



Roll Call Number

24-0116

Agenda Item Number

31B

Date January 22, 2024

RESOLUTION APPROVING UNIFORM SKYWALK AMENDMENT FOR PROPERTY LOCATED AT 601 LOCUST STREET

WHEREAS, the Property locally known as 601 Locust Street, Des Moines, Iowa is subject to that certain Skywalk Agreement recorded November 18, 1981 in Book 5137, Page 543 as amended by First Amendment to Skywalk Agreement and to the Limited Skywalk Easements recorded December 20, 1982 in Book 5215, Page 424, and including, without limitation, the Lease Agreement identified therein as Exhibit H-1 as amended by First Amendment and Supplement to the Lease Agreement recorded September 8, 1982 in Book 5194, Page 232, all in the records of the office of the Recorder for Polk County, Iowa (collectively, the "Skywalk Agreement"); and

WHEREAS, on or about June 26, 2023, by Roll Call No. 23-0918, the City Council for the City of Des Moines approved a uniform amendment to skywalk agreements extending the duration of existing or expired skywalk agreements to July 1, 2063, requiring membership in the Skywalk Association, and to amend hours of operation of the skywalk; and

WHEREAS, the current owner of 601 Locust Street, Ruan Center Corporation, has agreed to the terms of the Uniform Amendment to the City of Des Moines Skywalk Agreement Regarding Duration and Hours of Operation (the "Uniform Amendment") on behalf of itself and its successors in interest; and

WHEREAS, City staff have determined approval of the Uniform Amendment with Ruan Center Corporation is in the best interests of the City and have recommended approval to the City Council.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

- 1. that the Uniform Amendment between the City of Des Moines and Ruan Center Corporation in the form attached hereto is hereby approved; and
2. the Mayor is hereby directed and authorized to sign the Uniform Amendment on behalf of the City and the City Clerk is hereby directed and authorized to attest to the Mayor's signature thereon; and
3. the City Manager or his designee are hereby authorized to administer the Skywalk Agreement as amended on behalf of the City.

(Council Communication No. 24-025)

MOVED BY Gatto to adopt.

SECOND BY Coleman



Roll Call Number

24-0116

Agenda Item Number

31B

Date January 22, 2024

Approved as to form:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr., Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	6			

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.

Connie Boesen Mayor

Laura Baumgartner

City Clerk