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Date June 5, 2006

WHEREAS, the subdivision plat entitled Summersfield Plat 1, located north of East Aurora Avenue, and east of East 46<sup>th</sup> Street, and southeast of Hubbell Avenue, to be developed by Hubbell Realty Company, Tim Newbury, Managing Member, was approved by the Des Moines Plan and Zoning Commission on February 2, 2006; and,

WHEREAS, a PUD Restoration bond is required to be submitted and approved by the Des Moines City Council pursuant to Section 134-706 of the City Code before grading can commence within the plat; and

WHEREAS, the Engineering Department has determined that a PUD Restoration bond in the amount of \$130,486 is appropriate and necessary to assure the timely completion of the required grading and site restoration; and

WHEREAS, a Subdivision Bond No. IAC 62706 from Merchants Bonding Company (Mutual) in the amount of \$130,486 as security for the estimated cost of restoring the land for such plat has been submitted; NOW THEREFORE,

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

1. That Subdivision Bond No. IAC 62706 in the amount of \$130,486 from the Hubbell Realty Company, Tina Newbury, Managing Member, and Merchants Bonding Company (Mutual) as Surety, is hereby accepted as security for the satisfactory completion of the required grading and site restoration.
2. That the City Clerk be and is hereby directed to retain the said bond until further notice.

( Council Communication No. 06- 353 )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

**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.

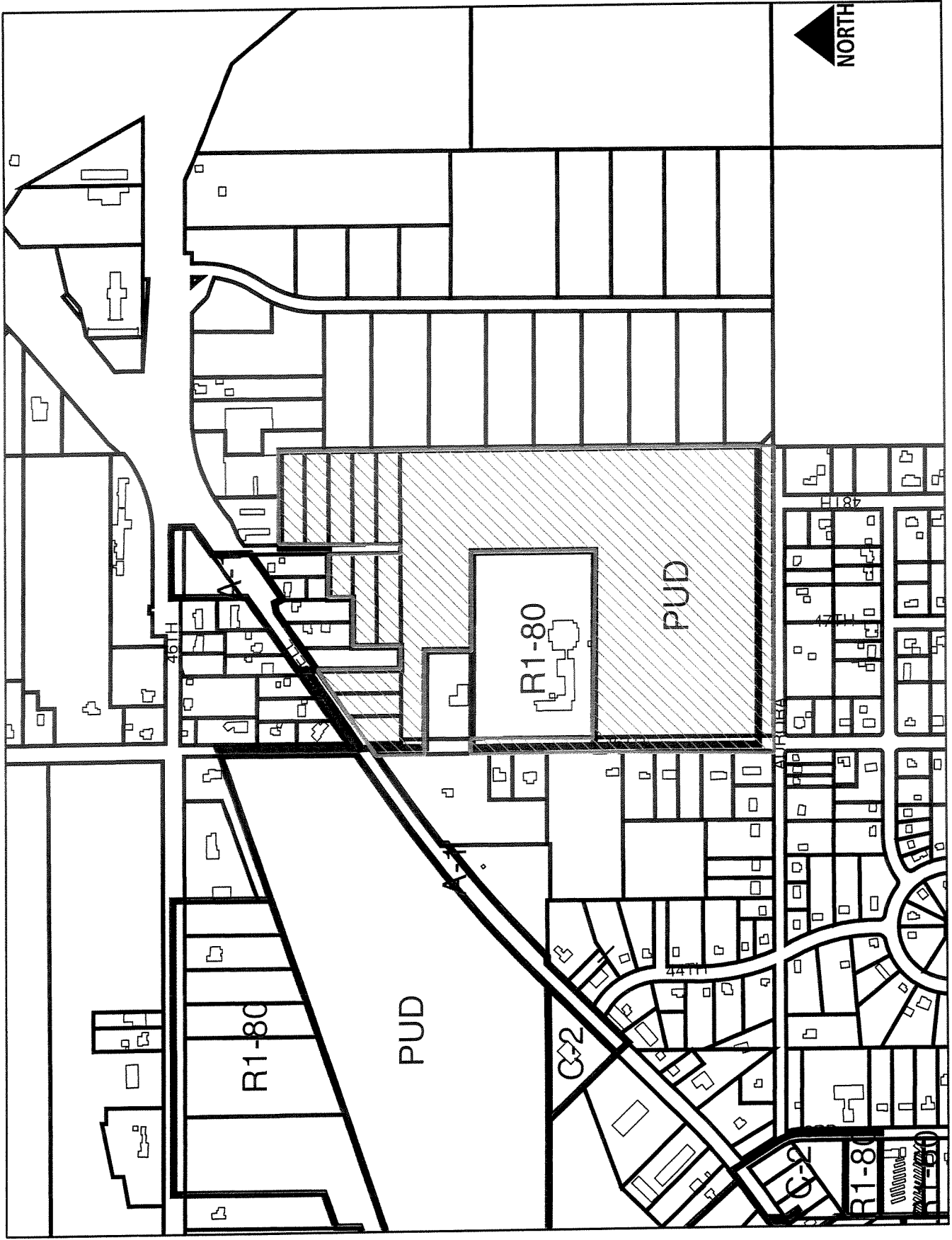
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



DEPARTMENT OF ENGINEERING

CITY OF DES MOINES, IOWA

PUD RESTORATION ESTIMATE

DATE: May 17, 2006

Before approval may be given to the PUD entitled SUMMERSFIELD a bond is required for site restoration in the amount of these estimated costs:

RESTORATION:

Grading	36,000 CY @ \$ 2.00/CY	= \$ 72,000.00
Filter socks/Silt fence	4,700 LF @ \$ 3.00/LF	= \$ 14,100.00
Seeding and mulching	35 acres @ \$ 1,000.00/AC	= \$ 35,000.00
Silt basin outlet	2 EA @ \$ 1,000.00	= \$ 2,000.00
	Total	= \$123,100.00
Engineering and inspection	\$123,100.00 @ 6%	= \$ 7,386.00
	Total Restoration	= \$ 130,486.00

COMPUTED BY

*Doss H. Stepp*

APPROVED BY

*JLEBrow*  
(City Engineer)

CHECKED BY

*Dave Colbert*

*Larry Hale*  
(Community Development Director)

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West Des Moines, IA 50266  
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515-243-3228  
FAX 515-280-2000

May 25, 2006

Mr. Ross Stafford  
Permit and Development Center  
City of Des Moines, Iowa  
602 Robert D. Ray Drive  
Des Moines, IA 50309-1881

RE: Summersfield Plat 1, City of Des Moines, Iowa

Dear Mr. Stafford:

Thank you for bringing to my attention that there was a typographical error on the previously submitted restoration bond for the above-referenced project. Our insurance agent has prepared a new bond and I enclose it herewith.

Again, thank you for your assistance. Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,

**HUBBELL PROPERTIES II, L.C. (SERIES H)**  
**By: Hubbell Realty Company, Managing Member**

**Tina M. Newbury**  
**Paralegal**  
**Telephone: 515-280-2032**  
**Fax: 515-280-2001**  
**E-mail: tina.newbury@hubbellrealty.com**

Enclosure

cc: Joe Pietruszynski  
Doug Saltgaver