

Date September 22, 2008

WHEREAS, the final subdivision plat entitled **Wakonda Plat 1**, for land located at 1900 Park Avenue, to be developed by Wakonda Living, LLC, represented by R. Michael Hays (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 April 3, 2008; and,

WHEREAS, the Permit and Development Administrator has recommended conditional approval of the final subdivision plat, subject to receipt of necessary legal documents and completion of the required public improvements within one year of the sanitary and storm sewers, and,

WHEREAS, the necessary attorney's title opinion, consent to plat and other legal documents for the plat have been submitted, but the title opinion and some of the required easements must be amended and updated; 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 entitled Wakonda Plat 1 is hereby approved, subject to receipt of the amended and updated title opinion and easements, and approval of the same by the City Legal Department and the City Engineer.
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

Date September 22, 2008

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 Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement, and the Shared Private Sewer Line Maintenance Covenant and Permanent Easement Agreement provided incident to the subdivision plat are hereby approved and accepted. The Mayor is hereby authorized and directed to sign the said Agreements on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature on such Agreements.
- 6. The other easement documents for the easement areas identified on the subdivision plat of Wakonda Plat 1 and 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. 08- 586)

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			

MOTION CARRIED

APPROVED

J. M. Franklin
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.

Diane Rauh City Clerk