

Date October 26, 2009

RESOLUTION APPROVING SIDEWALK CAFE LEASE TO LEGENDS AT 216 COURT AVENUE

WHEREAS, the City has received an application from Mark Rogers, Owner, Rogers Entertainment, Ltd, dba Legends, for the re-approval of a Sidewalk Café Lease for a portion of the sidewalk adjoining Legends at 216 Court Avenue; and,

WHEREAS, the right-of-way adjoining Legends has been previously vacated on 4/25/88 by ordinance 11,160 and the City Council's most recent approval of the lease of the property occurred on 4/4/94 by Roll Call 94-1261; and,

WHEREAS, Mark Rodgers, has signed a Sidewalk Café Lease for a portion of the sidewalk adjoining Legends in the approved standard form; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the lease of a portion of the sidewalk adjoining Legends at 216 Court Avenue for a sidewalk café is hereby approved subject to approval of the Insurance Requirements for a sidewalk café by the Risk Manager, and the Permit and Development Center Administrator is hereby authorized and directed to sign the Sidewalk Café Lease with Mark Rogers, in the approved standard form once the approval of insurance is approved by the Risk Manager.

(Council Communication No. 09- 736)

MOVED by _____ to adopt.

FORM APPROVED:


 Michael F. Kelley
 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