

★ Roll Call Number  
09-1313

Agenda Item Number  
13

Date July 27, 2009

WHEREAS, on November 7, 2005, by Roll Call Numbers 05-2649, 05-2650 and 05-2651, the City Council approved the subdivision plats entitled Brook Run Village Plats 13, 14, and 15, respectively, located north of East Hull Avenue, west of Village Run Drive and south of East Douglas Avenue, owned and being developed by Brook Run, L.C., principal, and accepted Letters of Credit No. 003, 004 and 005 from Two Rivers Bank and Trust to secure the satisfactory completion and payment of the required public sidewalks, as-built engineering survey and inspection costs; and,

WHEREAS, the three original Letters of Credit have now expired, and,

WHEREAS, Brook Run L.C. has provided a single new Irrevocable Letter of Credit from Two Rivers Bank and Trust in the amount of \$89,742 in replacement of the original Letters of Credit as security for the remaining subdivision improvements to be completed within the three plats; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the new Irrevocable Letter of Credit in the total amount of \$89,742 from Brook Run L.C. and Two Rivers Bank and Trust is hereby approved and accepted as security for the remaining sidewalk and subdivision improvements in Brook Run Village Plats 13, 14, and 15.

( Council Communication No. 09- 502 )

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	✓			
VLISSIS	✓			
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.

MOTION CARRIED APPROVED  
T. M. Franklin  
Mayor

Diane Fauh City Clerk