

08-1955

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Date October 27, 2008

APPROVAL OF DEPARTMENT OF ARMY SUPPLEMENTAL AGREEMENT NO. 1 TO LEASE FOR SAYLORVILLE LAKE PROJECT FOR LEASE OF APPROXIMATELY 20.3 ACRES OF ADDITIONAL FEDERAL LAND ALONG THE DES MOINES RIVER FOR PUBLIC PARK AND RECREATION PURPOSES

WHEREAS, the City of Des Moines has leased approximately 262.30 acres from the Secretary of the Army along the Des Moines River between 6th Avenue and Euclid Avenue for public park and recreational purposes; and

WHEREAS, on July 27, 1998, by Roll Call Number 98-2404, the original lease, Lease No. DACE25-1-93-4040, was approved by the Des Moines City Council; and

WHEREAS, approximately 20.30 acres of federal land along the Neal Smith Trail between Euclid Avenue and Saylor Creek at the Des Moines City Limits was not part of the original lease agreement; and

WHEREAS, the Secretary of the Army has drafted Supplemental Agreement No. 1 to Lease No. DACW25-1-93-4040 Saylorville Lake Project Des Moines River ("Supplemental Agreement No. 1") which adds approximately 20.3 acres of land to the City's leased land along the Des Moines River and Neal Smith Trail between Euclid Avenue and Saylor Creek at the Des Moines City Limits and which provides that all improvements shall be owned by the City; and

WHEREAS, a copy of the proposed Supplemental Agreement No. 1 is on file in the office of the City Clerk; and

WHEREAS, the City Council deems it advisable to approve this Supplemental Agreement No. 1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Supplemental Agreement No. to 1 Lease No. DACW25-1-93-4040 Saylorville Lake Project Des Moines River is hereby approved and the Mayor is authorized and directed to sign such Agreement on behalf of the City of Des Moines and the City Clerk is directed to attest to his signature.

(Council Communication No. 08-634) MOVED by Vlassis to approve.
 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	7			

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.

MOTION CARRIED APPROVED
J. M. Franklin
 Mayor

Diane Rauh City Clerk