

Date..... September 11, 2006

RESOLUTION APPROVING "PUD" RESTORATION BOND FOR THE SAWYER'S LANDING DEVELOPMENT

WHEREAS, on January 9, 2006, by Roll Call No. 06-077, the City Council approved a "PUD" Conceptual Plan titled "Sawyer's Landing" for the property located east of Lower Beaver Road at the eastern terminus of Bel Air Road, Twana and Valdez Drives and at the northern terminus of Martin Luther King Jr. Parkway, which is now owned by Tai Village, Inc., represented by Leunh Baccam, President, and Savannah Homes, Inc., represented by Ted Grob; and,

WHEREAS, a preliminary subdivision plat for the Sawyer's Landing development was approved by the Des Moines Plan and Zoning Commission on April 20,2006; and,

WHEREAS, Savannah Homes, Inc., has requested a grading permit for the Sawyer's Landing development; 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 the grading permit can be issued; and

WHEREAS, the Engineering Department has determined that a PUD Restoration Bond in the amount of \$104,331 is appropriate and necessary to assure the timely completion of the required grading and site restoration; and

WHEREAS, Bond No. IAC 67113 from Merchants Bonding Company (Mutual) in the amount of \$104,331 has been submitted as security for the estimated cost of restoring the land; NOW THEREFORE,

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

- 1. That Bond No. IAC 67113 in the amount of \$104,331 from the Eco-Tech as Principal, and Merchants Bonding Company (Mutual) as Surety, is hereby approved and accepted as security for the satisfactory completion of the required grading and site restoration within the Sawyer's Landing development.

(continued)

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2. That the City Clerk be and is hereby directed to retain the said bond until further notice.

(Council Communication No. 06- 563)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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