



Roll Call Number

24-1358

Agenda Item Number

30

Date October 7, 2024

RESOLUTION APPROVING ASSIGNMENT OF SKYWALK AGREEMENT FOR PROPERTY LOCATED AT 666 GRAND AVENUE

WHEREAS, the Property located at 666 Grand Avenue 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, the current owner of 666 Grand Avenue, 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, the City Council of the City of Des Moines approved the Uniform Amendment to the Skywalk Agreements for 666 Grand Avenue on October 7, 2024 by Roll Call No. _____; and

WHEREAS, Ruan Center Corporation seeks to transfer the Property to R1, Round 2, LLC in order to facilitate redevelopment of the Property; and

WHEREAS, as part of the transfer of the Property, Ruan Center Corporation seeks to assign its interest in the Skywalk Agreement as amended via an Assignment in the form attached hereto; and

WHEREAS, consent to assignment of the Skywalk Agreement is required under the terms of the Agreement and is in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA that the Assignment of Skywalk Agreement in form attached hereto is hereby approved.

(Council Communication No. 24-405)

MOVED BY Datto to adopt. SECOND BY Voss

★ Roll Call Number

24-1358

Agenda Item Number

30

Date October 7, 2024

Approved as to form:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr., Assistant City Attorney

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

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

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.

Laura Baumgartner

City Clerk