



**Roll Call Number**

16-0036

**Agenda Item Number**

14

**Date** January 11, 2016

CONDITIONALLY APPROVING FINAL SUBDIVISION PLAT OF  
CARMAN ESTATES PLAT 8

WHEREAS, the final subdivision plat entitled Carman Estates Plat 8, for land located in the 2300 block of E. Porter Avenue, to be developed by Jerry's Homes, Inc., represented by Chip Classon, Officer, was submitted to the Community Development Department on January 4<sup>th</sup>, 2016; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on December 4, 2014; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to completion of the required legal documents; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 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, as follows:

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 of Carman Estates Plat 8 is hereby approved, subject to receipt of an updated title opinion and attachments to plat 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 subdivision plat to the Board of Education, Century Link Communications, Mid-American Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post

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Office – Technical Sales and Services, 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 for this subdivision is hereby approved, and the Mayor and City Clark are hereby authorized and directed to execute the Agreement on behalf of the City. The other easements 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 easement.

( Council Communication No. 16- 006 )

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

7. M. Franklin Council Mayor

Diane Rauh City Clerk