



Roll Call Number

09-619

Agenda Item Number

15

Date April 20, 2009

WHEREAS, the final subdivision plat entitled **Hayes Addition to Capitol Heights No. 2**, for land located at 4353 NE Aurora in unincorporated Polk County, to be developed by Chris and Christine Hayes, (applicant), 3608 Cottonwood Drive, Waukee, IA 50263, was submitted to the Community Development Department on April 9th; and,

WHEREAS, the Des Moines Plan and Zoning Commission approved the preliminary subdivision plat on February 25, 2008; and,

WHEREAS, on April 7, 2008 the City Council by Roll Call No. 08-557 approved the final subdivision plat for Hayes Addition to Capitol Heights No. 2, which approval has since lapsed by operation of Municipal Code Sec.106-75; and

WHEREAS, the plat is located in unincorporated Polk County within the 2 mile review area beyond Des Moines city limit. Polk County is responsible for enforcement of any requirements placed on the plat; and

WHEREAS, all necessary attachments are subject to review and approved by the Polk County Legal Department for conformance with Iowa Code Sections 355.8, 354.6, and 354.11,

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 entitled Hayes Addition to Capitol Heights No. 2 conforms to the City of Des Moines platting requirements, 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 Mayor and City Clerk are hereby authorized and directed to execute approval of all copies of said subdivision plat as appropriate.
3. The City Clerk is directed to provide an approved copy of the subdivision plat and a certified copy of this resolution to the Physical Planning Division of the Polk

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County Engineering Department, to the City Community Development Department and to City Land Records.

(Council Communication No. 09- 219)

MOVED by Vlassis to adopt.

FORM APPROVED:

Michael F. Kelley

Michael F. Kelley
Assistant City Attorney

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

MOTION CARRIED

APPROVED

T. 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