



**Roll Call Number**

24-1449

**Agenda Item Number**

28

**Date** October 21, 2024

RESOLUTION APPROVING MINIMUM ASSESSMENT AGREEMENT WITH 13<sup>TH</sup>  
& MULBERRY, LLC

WHEREAS, on December 21, 2020, the City of Des Moines (“City”) and 13<sup>th</sup> & Mulberry, LLC (“Developer”) entered into an Urban Renewal Development Agreement (hereinafter “Agreement”), which is on file in the office of the Polk County Recorder at Book 18285, Page 522, whereby Developer has undertaken to redevelop the former Iowa Ford Tractor Company building located at 213 13<sup>th</sup> Street into commercial office uses with approximately 25 underground parking spaces (the “Project”); and,

WHEREAS, on or about October 24, 2022, City and Developer entered into a First Amendment to the Agreement which is on file in the office of the Polk County Recorder at Book 19320, Page 32; and

WHEREAS, pursuant to Section 403.6(19) of the Code of Iowa, City and Developer desire to establish a minimum actual value for the Improvements to be constructed, placed, or renovated by Developer on the real estate locally known as 213 13<sup>th</sup> Street pursuant to the Urban Renewal Development Agreement, which is intended to reflect the minimum actual value of all improvements on the Property; and,

WHEREAS, the proposed agreement is on file in the City’s Office of Economic Development and is attached hereto and has been approved by the City’s Legal Department, and has been executed by the Developer, mortgagee, and Polk County Assessor.

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

1. The City Council hereby approves the proposed Minimum Assessment Agreement with Developer.
2. The Mayor and City Clerk are hereby authorized and directed to execute the Proposed Minimum Assessment Agreement on behalf of the City.
3. The City Manager or his designee(s) are hereby authorized and directed to submit the approved agreement to the Polk County Assessor for certification and recording and to monitor compliance by Developer.
4. The City Manager is further directed and authorized to make all other necessary filings of this document to comply with any legal requirements.



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- 5. The City Manager is further directed to forward to City Council all matters and documents that require City Council review and approval in accordance with the Agreement.

(Council Communication No. 24-430)

MOVED BY Gatto TO APPROVE. SECOND BY Voss

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			

**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