



Roll Call Number

21-1650

Agenda Item Number

15

Date November 1, 2021

CONDITIONALLY APPROVING WOODS OF COPPER CREEK PLAT 5 FINAL PLAT
AND ACCEPTANCE OF SUBDIVISION IMPROVEMENTS AND PUD RESTORATION
BONDS

WHEREAS, on June 27, 2011, by Roll Call No. 11-1151, the City Council approved to amend The Woods of Copper Creek PUD Conceptual Plan (4700 Block of NE 23rd Avenue.) revising the southeastern five acres removing it from Area "C" for multiple-family and adding to Area "A" for single-family development, subject to conditions,

WHEREAS, DR Horton-Iowa LLC, is seeking a Grading Permit for construction on property within The Woods of Copper Creek Plat 5 located in the vicinity of E. 50th Court and Grand View Avenue, and,

WHEREAS, the City Engineer has approved the amount of the security for subdivision improvements and PUD restoration.

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

1. Subdivision Improvements Bond No. SUR0070214 in the amount of \$161,120.00 and PUD Restoration Bond No. SUR0070215 from Argonaut Insurance Company, in the amount of \$131,970, is hereby accepted and approved as adequate security for the restoration of the site to be developed in the vicinity of E. 50th Court and Grand View Avenue within The Woods of Copper Creek Plat 5.
2. The City Clerk is hereby directed to hold the bond as security for the restoration of the project site until otherwise directed.

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.



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2. Upon satisfaction of the conditions set forth below, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.
3. 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 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.
4. The Permanent Easements for public utilities, storm sewer, surface water flowage, stormwater management facilities, and sidewalk, have been provided incident to the said subdivision plat are hereby approved and accepted subject to the final approval of the City Legal Department, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on each such easement upon approval by the City Legal Department.

MOVED by *Gatto* to adopt.

(Council Communication No. 21- 471)

FORM APPROVED:

Judy K. Parks-Kruse
 Judy K. Parks-Kruse
 Assistant City Attorney



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1
MOTION CARRIED		APPROVED		
<i>Linda Westergaard</i>				
_____ Mayor				

MAYOR PRO TEM

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk