

**RESOLUTION NO. 1210**

**A RESOLUTION OF THE CITY OF DES MOINES, WASHINGTON** approving an amendment to the Final Plat entitled "Landmarque".

**WHEREAS**, the City Council at its regular meeting on August 11, 2011 passed Resolution 1170 approving the final plat entitled "Landmarque", which subdivided property within the RA-3600 and Community Commercial Zones into 68 residential lots and 1 commercial lot, and

**WHEREAS**, Landmark Homes posted securities to ensure completion of all outstanding infrastructure improvements at the time of final plat and compliance with all Mitigation Items established by the Environmental Mitigation Agreement dated March 26, 2007, and

**WHEREAS**, the City received a request on September 5, 2012 to amend one of the conditions of approval related to the installation of the final lift of asphalt due to construction of the Healthpoint Project, and

**WHEREAS**, The SEPA Responsible Official reevaluated and readopted Mitigated Determination of Non-Significance (MDNS) issued on March 26, 2007 for the Landmarque Subdivision; and

**WHEREAS**, the City Council, at its October 25, 2012 regular meeting, reviewed the proposed amendment to the final plat entitled "Landmarque"; now, therefore

**THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:**

**Sec. 1. Final Plat Amendment.** The final plat entitled "Landmarque" - Note 20 approved pursuant to Resolution No. 1170 is hereby amended to read:

THE FINAL LIFT OF ASPHALT MUST BE INSTALLED BEFORE THE ISSUANCE OF THE BUILDING PERMIT FOR THE 21<sup>ST</sup> HOME OR SEPTEMBER 1, 2013, WHICHEVER OCCURS FIRST.

**Sec. 2. Compliance with other law.** Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

**Sec. 3. Distribution of resolution following City Council action.** Certified or conformed copies of this Resolution shall be delivered to the following:

- (1) Landmark Homes;
- (2) King County Auditor's Office
- (3) City of Des Moines Planning Building and Public Works Department and Building Department;
- (4) South King Fire and Rescue; and
- (5) City Clerk of the City of Des Moines.

**ADOPTED BY** the City Council of the City of Des Moines, Washington this 25th day of October, 2012 and signed in authentication thereof this 25th day of October, 2012.

  
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M A Y O R

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

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