

10/27/02  
11/16/02  
12/12/02

FILED FOR RECORD  
POTTAWATTAMIE CO. IA  
JAN 12 AM 10:52  
JOHN SCOTTING  
RECORDER

Project: FINAL PLAT OF COY FIRST ADDITION  
Council Bluffs, Iowa  
Sheet: 11630 SOUTH 25th ST., OMAHA, NEBRASKA 68123  
Final Plat

Project No: 11020  
Sheet: 1 OF 1

THE DEDICATION OF THE "STREETS, EASEMENTS AND OTHER AREAS FOR PUBLIC USE BE SET ASIDE, VACATED, AND HELD FOR NAUGHT AND TO REPLAT SAID TRACT AS COY FIRST SUBDIVISION, LOTS 1 THROUGH 32, INCLUSIVE, AND IN CONNECTION THEREWITH MAKE THE FOLLOWING DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT 23rd AVENUE LTD. LIMITED PARTNERSHIP, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 32, INCLUSIVE, AND TO BE KNOWN AS COY FIRST SUBDIVISION, AND PUBLIC STREET RIGHT-OF-WAY FOR CUL-DE-SAC ON 24th AVENUE

AND,  
WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE, AND LOCAL GUIDELINES.

IN WITNESS WHEREOF I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE PROPERTY OF 23rd AVENUE LTD. LIMITED PARTNERSHIP, AS CONTAINED HEREIN ON THIS DAY OF November, 2000.

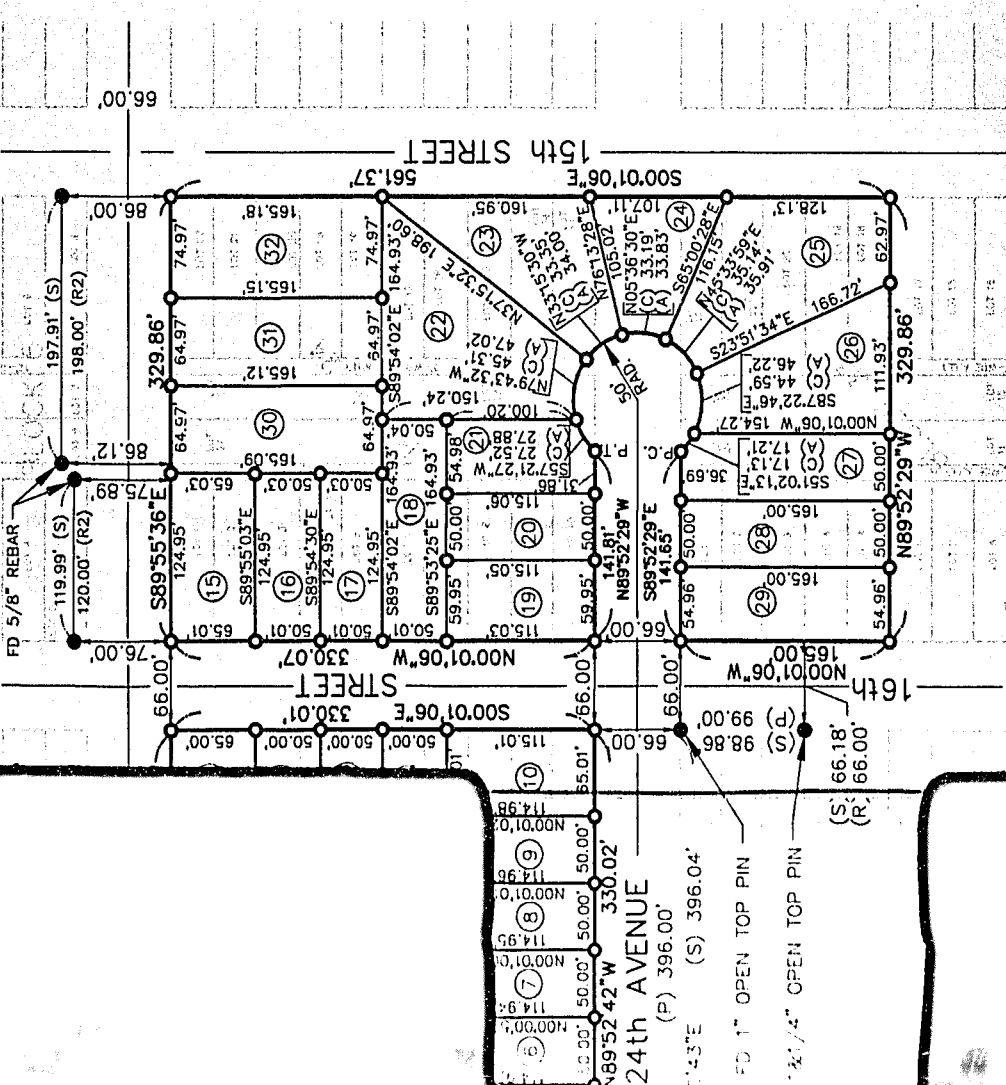
*Melvin G. Samples*  
MELVIN G. SAMPLES, P.L.S.  
23rd AVENUE LTD. LIMITED PARTNERSHIP  
INST # **11364**  
RECORDING FEE 60.00  
AUDITOR FEE 1.00  
RMA FEE 1.00

