

★ Roll Call Number
09-276

Agenda Item Number
18 E

Date February 23, 2009

WHEREAS, on February 4, 2002, by Roll Call No. 02-344, the City Council approved the subdivision plat entitled Brook Run Village Plat 7, located south of E. Douglas Avenue and along Brook View Drive and accepted Irrevocable Letter of Credit #2002-09-04 from Liberty Bank, FSB, in the amount of \$32,920 as security for the estimated cost of completing the required sidewalks for such plat; and,

WHEREAS, the City Engineer and Community Development Director have certified that the required sidewalks have been satisfactorily completed and recommend that the security in the amount of \$32,920 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 Irrevocable Letter of Credit #2002-09-04 in the amount of \$32,920 from Brook Run, LC, and Liberty Bank, FSB, is hereby released as security for the satisfactory completion of the required sidewalks, 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:

Brook Run, L.C.
Tom Gratiias
3501 Westown Parkway
West Des Moines, IA 50266

Liberty Bank, FSB
3800 100th Street
Urbandale, IA 50322

(Council Communication No. 09- 087)

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