

★ Roll Call Number
09-1344

Agenda Item Number
38

Date July 27, 2009

RESOLUTION APPROVING SIDEWALK CAFE LEASE WITH
SADDLERY RESTAURANTS, INC. AT 309 COURT AVENUE

WHEREAS, the City has received an application from Saddlery Restaurants, Inc., d/b/a Court Avenue Restaurant and Brewing Company for the re-approval of a Sidewalk Cafe Lease for a portion of the sidewalk adjoining Court Avenue Restaurant and Brewing Company at 309 Court Avenue; and,

WHEREAS, the right-of-way adjoining Court Avenue Restaurant and Brewing Company has been previously vacated on April 27, 1992 by ordinance 11,805 and the City Council's most recent approval of the lease of the property occurred on May 23, 2005 by Roll Call 05-1294; and,


WHEREAS, Lloyd Linn, President of Saddlery Restaurants, Inc., has signed a Sidewalk Cafe Lease for a portion of the sidewalk adjoining Court Avenue Restaurant and Brewing Company 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 Court Avenue Restaurant and Brewing Company at 309 Court Avenue for a sidewalk cafe is hereby approved subject to review and approval of insurance requirements for a sidewalk café by the Risk Manager, and the Director of the Community Development Department is hereby authorized and directed to execute the sidewalk cafe lease with Saddlery Restaurants, Inc. and to administer the lease according to its terms and conditions.

(Council Communication No. 09- **515**)

FORM APPROVED:

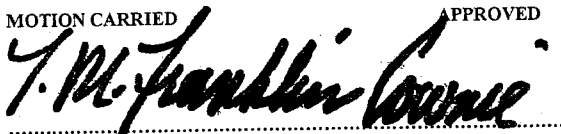
MOVED by Hensley to adopt.


Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED


T. M. Franklin
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.


Diane Rauh
City Clerk