STATE OF IOWA }  
COUNTY OF POTTAWATTAMIE } SS  
ON THIS 25th DAY OF November, 2000, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED WILLIAM E. PERDUE TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGER/MEMBER OF SAID 23rd AVENUE LTD. LIMITED PARTNERSHIP, THAT NO SEAL HAS BEEN PROCURED BY SAID 23rd AVENUE LTD. LIMITED PARTNERSHIP, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID 23rd AVENUE LTD. LIMITED PARTNERSHIP, BY AUTHORITY OF ITS MEMBERS AND SAID WILLIAM E. PERDUE ACKNOWLEDGED THE EXECUTION OF SAID INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID 23rd AVENUE LTD. LIMITED PARTNERSHIP, BY IT VOLUNTARILY EXECUTED.

*Melvin G. Samples*  
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA  
LYNN LEADERS  
MY COMMISSION EXPIRES: 4-18-07

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*Melvin G. Samples*  
MELVIN G. SAMPLES, P.L.S.  
License Number: 10569  
My license renewed date is December 31, 2000  
DATE: 11-14-20  
SHEET 1 OF 1



COMPARED BK 101PG33637

EX 101PG33638

Subject subdivision has an area of 6.367 acres, more or less.

Scale: 1" = 40'

REMARKS: This plat is prepared in accordance with the provisions of the Act of March 3, 1909, as amended, and the rules and regulations of the Board of Survey, and is subject to the provisions of the Act of March 3, 1909, as amended, and the rules and regulations of the Board of Survey.

APPROVED: [Signature]

DATE: [Date]

FILE NO. [Number]

BOOK [Number]

PAGE [Number]

SECTION [Number]

TOWNSHIP [Number]

RANGE [Number]

COUNTY [Number]

STATE [Number]

UNITED STATES OF AMERICA

PLAT NO. [Number]

FILE NO. [Number]

BOOK [Number]

PAGE [Number]

SECTION [Number]

TOWNSHIP [Number]

RANGE [Number]

APPROVED: [Signature]

DATE: [Date]

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BOOK [Number]

PAGE [Number]

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COUNTY [Number]

STATE [Number]

UNITED STATES OF AMERICA

PLAT NO. [Number]

FILE NO. [Number]

BOOK [Number]

PAGE [Number]

SECTION [Number]

TOWNSHIP [Number]

RANGE [Number]

