

★ Roll Call Number
09-271

Agenda Item Number
17

Date February 23, 2009

WHEREAS, on December 3, 2002, by Roll Call No. 03-2714, the City Council approved the subdivision plat entitled Carman Estates Plat 3, located along Hart Avenue east of Indianola Avenue and accepted Subdivision Improvement Bond No. IAC 35624 from Merchant's Bonding Company in the original amount of \$19,538 as security for the estimated cost of completing the required sidewalk and recreation trail improvements for such plat; and,

WHEREAS, on May 7, 2007, by Roll Call No. 07-851, the City Council approved a reduction of Subdivision Improvement Bond No. IAC 35624 to the remaining amount of \$8,828, to reflect the partial completion of the required improvements, and,

WHEREAS, the City Engineer and Community Development Director have certified that the required sidewalks and recreation trail improvements have been satisfactorily completed and recommend that the security 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 No. IAC 35624 in the remaining amount of \$8,828 from Jerry's Homes, Inc., and Merchant's Bonding Company, is hereby released as security for the satisfactory completion of the required sidewalks and recreation trail 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:

Jerry's Homes, Inc.
C/O: Gerald D. Grubb
3301 NW 106th Circle
Urbandale, IA 50322

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

(Council Communication No. 09- 089)

MOVED by Hensley to adopt.

FORM APPROVED:

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

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.

Diane Rauh City Clerk

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor