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Date January 24, 2011

**RESOLUTION RELEASING THE PUD RESTORATION BOND
FOR THE WOODS OF COPPER CREEK DEVELOPMENT**

WHEREAS, on May 19, 2008, by Roll Call No. 08-862, the City Council approved the PUD Restoration Bond for The Woods of Copper Creek development, located in the vicinity of 4680 NE 23rd Avenue (now known as Easton Boulevard), and accepted PUD Restoration Bond #IAC87624 from Eco-Tech Construction LLC, as principal and Merchant's Bonding Company as surety, in the amount of \$248,782 as security for the estimated cost of completing the required grading and site restoration for such development project; and,

WHEREAS, on February 22, 2010, by Roll Call No. 10-260, the City Council approved a \$228,782 reduction in the amount of the PUD Restoration Bond for The Woods of Copper Creek development, leaving a balance of \$20,000 as security for the remaining grading and site restoration requirements; and,

WHEREAS, the City Engineer and Community Development Director have certified that the required grading and site restoration have been satisfactorily completed and recommend that the security in the remaining amount of \$20,000 for such improvements be released and returned to the developer; NOW THEREFORE,

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

1. That PUD Restoration Bond #IAC87624 in the remaining amount of \$20,000 from Eco-Tech Construction, LLC and Merchant's Bonding Company, is hereby released for the completion of the required grading and site restoration, and shall be returned to the Principal.
2. That the City Clerk is hereby directed to notify the Principal, Developer and Surety of the release of such security at the following respective addresses:

Merchants Bonding Company
2100 Fleur Drive
Des Moines, IA 50321-1158

HDR Land Development, LLC
213 N. Ankeny Boulevard
Ankeny, IA 50023

Eco-Tech Construction, LLLC
500 Enterprise Drive
Grimes, IA 50111

(continued)

★ **Roll Call Number**

Agenda Item Number

14

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Date January 24, 2011

(Council Communication No. 11- **051**)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

