

★ Roll Call Number 09-375

Agenda Item Number 14

Date March 9, 2009

WHEREAS, on December 18, 2006, by Roll Call No. 06-2481, the City Council approved the PUD Restoration Bond for the Drake-Hubbell Housing development, located in the vicinity of 31<sup>st</sup> Street and Carpenter Avenue and accepted PUD Restoration Bond #IAC73839 from Merchant's Bonding Company, in the amount of \$41,287 as security for the estimated cost of completing the required grading and site restoration for such development project; and,

WHEREAS, the City Engineer and Community Development Director have certified that the required grading and site restoration have been satisfactorily completed and recommend that the security in the amount of \$41,287 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 PUD Restoration Bond #IAC73839 in the amount of \$41,287 from Hubbell Realty Company, and Merchant's Bonding Company, is hereby released as security for the satisfactory completion of the required grading and site restoration, and shall be returned to the Principal.
2. That the City Clerk is hereby directed to notify the Principal and Surety of the release of such security at the following respective addresses:

Hubbell Realty Company  
Steve Niebuhr  
6900 Westown Parkway  
West Des Moines, IA 50266

Merchant's Bonding Company  
2100 Fleur Drive  
Des Moines, IA 50321

MOVED by Vlassis to adopt.

FORM APPROVED:

( Council Communication No. 09- 135 )

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 Fauh City Clerk

MOTION CARRIED

APPROVED

T. M. Franklin Course  
Mayor