

Date February 14, 2011

**RESOLUTION APPROVING RENEWAL OF LEASE TO MILLE MIGLIA CAFFE, L.L.C.,  
FOR A SIDEWALK CAFE AT 206 6TH AVENUE KNOWN AS AMICI ESPRESSO**

WHEREAS, the City has received an application from Mille Miglia Caffe, L.L.C., represented by Brian Cook, officer, for the renewal of the Sidewalk Cafe Lease upon a portion of the sidewalks adjoining Amici Espresso at 206 6th Avenue; and,

WHEREAS, portions of the 6th Avenue and Mulberry Street rights-of-way adjoining the Amici Espresso at 206 6th Avenue were previously vacated by Ordinance No. 14,681 passed July 23, 2007, and leased for a sidewalk cafe; and,

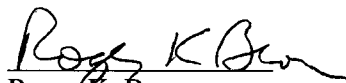
WHEREAS, Mille Miglia Caffe, L.L.C., has signed a new Sidewalk Cafe Lease in the approved standard form to renew its lease of the vacated area described above; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the lease of a portion of the sidewalk adjoining Amici Espresso at 206 6th Avenue for a sidewalk cafe is hereby approved, and the Permit and Development Center Administrator is hereby authorized and directed to sign the Sidewalk Cafe Lease with Mille Miglia Caffe, L.L.C. in the approved standard form.

( Council Communication No. 11- *079* )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
Roger K. Brown  
Assistant City Attorney

C:\Rog\Vacate\Cafe\Pending\Mille Miglia\RC Approve Lease.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
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

# VACATION PLAT

ADDRESS:  
208 6th AVENUE  
DES MOINES, IOWA

OWNER:  
CITY OF DES MOINES

PREPARED FOR:  
BOESEN BOETTCHER CLARK INVESTMENTS  
ATTN: JERRY MATALONE  
208 6th AVENUE  
SUITE 1200  
DES MOINES, IOWA 50309

