

★ **Roll Call Number**
18-1702

Agenda Item Number
40C

Date October 8, 2018

CONDITIONALLY APPROVING FINAL SUBDIVISION
PLAT OF SUMMERSFIELD PLAT 4

WHEREAS, the final subdivision plat entitled Summersfield Plat 4, for land located east of E. 46th Street and southeast of Hubbell Avenue, to be developed by Summersfield LLC, 6900 Westown Parkway, West Des Moines, IA 50266, Joe Pietruszynski, Officer, was submitted to the Community Development Department on August 10, 2018; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on February 2, 2006; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to recording the conveyance ownership from the City of Des Moines to Hubbell Realty Company of the property required for fire access and acceptance of final legal documents by the City Legal Department; 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 PlanDSM: Creating Our Tomorrow 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 entitled Summersfield Plat 4 is hereby approved, and subdivision bond number IAC588309 from Merchant's Bonding Company, in the amount of \$25,580 has been received for the completion of the required public improvements and sidewalks within the plat, 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 Developer for delivery to the County Recorder 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



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Education, Century Link Communications, Mid-American Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post 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 Permanent Easements for public utilities, storm sewer, surface water flowage, conservation, and fire access have been 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.

MOVED by Westergaard to adopt.

(Council Communication No. 18- 509)

FORM APPROVED:

Thomas G. Fisher Jr. Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL (7). Includes MOTION CARRIED and APPROVED checkboxes.

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.

J. M. Frankin Council Mayor

Diane Rauh City Clerk