

Date December 19, 2011

RESOLUTION ACCEPTING PUD RESTORATION BOND FROM HUBBELL CONSTRUCTION LLC FOR GRADING OF PROPERTY AT 4465 E. 46TH STREET

WHEREAS, on September 20, 2005, by Roll Call No. 05-2375, the City Council approved the PUD Concept Plan for the Summersfield development, for land located north of E. Aurora Avenue and east of NE 46th Street, for the development of a single-family residential subdivision and one commercial outlet; and,

WHEREAS, on June 19, 2006, by Roll Call No. 06-1199, the City Council approved and accepted a PUD Restoration Bond (the "original Bond") as security for the estimated cost of timely completion of the required grading, erosion control and site restoration measures for land located in the 4400-4600 blocks of E. 46th Street that was later platted as Summersfield Plats 1 and 2; and,

WHEREAS, on February 28, 2011, by Roll Call No. 11-0299, the City Council approved the release of the original Bond; and,

WHEREAS, Hubbell Construction, LLC, is seeking a new grading permit for the property located at 4465 E. 46th Street and has provided PUD Restoration Bond #IAC103898 in the amount of \$14,766 from Merchants Bonding Company (Mutual) as security for the restoration of the site; and,

WHEREAS, the City Engineer has approved the amount of the security, and the Legal Department has approved the form of the PUD Restoration Bond; NOW THEREFORE,

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

- 1. The PUD Restoration Bond from Merchants Bonding Company (Mutual), provided by Hubbell Construction, LLC, as security for restoration of the site located at 4465 E. 46th Street, is hereby approved and accepted.
2. The City Clerk is hereby directed to hold the PUD Restoration Bonds until otherwise directed.

( Council Communication No. 11- 751 )

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



**Roll Call Number**

**Agenda Item Number**

20

**Date** December 9, 2011

2

FORM APPROVED:

Roger K. Brown  
Assistant City Attorney  
C:\Rog\Plats\Pending\Summersfield.doc

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

Vicinity of 4615 Hubbell Avenue

Summersfield Plat 1 : 2

