



Roll Call Number

23-0740

Agenda Item Number

32

Date May 22, 2023

RESOLUTION APPROVING ISSUANCE OF CERTIFICATE OF COMPLETION FOR NMDP HOLDINGS LLC SE AGRIBUSINESS URBAN RENEWAL PROJECT

WHEREAS, on March 7, 2022, by Roll Call No. 22-0338, the City Council approved an Urban Renewal Agreement for the expansion of an existing site with construction of a 51,335 square-foot productions building and an employee parking lot ("Development Agreement") between the City and NMDP Holdings LLC ("Developer"), affiliate of PDM Precast, Inc. for the located upon the Property locally known as 3312 East Granger Avenue and legally described as follows

The East 522.0 feet, Lot Three (3) of the OFFICAL PLAT OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRL 1/4) OF SECTION 7, TOWNSHIP 78, RANGE 23 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa; AND Lot Four (4) in the OFFICIAL PLAT OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRL 1/4) OF SECTION 7, TOWNSHIP 78 NORTH, RANGE 23 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa.

; and

WHEREAS, said Development Agreement was filed of record on March 14, 2022, in Book 19023, Page 565 in the office of the Polk County Recorder; and

WHEREAS, the terms of the Development Agreement provide that the City shall issue the Certificate of Completion upon the City's determination of satisfactory completion of the development Improvements, and the Developer has requested that the Certificate of Completion for the project be issued; and

WHEREAS, City staff has inspected the development Improvements and found the Improvements have been completed in substantial compliance with the terms of the Development Agreement; and

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

1. The City Council hereby finds and acknowledges that Developer has satisfied its obligation to construct the Improvements on the Property in substantial compliance with the provisions of the Development Agreement and the approved Construction Plans.

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



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3. The City Clerk is hereby directed to cause a certified copy of this resolution and roll call to be recorded with the Polk County Recorder's Office.

Moved by Gatto to adopt. Second by Boesen.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

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.

MOTION CARRIED APPROVED
Signature of M. Franklin Corwin, Mayor

Signature of Laura Baumgartner, City Clerk