal Development Agreement in form attached hereto and on file in the City's Office of Economic Development Office amending the Agreement to remove the parcel of real property locally known as 200 E. Court Avenue; and

WHEREAS, Developer has prepared a Revised Conceptual Development Plan removing the property located at 200 E. Court Avenue from the Plan and a copy of the plan is attached hereto and on file in the City's Office of Economic Development.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The attached First Amendment to Urban Renewal Development Agreement is approved and the Mayor is authorized to execute the Agreement on the part of the City and the City Clerk is authorized to attest to the Mayor's signature on the Agreement;
2. The Revised Conceptual Development in the form attached hereto is hereby approved; and
3. The City Manager or his designee is hereby authorized to administer the Amended Agreement including making any filings or recording as deemed necessary.

★ Roll Call Number

23-0729

Agenda Item Number

30

Date May 22, 2023

(Council Communication No. 23-268)

Moved by Gatto to adopt. Second by Boesen

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

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

[Signature] Mayor

[Signature] City Clerk