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Date January 27, 2020

**ACCEPTANCE OF LETTER OF CREDIT AND APPROVAL OF A FINAL
SUBDIVISION PLAT FOR THE VILLAGE AT MCKINLEY ACRES FINAL PLAT**

WHEREAS, the final subdivision plat entitled McKinley Acres Final Plat, for land located in the vicinity of 3401 McKinley Avenue, to be developed by RBLR Holdings, LLC, 31385 Champagne Road, Waukee, IA, 50263, Rob Lee Bierma Authorized Agent was submitted to the Community Development Department on October 10, 2019

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on July 18, 2019; 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. 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.
3. The Irrevocable Letter of Credit number 109076808 in the amount of \$3,286.00 from Luana Savings Bank has been provided as surety for the required public improvements, which include a combined 155 l.f. of 5' public sidewalk along McKinley Avenue is hereby accepted.
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

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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. 20- 037)

MOVED by _____ to adopt.

FORM APPROVED:

Thomas G. Fisher Jr.
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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