

**AGREEMENT BETWEEN THE CITY OF ANKENY AND THE POLK COUNTY
AVIATION AUTHORITY TO FACILITATE THE APPLICATION OF AN IOWA D.O.T.
LOCAL DEVELOPMENT R.I.S.E. GRANT FOR THE CONSTRUCTION OF THE
SE CONVENIENCE BOULEVARD EXTENSION PROJECT**

WHEREAS, the Polk County Aviation Authority (PCAA) is comprised of and financed by the entities of Polk County, Ankeny, Altoona and Bondurant with the overall goal of supporting and promoting general aviation through the management of the Ankeny Regional Airport (the Airport); and

WHEREAS, the PCAA manages the Airport Capital Improvements Program (ACIP) for the scheduling and financing of airport improvement projects that help to advance and improve general aviation activities at the Airport; and

WHEREAS, the PCAA recognizes the need to extend the public street known as SE Convenience Boulevard from its current terminus north approximately 1,200 LF onto the airport property near the southwest corner of the airport, specifically to support two planned capital projects:

- 1) There are 16 acres of property near the southwest corner of the airport that has been categorized as non-aeronautical in use by the Federal Aviation Administration (FAA). This 16 acres is owned by the PCAA and has frontage on Interstate 35. The PCAA desires to sell this property and use the proceeds for future ACIP improvements at the Airport as coordinated with the FAA. The Proposed extension of SE Convenience Boulevard will provide access to the 16-acre property and increase the property value for resale.
- 2) The ACIP includes the design and construction of a South Corporate Apron and future second airport terminal building. This improvement will be constructed on Airport property located adjacent to the extension of SE Convenience Boulevard; and

WHEREAS, the PCAA desires to utilize a grant from the Iowa Department of Transportation's Revitalize Iowa's Sound Economy (RISE) Local Development Projects Program to provide partial project funding for the SE Convenience Boulevard Extension Project (the "Project"); and

WHEREAS, the estimated cost of the Project is \$1,144,180 of which \$439,880 of the street improvements qualify as eligible for reimbursement through the said RISE program with the balance of \$704,300 planned to be financed by the PCAA; and

WHEREAS, to qualify for funding in the near future, the said RISE grant will need to be submitted on or before September 1, 2017 with construction of the SE Convenience Boulevard Extension project to commence in calendar year 2018 pending award of the RISE grant by the Iowa Department of Transportation; and

WHEREAS, the rules of the RISE Local Development Projects Program as established by the Iowa Department of Transportation require that a city or county be the lead agency and sponsor of a project receiving RISE funding; and

WHEREAS, the PCAA is committed to completing the SE Convenience Boulevard Extension project should the project receive the requested RISE funding, including providing the portion of the project funding that will not be covered by the RISE grant.

NOW, THEREFORE in consideration of the mutual promises of the parties contained herein, the City of Ankeny and the Polk County Aviation Authority hereby agree as follows:

1. That the City of Ankeny will sponsor the RISE Grant for the SE Convenience Boulevard Extension Project on behalf of the Polk County Aviation Authority.
2. The PCAA will design and construct the SE Convenience Boulevard Extension project according to the standard specifications and requirements of the City of Ankeny. The project design shall include the survey and platting work needed to establish a 70-foot wide public right-of-way for the street extension.
3. The City of Ankeny will finance the said project construction as needed to meet the requirements of the Iowa Department of Transportation.
4. The PCAA will reimburse the City of Ankeny within 30 days of receipt for all project costs and expenditures incurred by the City associated with the SE Convenience Boulevard Extension Project.
5. Upon project completion, the SE Convenience Boulevard Extension will be dedicated for public use.
6. The south 435 feet of the street will be outside of the Ankeny Regional Airport property and thus is the responsibility of the City of Ankeny to own and maintain.
7. The north 785 feet of the street is within the current Ankeny Regional Airport property. This segment of roadway will initially be the responsibility of the PCAA to maintain. Upon sale and transfer of the adjacent 16-acre property by the PCAA, the change in property ownership will facilitate the transfer of jurisdiction of this roadway segment from the PCAA to the City of Ankeny.
8. This Agreement contains the entire agreement between the parties. This Agreement may not be changed or modified in any manner, unless a written instrument is executed by the parties. This Agreement serves and accomplishes a public purpose and is in the best interests of the City and its citizens and residents.

City of Ankeny:

City of Ankeny
410 West First Street
Ankeny, IA 50023
Attn.: David Jones

Polk County Aviation Authority:

Polk County Aviation Authority
410 West First Street
Ankeny, IA 50023
Attn.: Paul Moritz, PE

Each properly addressed notice or request sent by certified mail shall be deemed given and served upon being actually received by the addressee or being rejected by the addressee. The City or PCAA shall have the right to send notices by overnight delivery which notices shall be deemed given and served upon

actual receipt by the addressee or rejection by the addressee.

IN WITNESS WHEREOF, the parties hereto have caused the Agreement to be executed by their duly authorized representatives:

POLK COUNTY AVIATION AUTHORITY

By: _____
Jeff Wangsness, Chairperson

CITY OF ANKENY, IOWA

By: _____
Gary Lorenz, Mayor

Attest:

By: _____
Pamela DeMouth, City Clerk

STATE OF IOWA, COUNTY OF POLK, ss:

On the ____ day of _____, 2017, before me, a Notary Public in and for the said State, personally appeared Jeff Wangsness, to me personally known, who, being by me duly sworn, did say that that person is Chairperson of said Polk County Aviation Authority; that no seal has been procured by the said aviation authority, and that said instrument was signed and contained in the Resolution adopted by the Board of the Polk County Aviation Authority, on the ____ day of _____, 2017, and the said **JEFF WANGSNESS** acknowledged the execution of said instrument to be his voluntary act and deed and the voluntary act and deed of said Authority Board, by it and by them voluntarily executed.

Notary Public in and for said State of Iowa

STATE OF IOWA, COUNTY OF POLK, ss:

On the ____ day of _____, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared **GARY LORENZ** and **PAMELA DeMOUTH**, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Ankeny, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and contained in the Resolution adopted by the City Council of Ankeny, Iowa, on the ____ day of _____, 2017, and the said **GARY LORENZ** and **PAMELA DeMOUTH** acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa