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Date..... September 25, 2006

WHEREAS, the final subdivision plat entitled **Sterling Trace Plat 2**, for land located in the vicinity of SE 34th Street and E. Hart Avenue, to be developed by Sterling Trace Development, L.C., John Gamble, secretary, was submitted to the Community Development Department on September 8, 2006; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on February 19, 2004; and,

WHEREAS, the Permit and Development Coordinator has conditionally recommended approval of the final subdivision plat, subject to completion of the required public improvements and completion within two years of the required sidewalks; and,

WHEREAS, the necessary attorney's title opinion for the plat has been submitted, but must be updated; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 354.6, and 354.11, and said subdivision plat conforms to the standards and conditions set forth in Chapter 106 of the Municipal Code of the City of Des Moines, Iowa; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. It is hereby determined that the subdivision plat identified above conforms to the Des Moines 2020 Community Character Land Use Plan and the subdivision, with the required installation of public improvements, will not unduly burden public improvements in the area and will provide an appropriate balance of interests between current proprietors, future purchasers and the public interest.
2. The subdivision plat identified above is hereby approved, subject to receipt of an updated title opinion and attachments to plat and the necessary security for the completion of the required sidewalks, recreational trail, and storm and sanitary sewer improvements in the amount of \$77,652, and approval of same by the City Legal Department.
3. Upon satisfaction of the conditions set forth above, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.

( continued )

Date September 25, 2006

4. The City Clerk is hereby directed to provide the approved subdivision plat, a certified copy of this resolution, the attorney's title opinion and the attachments to the plat to the Community Development Department for delivery to the County Auditor for recording by the plat proprietors. The City Clerk is hereby further directed to send a copy of the subdivision plat to the Board of Education, Qwest Communications, Mid-American Energy, MediaCom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post Office – Technical Sales and Services, City Engineer, City Land Records, Public Works – Street Department, Public Works – Forestry Division, Fire Department, Police Department – Research and Development Section, City Traffic and Transportation Division, Information Technology Department, and Community Development Department.
  
5. The easements provided incident to the said subdivision plat are hereby approved and accepted, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on each such easements.

(Council Communication No. 06-621 )

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

FORM APPROVED:

*Roger K. Brown*  
 Roger K. Brown  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

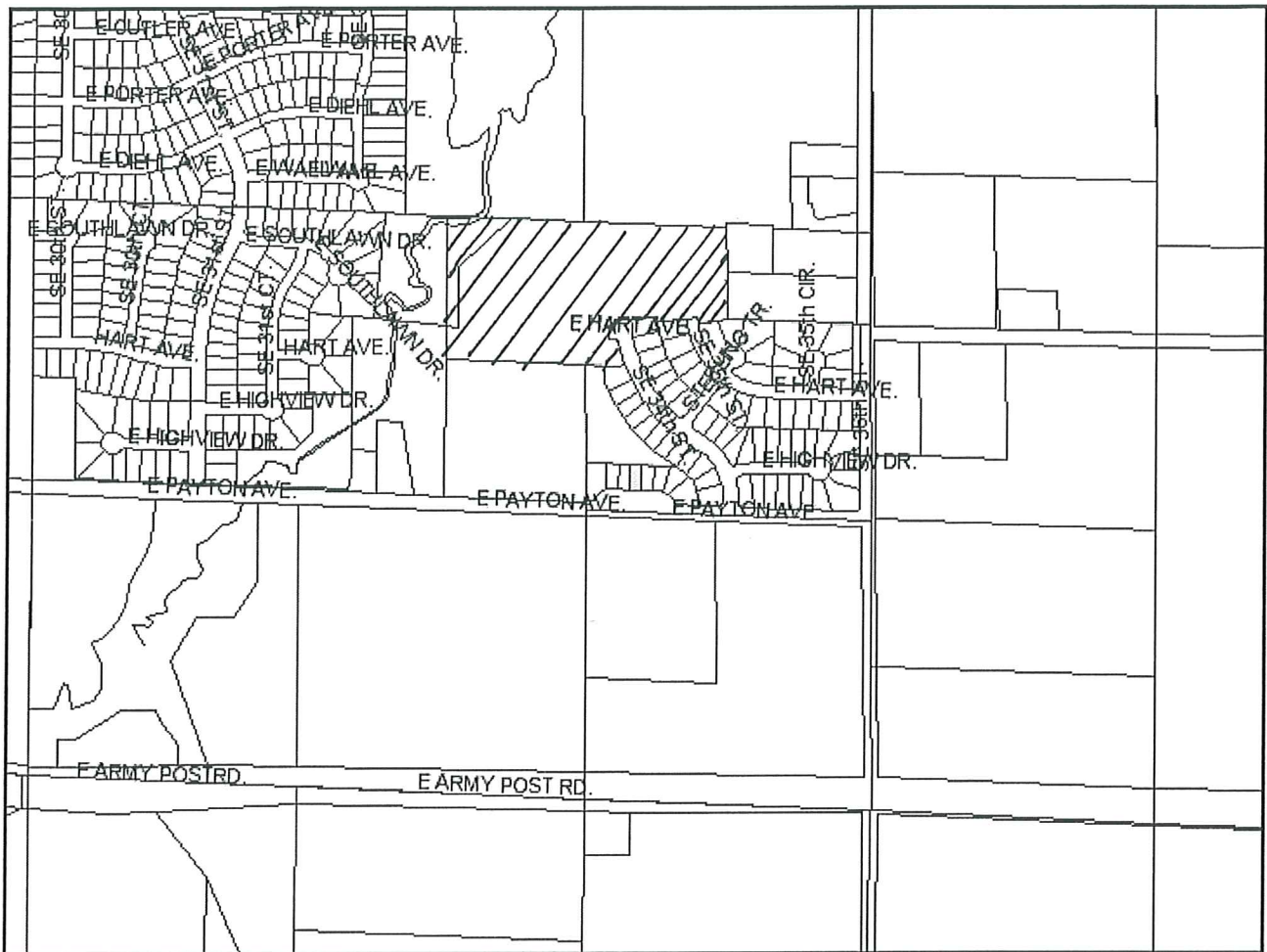
\_\_\_\_\_ Mayor

**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



STERLING TRACE  
PLAT 2