



Roll Call Number

10-260

Agenda Item Number

17

Date February 22, 2010

**RESOLUTION PARTIALLY RELEASING THE PUD RESTORATION BOND
FOR THE WOODS OF COPPER CREEK DEVELOPMENT**

WHEREAS, on May 19, 2008, by Roll Call No. 08-862, the City Council approved the PUD Restoration Bond for The Woods of Copper Creek development, located in the vicinity of 4680 NE 23rd Avenue (also known as Easton Boulevard), and accepted PUD Restoration Bond #IAC87624 from Eco-Tech Construction, L.L.C., as principal and Merchant's Bonding Company as surety, in the amount of \$248,782 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 partially completed and recommend that the security be partially released and reduced to \$20,000; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That PUD Restoration Bond #IAC87624 in the amount of \$248,782 from Eco-Tech Construction, L.L.C., and Merchant's Bonding Company, is hereby released in part and reduced to the amount of \$20,000 as security for the satisfactory completion of the remaining grading and site restoration work.
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:

Merchants Bonding Company
2100 Fleur Drive
Des Moines, IA 50321-1158

HDR Land Development, LLC
213 N. Ankeny Boulevard
Ankeny, IA 50023

Eco-Tech Construction, L.L.C.
500 Enterprise Drive
Grimes, IA 50111

(continued)

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(Council Communication No. 10- 076)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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.

T. M. Franklin Council
 Mayor

Diane Rauh
 City Clerk