



Roll Call Number

25-0022

Agenda Item Number

12

Date January 13, 2025

APPROVAL OF FINAL SUBDIVISION PLAT AND ACCEPTANCE OF SUBDIVISION BOND FOR WOODBURY PLAT 2

WHEREAS, the final subdivision plat entitled Woodbury Plat 2, for property located in the vicinity of E 56th Street and Leyden Avenue, to be developed by Timbercrest Homes LLC, 5721 Merle Hay Road, Suite 18, Johnston, Iowa, and J. Larson Homes, LLC, 10604 NW 74th Place, Johnston, Iowa, John Larson, authorized agent, was submitted to the Development Services Department on May 9, 2024; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on March 5, 2020; 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; and,

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

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. Subdivision bond number GSH9600111 from The Gray Casualty & Surety Company, in the amount of \$265,100.00, is hereby accepted and approved as adequate public security for the completion of the required public improvements including public sidewalk within the plat. However, due to the real estate within the plat being owned by two separate entities, as an explicit condition of the Council's approval of this plat, said bond shall not be released until such time that the required public improvements including public sidewalk have been completed as to the entirety of the plat.
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.



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- 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 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 Development Services Department.
- 5. The Permanent Easements for public utilities, surface water flowage, storm sewer and surface water flowage, sanitary sewer, and stormwater management facilities that have been provided incident to 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 such agreement upon approval by the City Legal Department.

MOVED by Gatto to adopt.

SECOND by Mandelbaum.

(Council Communication No. 25- 021)

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| BOESEN | ✓ | | | |
| SIMONSON | ✓ | | | |
| VOSS | ✓ | | | |
| COLEMAN | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| GATTO | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Connie Boesen Mayor

Laura Baumgartner City Clerk