



**Roll Call Number**

**Agenda Item Number**

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A

Date ..... October 9, 2006

APPROVAL OF SECOND AMENDMENT TO PRINCIPAL PARK LEASE

WHEREAS, the City of Des Moines and Greater Des Moines Baseball Co. (“GDMB”) entered into a Lease Agreement for the lease of Sec Taylor Stadium (“Stadium”) and the vicinity, which was approved by the City Council on August 26, 1991, by Roll Call No. 91-3688, with an addendum approved by the City Council on September 13, 1999, by Roll Call No. 99-2845, and an Amendment dated August 23, 2004 (“Lease Agreement”); and

WHEREAS, the City and GDMB desire to amend the Lease Agreement to eliminate the City’s responsibility for trash removal; and

WHEREAS, it is in the best interests of the City to enter into the above described amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that

1. That the form of the Second Lease Amendment by and between the City of Des Moines and Greater Des Moines Baseball Co., which is on file with the City Clerk’s office, be and is hereby approved.
2. That the Mayor is authorized and directed to sign said Second Lease Amendment and the City Clerk is authorized and directed to attest to the Mayor’s signature.
3. That the City Clerk is authorized and directed to forward the original of the Second Lease Amendment, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Property Management Division of the Park and Recreation Department for the purpose of causing said documents to be recorded.
4. Upon execution of said Second Lease Amendment by Greater Des Moines Baseball Co, the City Properties Administrator is authorized and directed to forward the original of the said Second Lease Amendment, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder’s Office for the purpose of causing said documents to be recorded.

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5. Upon receipt of the recorded documents back from the Polk County Recorder, the City Properties Administrator shall file the original of the Second Lease Amendment and send copies to the City Clerk, the Land Records Clerk and to the Greater Des Moines Baseball Co.

(Council Communication No. 06-~~646~~)

Moved by \_\_\_\_\_ to Adopt.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
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