



Roll Call Number

23-1094

Agenda Item Number

37

Date August 8, 2023

**APPROVING SECOND AMENDMENT TO PURCHASE AND SALE CONTRACT BETWEEN
NATIONWIDE MUTUAL INSURANCE COMPANY AND CITY OF DES MOINES, IOWA
DATED SEPTEMBER 12, 2022**

WHEREAS, on September 12, 2022, by Roll Call No. 22-1483, the Des Moines City Council approved a purchase agreement with Nationwide Mutual Insurance Company (“Nationwide”) for the purchase of 1200 Locust Street and 1200 Mulberry Street, and assignment of a parking lot lease at 13th and Walnut Street, in Des Moines, Iowa (the “Agreement”); and

WHEREAS, on May 30, 2023, by Roll Call No. 23-0786, the Des Moines City Council approved a First Amendment to the Agreement, which extended the closing date of the office building to September 29, 2023, and also extended the due diligence period to August 11, 2023; and

WHEREAS, Nationwide and the City have negotiated a second amendment to the Agreement, which adds the surface parking lot at the northeast corner of 13th and Locust Streets to the purchase, sets and extends the closing date on the surface parking lot and the office building to on or before December 28, 2023, extends the date of the parking garage to on or before December 30, 2024, and extends the due diligence period to October 31, 2023.

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

1. The Second Amendment to Purchase and Sale Contract Between Nationwide Mutual Insurance Company and City of Des Moines, Iowa dated September 12, 2022, is hereby approved, and, subject to the Legal Department’s approval as to form, the Mayor is hereby authorized and directed to sign said Second Amendment, and the City Clerk is hereby authorized and directed to attest to the Mayor’s signature.

(Council Communication No. 23-379)



Roll Call Number

23-1094

Agenda Item Number

37

Date August 8, 2023

MOVED by Gatto to adopt. Second by Boesen.

FORM APPROVED:
/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.

J. M. Frankin Cownie Mayor

Laura Baumgartner City Clerk