

Date July 24, 2017

CERTIFICATE OF COMPLETION ACKNOWLEDGING THE
SATISFACTORY COMPLETION OF AN EMERGENCY ACCESS ROAD TO
PROVIDE AN ALTERNATE MEANS OF VEHICULAR ACCESS TO
BROADWAY BUSINESS PARK PLAT 2

WHEREAS, Broadway Business Park Plat 2 contains an dead-end segment of East 50th Street extending south from Broadway Avenue, and Lots 3 through 21 of Broadway Business Park Plat 2 are accessible only from NE 50th Street; and,

WHEREAS, due to changes in the planned use of the lots within Broadway Business Park Plat 2, and changes in the applicable Fire Code requirements, it became necessary to provide an alternate means of emergency access to the southern end of East 50th Street within Broadway Business Park Plat 2; and,

WHEREAS, Hubbell Realty Company and related entities agreed to provide an Emergency Access Road between East 48th Street and the south end of East 50th Street meeting the minimum requirements of the Fire Code pursuant to the following covenants and easements:

- Declaration of Covenants and Conditions from Hubbell Properties II, L.C. (Series C), recorded on January 3, 2017, in Book 16333, at Pages 38-45.
- Fire Access Easement from Broadway Heights Apartments, LLC, recorded on January 3, 2017, in Book 16333, at Pages 46-50.
- Fire Access Easement and Covenant from Summersfield, LLC, recorded on January 3, 2017, in Book 16333, at Pages 51-54.
- Fire Access Easement from Broadway Heights Apartments I, LLLP, recorded on January 3, 2017, in Book 16333, at Pages 55-59.

WHEREAS, the Emergency Access Road has been completed in conformance with the above covenants and easements, and Hubbell Realty Company has requested that the City formally acknowledge the satisfactory completion of such Emergency Access Road.

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

1. This resolution shall serve as a Certificate of Completion to acknowledge the satisfactory completion of the Emergency Access Road in conformance with the requirements of the covenants and easements identified above.
2. The City Clerk is hereby authorized and directed forward a certified copy of this resolution to Hubbell Realty Company, Attn: B.J. Miller, 6900 Westown Parkway West Des Moines, Iowa 50266.



Roll Call Number

Agenda Item Number

43

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Date July 24, 2017

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				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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