

July 24, 2006
Date.....

RESOLUTION APPROVING USE AGREEMENT WITH FIRST FEDERATED CHURCH FOR PARKING AND WALKWAY FOR TOWER PARK PATRONS

WHEREAS, the City is the owner of Tower Park, between 50th and 48th Streets south of Hickman Road, which does not have parking facilities on its east side; and

WHEREAS, First Federated Church is adjacent to Tower Park and has a parking lot on the east side of Tower Park; and

WHEREAS, the City desires to use a portion of the north end of the First Federated Church parking lot for parking for Tower Park patrons and to install a walkway between the parking lot and the park; and

WHEREAS, as a gesture of good will to the community, First Federated Church desires to allow Tower Park patrons to use of the north end of its parking lot during times that those parking spaces are not required for its members; and

WHEREAS, First Federated Church and City staff have negotiated a Use Agreement for Parking and Walkway for Tower Park Patrons in which First Federated Church grants the City a revocable license to use 96 parking spaces at the north end of its parking lot from April 1, 2006 until March 31, 2008; and

WHEREAS, the City Council deems it advisable to approve this Use Agreement.

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

1. That the Use Agreement for Parking and Walkway for Tower Park Patrons on file in the office of the City Clerk, specifically described above, between the City and the First Federated Church, be and is hereby approved and the City Manager is hereby authorized and directed to sign the Use Agreement on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the City Manager's signature.
2. That the City Manager is hereby authorized to execute up to 5 additional one year renewals of said Use Agreement and the City Clerk to attest to his signature.

(Council Communication No. 06-454)

MOVED by _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
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