30

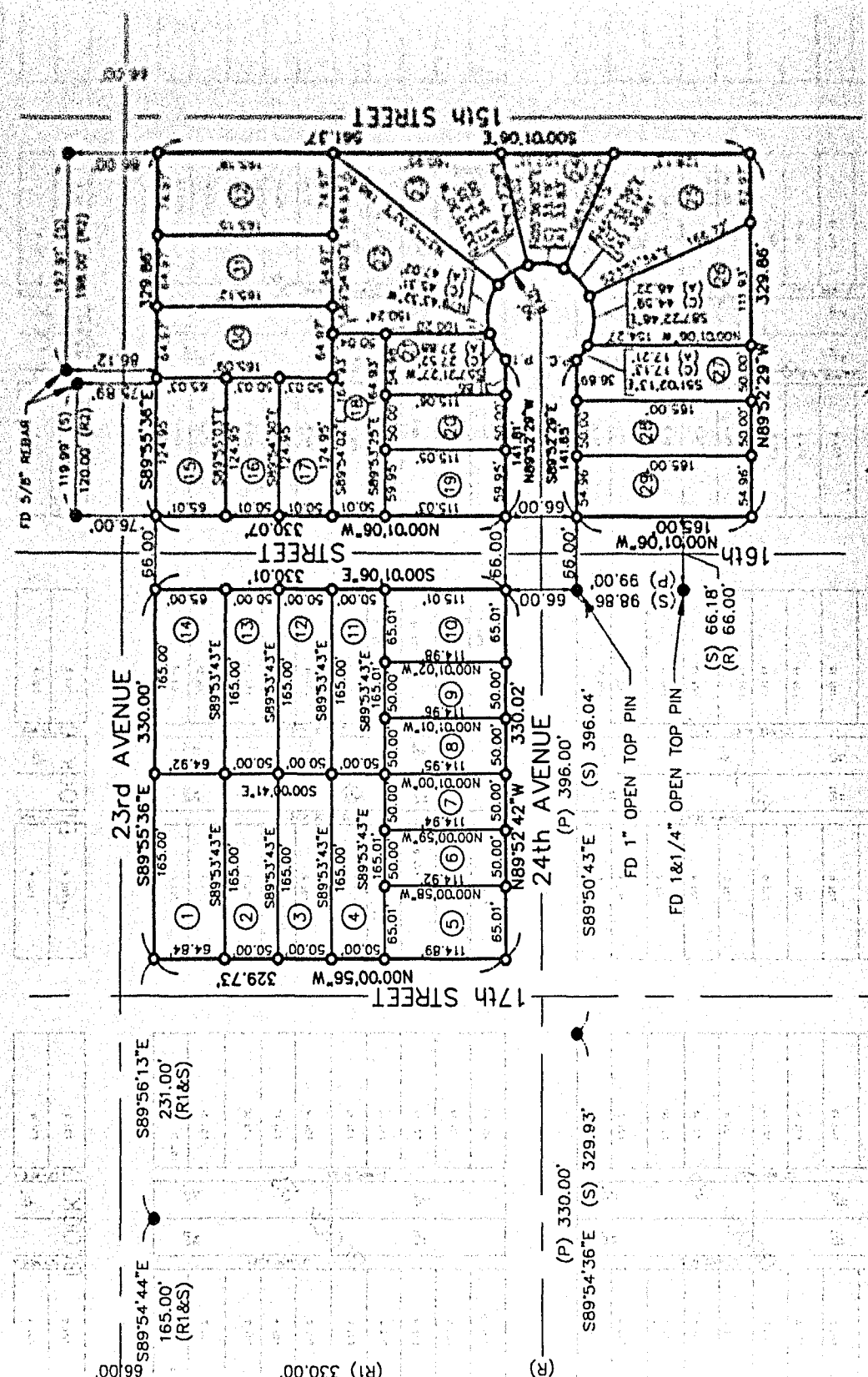
S89°54'44"E  
165.00'  
(R1&S)

S89°56'13"E  
231.00'  
(R1&S)

(R1) 330.00'

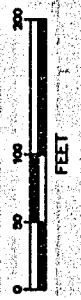
65.95'(S)  
66.00'  
(R)

(P) 330.00'  
S89°54'36"E (S) 329.93'

