

★ Roll Call Number
09-270

Agenda Item Number
16

Date February 23, 2009

WHEREAS, on June 22, 1998, by Roll Call No. 98-2012, the City Council approved the subdivision plat entitled Easter Lake Pointe Plat 1, located along SE 32nd Street, on the north side of Easter Lake Drive and accepted Subdivision Improvement Bond IAC 25165 in the amount of \$72,023 as security for the estimated cost of completing the required sidewalk and erosion control improvements for such plat; and,

WHEREAS, on January 28, 2002, by Roll Call No. 02-215, and on June 9, 2003, by Roll Call No. 03-1272, the City Council approved the reduction of Subdivision Improvement Bond IAC 25165 to the remaining amount of \$18,005, and,

WHEREAS, the City Engineer and Community Development Director have certified that the required sidewalks and erosion control improvements have been satisfactorily completed and recommend that the security in the remaining amount of \$18,005 for such improvements be released and returned to the developer; NOW THEREFORE,

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

1. That Subdivision Improvement Bond IAC 25165 in the remaining amount of \$18,005, from The Legacy Group, L.C. and Merchant's Bonding Company, is hereby released as security for the satisfactory completion of the required improvements, and shall be returned to the Principal.
2. That the City Clerk is hereby directed to notify the Principal and Surety of the release of such security at the following respective addresses:

The Legacy Group, L.C.
C/O: John Kline
4000 Westown Parkway
West Des Moines, IA 50265

Merchant's Bonding Company
2100 Fleur Drive
Des Moines, IA 50321

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown, Assistant City Attorney

(Council Communication No. 09- 090)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
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.

MOTION CARRIED APPROVED
T. M. Franklin
Mayor

Diane Rauh City Clerk