

Date.....May 22, 2006.....

WHEREAS, the City of Des Moines is the owner of Kiwanis Nature Island, also known as Riverview Park, and the residence in McHenry Park at 1012 Oak Park Avenue, adjoining the Kiwanis Nature Island; and

WHEREAS, on August 3, 1992, by Roll Call No. 92-3035, the City and the Kiwanis Riverview Nature Island Inc. ("Kiwanis") entered into a 28E Agreement for the purpose of furthering the development, maintenance, and management of Riverview Park; and

WHEREAS, such 28E Agreement was continued by amendments until August 3, 2002; and

WHEREAS, on June 4, 2003, by Roll Call No.03-1241, the City Council approved a 28E Agreement with the Kiwanis for the maintenance of the Kiwanis Nature Island and to allow use and control of the house, garage and storage shed at 1012 Oak Park Avenue by the Kiwanis for a term of three years ("the 2003 28E Agreement"); and

WHEREAS, the Park and Recreation Department and the Kiwanis desire to extend the term of the 2003 28E Agreement for an additional three year term; and

WHEREAS, the City Council determines that is in the best interests of the City to extend the 2003 28E Agreement for three more years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the Amendment to Kiwanis Riverview Nature Island 28E Agreement between the City of Des Moines and Kiwanis Nature Island Inc., which is on file with the City Clerk's Office, is hereby approved and the Mayor is authorized and directed to sign said Amendment on behalf of the City and the City Clerk is hereby authorized and directed to attest to his signature.

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				

**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

.....Mayor

\_\_\_\_\_ City Clerk