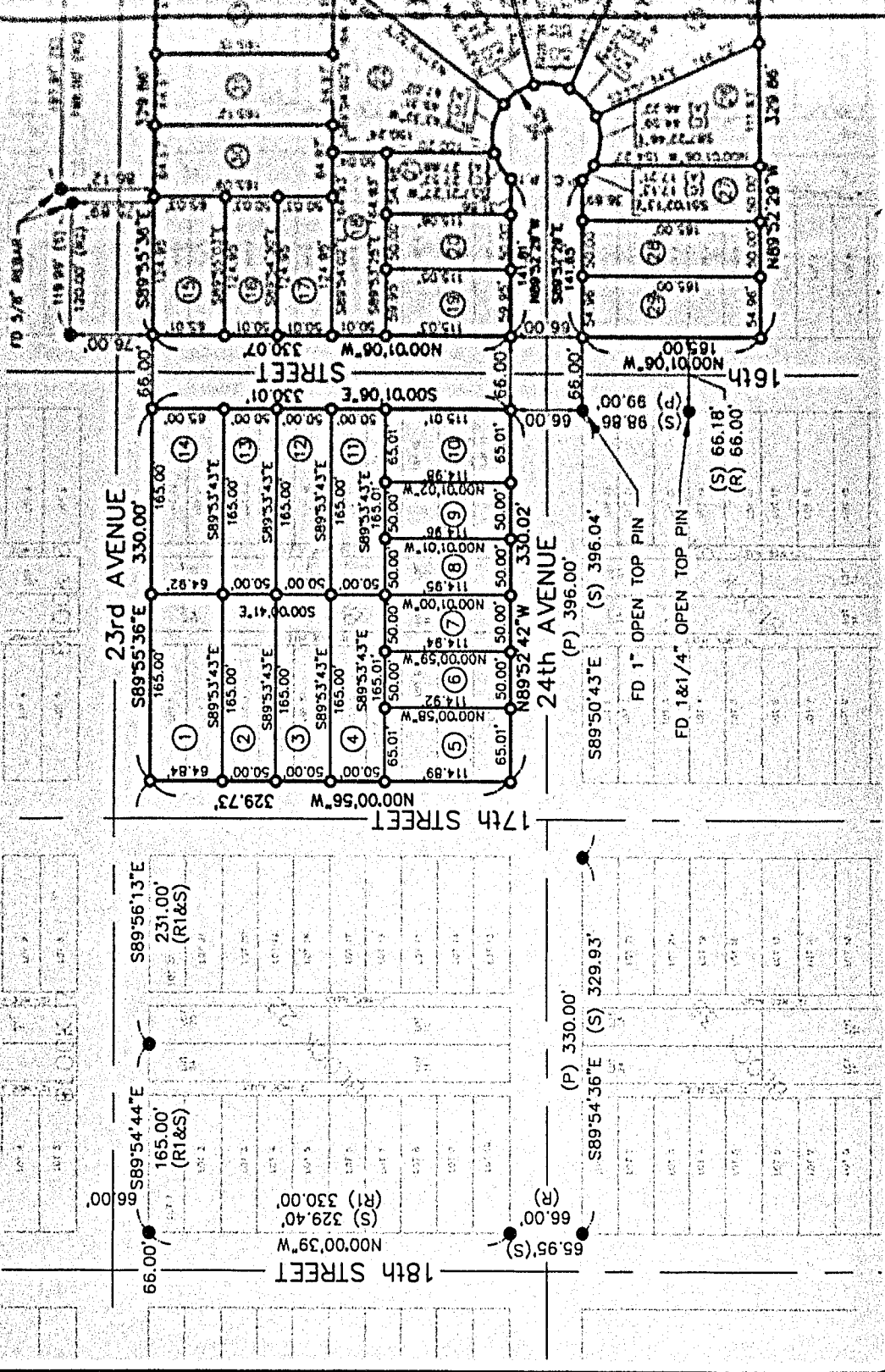


COMPARED BY 1017633030

539



Subject subdivision has an area of 6.367 acres, more or less.



COMPARED

BK 101P633639

COMPARED

BK 101P633639

UNRECORDED COMPARED

FINAL PLAT

COY FIRST ST

BEING A REPLAT OF BLOCK 23, BLOCK 24, INCLUDING BLOCKS, AND THE NORTH 165.00 FEET OF BLOCK 33, 12.00-FOOT WIDE ALLEYS LOCATED WITHIN SAID BLOCK, ADJACENT TO SAID BLOCK 24 AND SAID BLOCK 33, ALL IN RAILROAD ADDITION, POTAWATTAMIE COUNTY, IOWA.

