



Roll Call Number

24-1357

Agenda Item Number

29

Date October 7, 2024

RESOLUTION APPROVING UNIFORM SKYWALK AMENDMENT FOR PROPERTY LOCATED AT 666 GRAND AVE

WHEREAS, the Property located at 666 Grand Avenue in Des Moines is subject to that certain Skywalk Agreement recorded November 21, 1980 in Book 5059, beginning at Page 10 as amended by First Amendment to Skywalk Agreement dated April 7, 1981 and recorded in the office of the Polk County Recorder in Book 5091, beginning at Page 68; by Second Amendment to the Skywalk Agreement and to the Limited Skywalk Easements, dated November 24, 1982 and recorded at Book 5211, Page 118; and by Third Amendment to the Skywalk Agreement dated June 24, 1991 and recorded in the office of the Polk County Recorder at Book 6398, Page 563 (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 666 Grand Ave., Ruan Center Corporation, has agreed to the terms of the Uniform Amendment to Skywalk Agreements on behalf of itself and its successors in interest; and

WHEREAS, City staff have determined approval of the 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 to the Skywalk Agreement 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 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 Agreement as amended on behalf of the City.

MOVED BY Gatto to adopt. SECOND BY Voss



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Approved as to form:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr., Assistant City Attorney

**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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Mayor

City Clerk