

★ Roll Call Number
08-474

✓
Agenda Item Number
17

Date March 24, 2008

WHEREAS, the subdivision plat entitled Easter Lake Pointe Plat 2, located north of Easter Lake Drive in the vicinity of SE 32nd Street, developed by the Legacy Group, John Kline (Officer), was approved by the City Council on October 19, 1998, by Roll Call No 98-3215, and the City received Subdivision Bond No. IAC 25954 from Merchants Bonding Company in the amount of \$149,952.00 as security for completing the required sidewalks and erosion control measures for such plat; and,

WHEREAS, on January 27, 2003, by Roll Call No. 03-143, and on April 5, 2004, by Roll Call No. 04-703, the City Council approved reductions and partial releases of such bond to the remaining amount of \$37,488 in recognition of the partial completion of the required sidewalks; and,

WHEREAS, the City Engineer and Community Development Director have certified that the required improvements have been satisfactorily completed and recommend that the remaining security in the amount of \$37,488 for such improvements be released and returned to the developer; NOW THEREFORE,

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

1. That Sidewalk Bond No. IAC 25954 in the remaining amount of \$37,488 from Merchants Bonding Company as Surety, is hereby released and shall be returned to the Surety now that the improvements have been completed.

2. That the City Clerk be and is hereby directed to notify the Principal and Surety of the release of such security at the following respective addresses:

The Legacy Group
Attn: John Kline, Principal
2171 Grand Avenue
West Des Moines, IA 50265

Merchants Bonding Company
2100 Fleur Drive
Des Moines, IA 50321

(Council Communication No. 08-147)

(continued)

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-2-

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED 7-0-0 APPROVED
T. M. Franklin

Mayer

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.

Diane Rauh City Clerk