

★ Roll Call Number
25-0758

Agenda Item Number
32

Date May 19, 2025

**APPROVING FIRST AMENDMENT TO THIRD SUPPLEMENTAL SKYWALK
AGREEMENT BY AND BETWEEN CITY OF DES MOINES, IOWA
AND 515 WALNUT, LLC**

WHEREAS, the City of Des Moines, Iowa ("City") and 515 Walnut, LLC ("Owner") entered into a Third Supplemental Skywalk Agreement ("Agreement"), as authorized by the Des Moines City Council on June 15, 2023, by Roll Call No. 23-0836 and was recorded on June 23, 2023, at Book 19517, Page 227 in the office of the Polk County Recorder's Office; and

WHEREAS, Owner and the City have negotiated a First Amendment to the Agreement to extend certain deadlines for reconnection of the skywalk based on updated construction timelines, a copy of which is on file in the office of the City Clerk and available upon request.

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

1. The First Amendment to the Agreement in form on file in the City Clerk's office is hereby approved.
2. The Mayor is hereby authorized and directed to execute such First Amendment to the Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on said agreement and to record the First Amendment to the Agreement in the office of the Polk County Recorder following said execution.
3. The City Manager and/or his designee(s) and the City Attorney and/or his designee(s) are hereby authorized and directed to take any additional action to carry out the terms of the First Amendment to the Agreement here approved.

(Council Communication No. 25-198)

MOVED BY Gatto TO ADOPT. SECOND BY Voss.
APPROVED AS TO FORM:
/s/ Lisa A. Wieland

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