

★ **Roll Call Number**  
19-1307

**Agenda Item Number**  
11F

DATE August 19, 2019

APPROVING COMPLETION AND ACCEPTANCE OF THE  
STORMSEWER IMPROVEMENTS SET FORTH IN AND CONSTRUCTED  
PURSUANT TO SAID PRIVATE CONSTRUCTION CONTRACT, SOUTHWOODS ESTATES PLAT2,  
BETWEEN PRIORITY EXCAVATING LLC AND TK DEVELOPMENT, L.L.C.

WHEREAS, on August 20, 2018 under Roll Call No. 18-1388, the City Council approved a private construction contract in the amount of \$131,539.00, between Priority Excavating, LLC, Toby T. Torstenson, Owner, 9550 Hickman Road, Ste. 101, Clive, IA, 50325 - as Contractor, and TK Development, L.L.C., Dan Kruse, Owner, 9550 Hickman Rd, Suite 101, Clive, IA, 50325 - as Owner, for construction of StormSewer Improvements described as storm sewer improvements to service Southwoods Estates Plat 2, a planned unit development consisting of 27 residential lots, as shown on Plan File Numbers 584-091/099, and granted permission to the parties of said contract to construct these improvements in accordance with the contract documents and subject to the inspection and approval of the Des Moines City Engineer.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer acknowledging the completion and recommending the acceptance of the construction of said StormSewer Improvements in the amount of \$131,539.00, which have been constructed in substantial compliance with the contract documents between Priority Excavating, LLC and TK Development, L.L.C., which were approved under Roll Call No. 18-1388, dated August 20, 2018, be received and filed; and that completion of said StormSewer Improvements described as storm sewer improvements to service Southwoods Estates Plat 2, a planned unit development consisting of 27 residential lots, as shown on Plan File Numbers 584-091/099, is hereby acknowledged and that said StormSewer Improvements are hereby accepted.

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Activity ID 08-2019-105

Moved by Boesen to adopt.

FORM APPROVED:

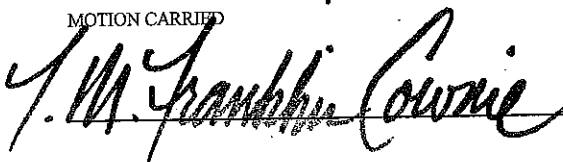
  
Kathleen Vanderpool  
Deputy City Attorney

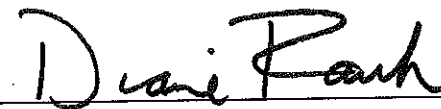
SLN Funding Source: All project costs are to be paid by the Owner(s), TK Development, L.L.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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 APPROVED  
  
Mayor

  
City Clerk