

★ Roll Call Number  
10-1687

Agenda Item Number  
41C

Date October 11, 2010

RESOLUTION RELEASING SUBDIVISION IMPROVEMENT BOND  
FOR SAWYER'S LANDING PLAT 2

WHEREAS, on July 23, 2007, by Roll Call No. 07-1397, the City Council approved the subdivision plat entitled Sawyer's Landing Plat 2 for property in the vicinity of Twana Drive and 29<sup>th</sup> Street, to be developed by Savannah Homes, Inc, Ted Grob, Principal; and,

WHEREAS, by said Roll Call, the City Council further authorized the approval and acceptance of Subdivision Bond No IAC-77156 from Merchant's Bonding Company (Mutual) in the amount of \$56,634 as security for the estimated cost of restoration of a temporary cul-de-sac bulb, curb and gutter and residential driveways associated with the extension of Merced Drive and 30<sup>th</sup> Street; and,

WHEREAS, the City Council has approved the City-initiated request for the vacation of a dead-end segment of Merced Drive and a dead-end segment of 30<sup>th</sup> Street running south of Merced Drive, both segments adjoining the property at 2996 Merced Drive, upon a determination that such rights-of-way are not needed for any public purpose; and,

WHEREAS, the vacation of the dead-end segments of 30th Street and Merced Drive as described above will eliminate the need for, and the opportunity to construct, the public improvements secured by Subdivision Bond No. IAC-77156.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. Subject to the final passage of an ordinance vacating the dead-end segments of 30th Street and Merced Drive adjoining 2996 Merced Drive as described above, Subdivision Improvement Bond No IAC-77156 in the amount of \$56,634 from Savannah Homes, Inc. and Merchant's Bonding Company, is hereby released as security for the satisfactory completion of the required improvements to extend Merced Drive and 30th Street, and such bond shall be returned to the Principal.
2. Upon satisfaction of the conditions identified in paragraph 1, above, the City Clerk is hereby directed to notify the Principal and Surety of the release of such security at the following respective addresses:

( continued )

★ Roll Call Number  
10-11087

Agenda Item Number  
41C

Date October 11, 2010

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

Savannah Homes, Inc.  
 1307 50<sup>th</sup> Street  
 West Des Moines, IA 50266

Council Communication No. 10- 601 )

MOVED by Griess 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