

★ **Roll Call Number**  
08-1413

**Agenda Item Number**  
12

**Date** August 11, 2008

WHEREAS, the final subdivision plat entitled **Prairie Hills of Des Moines Plat 1**, for land located in the vicinity of 2680 East Payton Avenue, to be developed by Prairie Hills of Des Moines LLC, represented by Tim Hildebrandt (officer), was submitted to the Community Development Department on May 28, 2008; and,

WHEREAS, the Des Moines Plan and Zoning Commission approved the preliminary subdivision plat on January 17, 2008; and,

WHEREAS, the Permit and Development Administrator has recommended conditional approval of the final subdivision plat, subject to completion of the required public improvements and completion within three years of the required sidewalks and recreation trail, and completion within one year of the required public streets, sanitary and storm sewers, and,

WHEREAS, the necessary attorney's title opinion, consent to plat and other attachments to the plat have not yet been submitted; and,

WHEREAS, a subdivision improvement bond in the amount of \$31,232.00, as surety for the estimated cost of the required erosion control and as-built survey has been received and approved by the City Legal Department, but additional security is still required for the completion of the required sidewalks; 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 of Prairie Hills of Des Moines Plat 1 is hereby approved, subject to: a) receipt of the required title opinion and attachments to the plan; b) receipt of a covenant requiring Outlot X to be owned and maintained by the owner of Lot 1 unless conveyed for assemblage into the adjoining lots to the west; c) receipt of additional security in the amount of \$18,656 for completion of the required sidewalks; and, d) approval of same by the City Legal Department.

( continued )

Date August 11, 2008

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, Qwest 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 Permanent Easement for Storm Sewer and Surface Water Flowage, Permanent Easement for Storm Sewer Right of Way, Permanent Easement for Sanitary Sewer Right-of-Way, and the Permanent Conservation Easement 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.
6. The two Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreements provided incident to the said subdivision plat are hereby accepted and approved, and the Mayor and City Clerk are hereby authorized and directed to execute the agreements on behalf of the City.

( Council Communication No. 08- 470 )

MOVED by Hensley 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			

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

MOTION CARRIED

APPROVED

T. M. Franklin  
Mayor