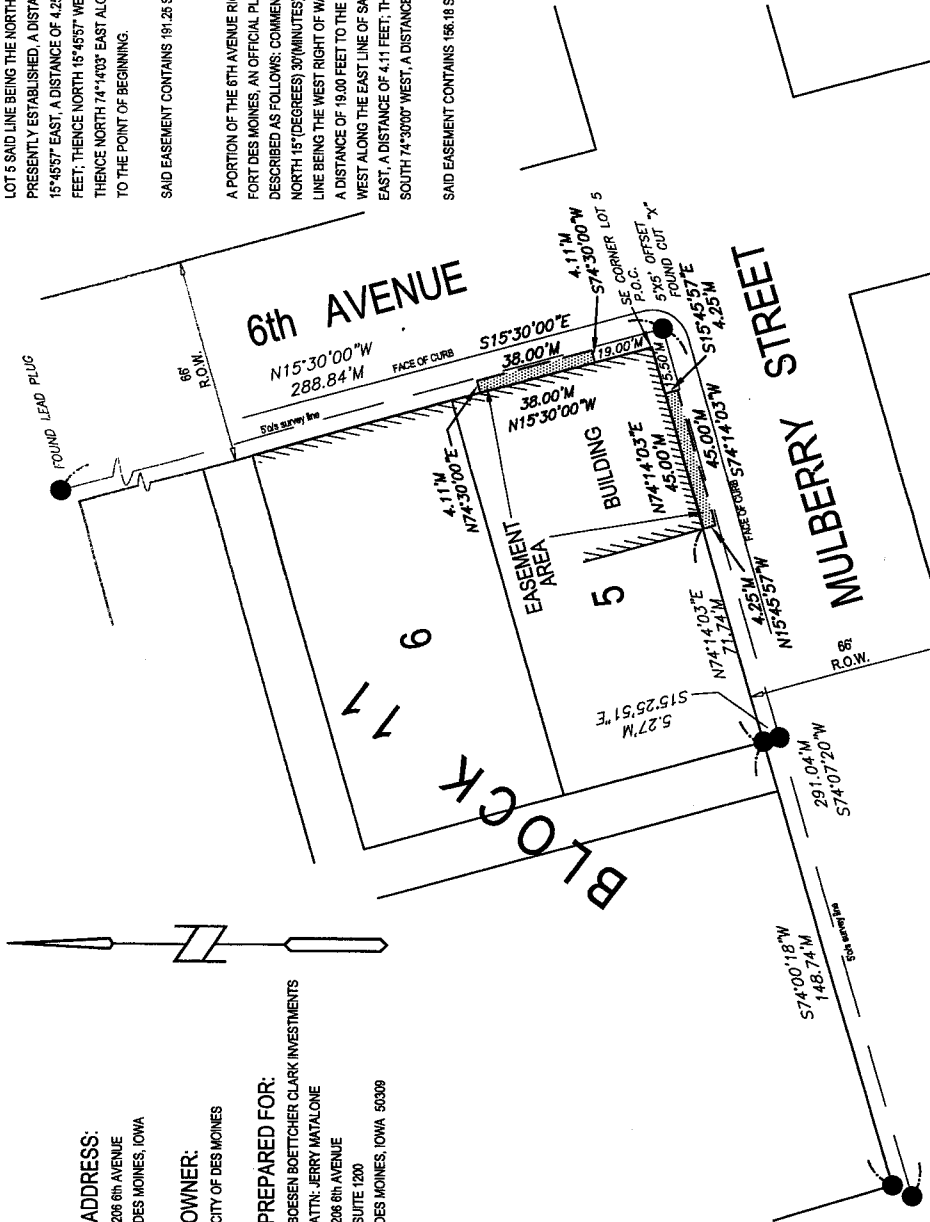
### Easement Descriptions

A PORTION OF THE MULBERRY STREET RIGHT OF WAY LYING SOUTH OF AND ADJACENT TO LOT 5, BLOCK 11, FORT DES MOINES, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 74°14'03" (DEGREES) 14'(MINUTES) 03"(SECONDS) WEST ALONG THE SOUTH LINE OF SAID LOT 5 SAID LINE BEING THE NORTH RIGHT OF WAY LINE OF SAID MULBERRY STREET AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 15.30 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°45'57" EAST, A DISTANCE OF 4.25 FEET; THENCE SOUTH 74°14'03" WEST, A DISTANCE OF 45.00 FEET; THENCE NORTH 15°45'57" WEST, A DISTANCE OF 4.25 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE NORTH 74°14'03" EAST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 191.25 SQUARE FEET.

A PORTION OF THE 6TH AVENUE RIGHT OF WAY LYING EAST OF AND ADJACENT TO LOT 5, BLOCK 11, FORT DES MOINES, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE NORTH 15°(DEGREES) 30'(MINUTES) 00"(SECONDS) WEST ALONG THE EAST LINE OF SAID LOT 5 SAID LINE BEING THE WEST RIGHT OF WAY LINE OF SAID 6TH AVENUE AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 15°30'00" WEST ALONG THE EAST LINE OF SAID LOT 5, A DISTANCE OF 38.00 FEET; THENCE NORTH 74°30'00" EAST, A DISTANCE OF 4.11 FEET; THENCE SOUTH 15°30'00" EAST, A DISTANCE OF 38.00 FEET; THENCE SOUTH 74°30'00" WEST, A DISTANCE OF 4.11 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 156.18 SQUARE FEET.

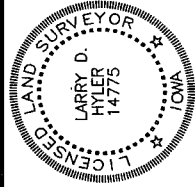


FIELD WORK COMPLETED ON:

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME AND THE RELATED SURVEY WORK WAS PERFORMED UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. PAGES COVERED BY THIS SEAL.... THIS PAGE ONLY

BY: LARRY D. HYLER LICENSE RENEWAL DATE: DEC. 31, 2008

SIGNED: *Larry D. Hyler* DATE: 7-10-07



### SURVEY LEGEND:

- PROPERTY CORNER- FOUND CUT "X" UNLESS OTHERWISE NOTED
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- D DEEDED DISTANCE
- R.O.W. RIGHT-OF-WAY
- P.O.C. POINT OF COMMENCEMENT

BBC INVESTMENTS  
MULBERRY STREET & 6th AVENUE  
VACATION PLAT

REFERENCE NUMBER:

DRAWN BY:  
SNW/ADH

PROJECT NUMBER:  
070301

SHEET NUMBER:  
C0.1

**Bishop Engineering**  
"Transforming Your Successful Development"

3501 104th Street  
Des Moines, Iowa 50322-3825

Phone: (515)276-0467 Fax: (515)276-0217

Civil Engineering & Land Surveying  
Established 1959

55