

★ Roll Call Number

10-1196

Agenda Item Number

9

Date July 26, 2010

RESOLUTION CONDITIONALLY APPROVING FINAL SUBDIVISION PLAT  
OF BROWNSTONES ON GRAND PLAT 2

WHEREAS, the final subdivision plat entitled **Brownstones on Grand Plat 2**, for land located in the vicinity of 201 Grand Avenue to be developed by Brownstones on Grand, LLC, represented by Steve Niebuhr, Senior Vice President, was submitted on July 16, 2010; and,

WHEREAS, the Des Moines Plan and Zoning Commission approved the preliminary subdivision plat on May 6, 2010; and,

WHEREAS, the necessary attorney's title opinion, consent to plat and other legal documents for the plat have been submitted, but the attorney's title opinion is outdated; and,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 final subdivision plat identified above is hereby approved, subject to receipt of an updated title opinion and approval of the 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

( continued )

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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.

( Council Communication No. 10- 452 )

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.

MOTION CARRIED 7 APPROVED  
T. M. Franklin  
 Mayor

Diane Rauh  
 City Clerk