



Roll Call Number

22-1132

Agenda Item Number

19

Date July 18, 2022

CONDITIONALLY APPROVING VIA THREE35 FINAL PLAT AND ACCEPTANCE OF
EASEMENTS AND SUBDIVISION BOND

WHEREAS, the final plat for Via Three35, located in the vicinity of 335 Forest Avenue, was submitted to the Development Services Department; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on May 16, 2019; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to acceptance of final legal documents by the City Legal Department; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 354.6, and 354.11, and said subdivision plat conforms to the standards and conditions set forth in Chapter 106 of the Municipal Code of the City of Des Moines, Iowa;
NOW THEREFORE,

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

1. It is hereby determined that the subdivision plat identified above conforms to the PlanDSM: Creating Our Tomorrow Plan and the subdivision, with the required installation of public improvements, will not unduly burden public improvements in the area and will provide an appropriate balance of interests between current proprietors, future purchasers and the public interest.
2. The subdivision plat entitled Via Three35 is hereby approved, and subdivision bond improvement bond number NIA 4273 from Merchants Bonding Company in the amount of \$30,456.00 has been received for the completion of the required public improvements and sidewalks within the plat, and approval of the same by the City Legal Department
3. Upon satisfaction of the conditions set forth below, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.
4. The City Clerk is hereby directed to provide the approved subdivision plat, a certified copy of this resolution, the attorney's title opinion and the attachments to the plat to the Community Development Department for delivery to the County Auditor for recording by the plat proprietors. The City Clerk is hereby further directed to send a copy of the subdivision plat to the Board of Education, Century Link Communications, Mid-American



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Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post Office – Technical Sales and Services, City Engineer, City Land Records, Public Works – Street Department, Public Works – Forestry Division, Fire Department, Police Department – Research and Development Section, City Traffic and Transportation Division, Information Technology Department, and Development Services Department.

- 5. The Permanent Easements for public utilities, sanitary sewer, stormwater management facilities, private roadway, and sidewalk, have been provided incident to the said subdivision plat are hereby approved and accepted subject to the final approval of the City Legal Department, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on each such easement upon approval by the City Legal Department.

(Council Communication No. 22- 339)

Moved by Gatto to adopt. Second by Boesen

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr. Gary D. Goudelock Jr. Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL (7 yeas).

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

J. M. Frankin Cownie Mayor

Laura Baumgartner Acting City Clerk