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Date..... December 4, 2006

RESOLUTION CONDITIONALLY APPROVING THE FINAL
SUBDIVISION PLAT ENTITLED SUMMERSFIELD PLAT 1

WHEREAS, the final subdivision plat entitled Summersfield Plat 1, for land located east of E. 46th Street and southeast of Hubbell Avenue, to be developed by Hubbell Properties II, L.C., was submitted to the Community Development Department on November 20, 2006; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on February 2, 2006; 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 three years of the required sidewalks, and recreational trail; 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 Bond No. IAC 73806 from Merchants Bonding Company in the amount of \$56,300 provided as security for the completion of the required public improvements within the plat is hereby approved.
3. The subdivision plat identified above is hereby approved, subject to receipt of an updated title opinion and attachments to plat and approval of same by the City Legal Department.
4. 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)

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5. 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.

6. The Warranty Deed, the Easements for Storm Sewer, the Sanitary Sewer Easements, the Public Trail Easements, and the Temporary Storm Sewer and Water Main Easements provided incident to the plat are hereby approved. The City Clerk is hereby directed to certify to the City's acceptance of such easements.

(Council Communication No. 06- **748**)

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	

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.

_____ Mayor

_____ City Clerk

Summersfield Plat 1 ; 2

- Vicinity of 4615 Hubbell Avenue

