

Date February 5, 2024

**RESOLUTION PARTIALLY RELEASING SUBDIVISION BOND FOR
BROOK LANDING PLAT 2**

WHEREAS, on August 17, 2020, by Roll Call Number 20-1309 the City Council approved the subdivision bond for the development entitled Brook Landing Plat 2, located in the vicinity of 5300 Brook View Avenue, to be developed by Brook Landing, LLC, Jon Galloway, Authorized Agent, and accepted bond number NIA3439 from Merchants Bonding Company, to secure the satisfactory completion and payment of the required sidewalk improvements and as-built survey costs; and,

WHEREAS, the City Engineer has certified that a portion of the sidewalk improvements have been completed and recommends that the security be reduced from \$87,360.00 to 43,680.00;

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

1. That Subdivision Bond number NIA3439 in the amount of \$87,360.00 from Merchants Bonding Company, is hereby released in part and reduced to the amount of \$43,680.00 as security for the satisfactory completion of the remaining sidewalk improvements and as-built survey costs.
2. That the City Clerk is hereby directed to notify the Principal and Surety of the partial release of such security at the following respective addresses:
 - Merchants Bonding Company, Attn: Subdivision Bonds Division, 6700 Westown Parkway, West Des Moines, IA 50266
 - Brook Landing, LLC, Jon Galloway, Authorized PO Box 7502, Urbandale, IA 50323



Roll Call Number

Agenda Item Number

14

Date February 5, 2024

MOVED by _____ to adopt.

Second by _____.

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

City Clerk

Department of Engineering
City of Des Moines

CERTIFICATE OF SATISFACTORY COMPLETION
FOR
BONDED SUBDIVISION IMPROVEMENTS

PARTIAL BOND RELEASE FORM

- 1. Subdivision Name: Brook Landing Plat 2
- 2. Developer: Brook Landing, LLC
- 3. Bond No.: NIA 3439 Bonding Co.: Merchants Bonding Company
- 3a. Or Letter of Credit No. Bank
- 4. Council Approval of Bond: 08-17-20 Roll Call 20-1309
- 5. Improvements Covered by Bond: Sidewalks, San. And Storm Structures

6. Improvements Satisfactorily Completed:

A. Improvements Constructed by Public Improvement Contracts

<u>Improvement</u>	<u>Contract No.</u>	<u>Council Acknowledgment of Completion Date</u>	<u>Roll Call</u>
--------------------	---------------------	--	------------------

B. Improvements Constructed Without Public Improvement Contracts

<u>Improvement</u>	<u>Inspected By</u>	<u>Date of Inspection</u>
Sidewalks/ As-Built Survey costs	M Minnick	1-10-2023

7. Improvements Remaining: 2069 L.F. 5 FT. Sidewalk

- 8. Amount of Bond Reduction: Bond Amount: \$87,360.00
- Estimated Cost of Bonded Improvements
- Not Satisfactorily Completed \$43,680.00
- Recommended Amount of Bond Reduction: \$43,680.00

9. I hereby certify that to the best of my knowledge the above improvements covered by Bond No. NIA 3439 have been satisfactorily completed in accordance with Chapter 106 of the 2000 Municipal Code and hereby recommend that the bond for these improvements be reduced by an amount not to exceed \$43,680.00 THE AMOUNT TO REMAIN UNDER BOND SHALL BE \$43,680.00.

Alex Mober RLS
City Engineer

1-11-2024
Date

I hereby certify that I have reviewed the recommendations of the City Engineer and hereby concur therein.

Cody Christensen JLS
Planning Director

1/19/2024
Date

Assistant City Attorney

Date