

April 23, 2007

Date

TERMINATION OF LEASE AGREEMENT WITH SOUTH DES MOINES GIRLS
AMATEUR SOFTBALL ASSOCIATION FOR USE OF CARNEY PARK
SOFTBALL FIELDS

WHEREAS, the Des Moines Park and Recreation Department operates and manages the Carney Softball Fields located at 2501 S.W. 30th Street, Des Moines; and

WHEREAS, on March 7, 2005, by Roll Call 05-595, the City Council approved a Lease Agreement with the South Des Moines Girls Amateur Softball Association ("SDMGASA") for use of the Carney Softball Fields for the operation and development of their youth softball program, including holding practices, and hosting games and tournaments for an initial term of one year with three 1 year renewal options; and

WHEREAS, the SDMGASA desires to terminate the Lease Agreement and to instead rent field space on an as needed basis pursuant to the rates established in Des Moines Municipal Code Chapter 74 for use of athletic fields; and

WHEREAS, an amendment to the Lease Agreement has been negotiated, a copy of which is on file in the City Clerk's Office, in which the Lease Agreement terminates on April 24, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the above described Amendment to Lease Agreement for Carney Softball Fields between the South Des Moines Girls Amateur Softball Association and the City of Des Moines, which is on file with the City Clerk's Office, be and is hereby approved and the Mayor is authorized and directed to sign said Amendment and the City Clerk is authorized and directed to attest to the Mayor's signature.

(Council Communication 07-236)

Moved by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHARFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, 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.

City Clerk