

Date June 23, 2014

CONDITIONALLY APPROVING FINAL SUBDIVISION PLAT OF
THE WOODS OF COPPER CREEK PLAT 2

WHEREAS, the final subdivision plat entitled The Woods of Copper Creek Plat 2, for land located in the vicinity of the 4700 block of NE 23rd Avenue (Easton Boulevard), to be developed by HDR Land Development, represented by Larry Handley, President, was submitted to the Community Development Department on June 2, 2014; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on December 7, 2007; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to completion of the required legal documents, and public improvements and completion of the required sidewalks within 3 years; and,

WHEREAS, the necessary attorney's title opinion for the plan 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 entitled The Woods of Copper Creek Plat 2 is hereby approved, subject to receipt of the following, and approval of the same by the City Legal Department:
 - a) Receipt of the required title opinion based upon an updated abstract.
 - b) Receipt of a properly executed *Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement* for the plat.
 - c) Receipt of all other easements to be dedicated to the City pursuant to the plat.
 - d) Receipt of satisfactory security in the amount of \$62,924 for the completion of the required public improvements and sidewalks within the plat.

Date June 23, 2014

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.
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, Century Link 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 various 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 easement.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown, Assistant City Attorney

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(Council Communication No. 14- **306**)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRAY				
HENSLEY				
MAHAFFEY				
GATTO				
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