

Date May 21, 2007

SETTING DATE OF HEARING ON LEASE AGREEMENT WITH BRUCE GERLEMAN FOR PARKING ON ADJACENT CITY PROPERTY NORTH OF 303 LOCUST STREET

WHEREAS, the City is the titleholder of real property to the north of and adjacent to 303 Locust Street, as described below:

SOUTH 10.0 FEET OF THE EAST 66.0 FEET OF LOT 2, BLOCK 6, BIRDS ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;  
and

WHEREAS, Bruce Gerleman is the owner of Splash Seafood Bar and Grill located at 303 Locust Street and desires to lease the above described property for use as parking and for dumpster storage; and

WHEREAS, the lease of said real estate by Bruce Gerleman for such purposes will not adversely affect the use of adjoining real estate by the City for municipal purposes and use of the real estate is presently not required for municipal purposes; and

WHEREAS, Bruce Gerleman has agreed to a Lease Agreement for the above described property, a copy of each which is on file in the City Clerk's Office, for a period of approximately 5 years from the date of execution until June 30, 2012, renewable yearly thereafter upon mutual agreement of the parties, for \$150.00 per month rent.

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

1. The City Council of the City of Des Moines shall consider approval of a Lease Agreement by and between the City and Bruce Gerleman which proposes to lease the above described real estate for a term of approximately 5 years from the date of execution until June 30, 2012, renewable yearly thereafter upon mutual agreement of the parties, for \$150.00 per month rent.
2. A public hearing shall be held on June 4, 2007 at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
3. The City Clerk is hereby authorized and directed to publish notice of the proposal in the form hereto attached not less than four nor more than twenty days from the date of the hearing.

★ Roll Call Number

Agenda Item Number

26C

Date May 21, 2007

( Council Communication 07-288 )

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				
MAHAFFEY				
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