Memorandum

To: Hiawatha City Council

CC: Kim Downs, City Administrator

From: Patrick Parsley, Community Development Director

John Bender, City Engineer

Date: 6/13/2019

Re: Partial Release of Development agreement: 3066 Dell Ridge Lane, 2915 Savannah Drive, 2921 Savannah Drive.

Background: We have received a request to release the development agreement for three properties in Hiawatha. Two are located in the Rolling Prairie Second Addition and one is located in Dell Ridge Third Addition.

This is a standard request in reference to paragraph 10 (c) of our development agreement. This paragraph allows the City to place a lien on the properties within the development for the completion of public improvements if the improvements are not completed by the developer.

The public improvements for both developments have been completed, inspected and accepted. Surety bonds are on file for the utility improvements and the street completions.

Releasing only the lien allowance leaves the remainder of the Development agreement in effect. This maintains sidewalk and detention references as required.

Recommendation: Since the improvements have been completed and accepted for both developments there is no reason to retain rights to the lien. The engineer and Community Development recommend the release of the lien allowance as noted in the development agreement.

DRAFT

Prepared by and return to: City of Hiawatha, Amy Scheer, Deputy City Clerk 101 Emmons St. Hiawatha, Iowa 52233 (319) 393-1515

RESOLUTION NO. 19-_____
City Council

RESOLUTION APPROVING THE PARTIAL RELEASE OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HIAWATHA AND J. MURPHY HOMES LLC, ROLLING PRAIRIE ESTATES 2ND ADDITION
(2921 Savannah Drive, Lot 1 and 2915 Savannah Drive, Lot 4 of Rolling Prairie Estates 2nd Addition)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, that the lien imposed by that certain development agreement filed February 6, 2015 in Book 9167 page 462 through page 484 in the records of the Linn County, Iowa Recorder is hereby released with respect to Lot 1 and Lot 4 Rolling Prairie Estates Second Addition to the City of Hiawatha, Linn County, Iowa. The Mayor and City Clerk are hereby directed to execute said resolution and the City Clerk is directed to have said resolution recorded in the Linn County Recorder's Office.

AYES:
NAYS:

PASSED AND APPROVED this 19th day of June, 2019.

_____
Bill Bennett, Mayor

ATTEST:

_____
Amy Scheer, Deputy City Clerk

I, Amy Scheer, Deputy City Clerk of the City of Hiawatha, Iowa do hereby certify that the above and foregoing Resolution is a true and the correct copy of the Resolution as passed by the City Council of the City of Hiawatha, Iowa on the 19th day of June, 2019.

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Amy Scheer, Deputy City Clerk