



Roll Call Number

10-1025

Agenda Item Number

14

Date June 28, 2010

WHEREAS, the final subdivision plat entitled Habitat 20/10, for land located at 1005 Maury Street, to be developed by Greater Des Moines Habitat for Humanity Inc., represented by Lance Henning, Director, was submitted on April 5, 2010; and,

WHEREAS, the Des Moines Plan and Zoning Commission approved the preliminary subdivision plat on February 8, 2010; and,

WHEREAS, the Permit and Development Center Administrator has recommended conditional approval of the final subdivision plat, subject to completion of the required sanitary and storm sewers, and the storm water detention basin; and,

WHEREAS, the necessary attorney's title opinion, consent to plat, applicable easements, and other legal documents for the plat have been submitted, but must be updated; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 35.8, 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, that:

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 identified above is hereby approved, subject to receipt of the required updated title opinion, *Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement* and easements for the public storm and sanitary sewers, and approval of same by the City Legal Department.
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 by the plat proprietors. The City Clerk is hereby further directed to send a copy of the

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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 easements for the public storm and sanitary sewers 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 document.

(Council Communication No. 10- 370)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7 yeas).

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