

Date August 5, 2019

ACCEPTANCE OF SUBDIVISION IMPROVEMENTS BOND AND CONDITIONAL APPROVAL OF FINAL SUBDIVISION PLAT OF SOUTHWOODS ESTATES PLAT 2

WHEREAS, the final subdivision plat entitled Southwoods Estates Plat 2 for land located at 3800 SW 56<sup>th</sup> Street, to be developed by TK Land Development, LLC, 9550 Hickman Road, Clive, Iowa 50325, Dan Kruse, Manager, was submitted to the Community Development Department on November 5, 2018, with resubmittal on April 1, 2019; and,

WHEREAS, the City Plan and Zoning Commission approved the amended preliminary subdivision plat on July 19, 2018; 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 PlanDSM: Creating Our Tomorrow 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 Southwoods Estates Plat 2 is hereby approved, and subdivision bond No. 54227394 from United Fire & Casualty Company, in the amount of \$87,330 has been received for the completion of the required public improvements including public sidewalk and curb ramp installation within the plat, conditioned on the approval of the bond and all legal documents by the City Legal Department.
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 Developer for delivery to the County Recorder 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, Public Works – Street Department, Public Works – Forestry



**Roll Call Number**

**Agenda Item Number**

10

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Division, Fire Department, Police Department – Research and Development Section, City Traffic and Transportation Division, Information Technology Department, and Community Development Department.

- 5. The Permanent Easements for public utilities, storm sewer, surface water flowage, conservation, and fire access have been 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.

(Council Communication No. 19- **342** )

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

FORM APPROVED:

  
 Thomas G. Fisher, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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