Prepared by Warren G. Somplex, HCOL Associates, Inc., PO Box 919, Council Bluffs, Ia. 51502. (712) 323-0530

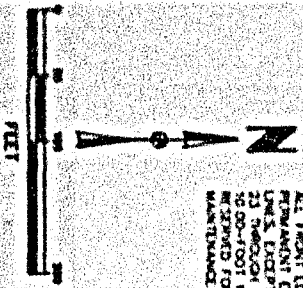
LEGEND:

- ROAD REBAR WITH CAP MARKED #3114 UNLESS OTHERWISE DESIGNATED ON PLAT
- SET 5/8" X 8" REBAR W/ALUMINUM CAP MARKED "HOL ASSOCIATES, INC. #10269"
- (1) SURVEYED AS
- (2) RECORDED PLAT DISTANCE
- (3) RECORDED ON PLAT OF SURVEY BY KENNETH DUKES, REVISOR DATED 7, 1960, AND PLAT IN BOOK 90, PAGE 1907S, IN THE OFFICE OF THE POTAWATTAMIE COUNTY RECORDER.
- (4) RECORDED ON PLAT OF SURVEY BY KENNETH DUKES, REVISOR DATED 7, 1960, AND PLAT IN BOOK 90, PAGE 1907S, IN THE OFFICE OF THE POTAWATTAMIE COUNTY RECORDER.
- P.C. POINT OF CURVE
- P.T. POINT OF TANGENCY

NOTE:

A 5.00-FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL STRAIGHT LINES - A 5.00-FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES AND A 5.00-FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, EXCEPT THE REAR LOT LINES FOR LOTS 23 THROUGH 29, INCLUSIVE, WHICH WILL HAVE A 25.00-FOOT WIDE PERMANENT EASEMENT, ARE RETAINED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CR.-X-SMC CURVE DATA:  
CENTRAL ANGLE = 277°31'6"  
RADIUS = 50.00'  
LENGTH = 242.07'



LEGAL DESCRIPTION:

All of Block 23, being Lots 1 through 24 inclusive, all of Block 24, Lots 1 through 5 and Lots 18 through 24 in Block 33, and a portion of 24th Avenue adjacent to Block 24 and 33, all in Railroad Addition to the City of Council Bluffs, Pottawattamie County, Iowa, more particularly described as follows:

Beginning at the northwest corner of said Block 23 of Railroad Addition:

thence along the north line of said Block 23 and the south right-of-way line of 23rd Avenue, South 89 degrees 55 minutes 56 seconds East, 330.00 feet to the northeast corner of said Block 23 and the west right-of-way line of 16th Street;

thence along the east line of said Block 23 and the west right-of-way line of 16th Street, South 0 degrees 01 minute 06 seconds East, 330.07 feet to the southeast corner of said Block 23 and the north right-of-way line of 24th Avenue;

thence along the south line of said Block 23 and the north right-of-way line of 24th Avenue, North 89 degrees 52 minutes 12 seconds West, 330.02 feet to the southwest corner of said Block 23 and the east right-of-way line of 17th Street;

thence along the west line of said Block 23 and the east right of way line of 17th Street, North 0 degrees 0 minutes 56 seconds West, 329.73 feet to the northeast corner of said Block 23 and the Point of Beginning.

Also,

Beginning at the northwest corner of said Block 24 of said Railroad Addition:

thence along the north line of said Block 24 and the south right-of-way line of 23rd Avenue, South 89 degrees 55 minutes 56 seconds West, 329.86 feet to the northeast corner of said Block 24 and the west right-of-way line of 15th Street;

thence along the east line of said Block 24 and along the east line of said Block 33 and the west right-of-way line of said Block 33, East, 561.37 feet to the southeast corner of Lot 18 of said Block 33 of said Railroad Addition, North 0 degrees 01 minute 06 seconds West, 329.86 feet to the southwest corner of said Lot 5 of said Block 33 and the east line of said Block 24;

thence along the south line of said Lot 18 and along its westerly prolongation and along the south line of Lot 5, of said Block 33, South 89 degrees 52 minutes 29 seconds West, 329.86 feet to the southwest corner of said Lot 5 of said Block 33 and the east line of said Block 24;

thence along the west line of said Block 33 and the east right-of-way line of 16th Street, North 0 degrees 01 minute 06 seconds West, 141.81 feet to the northwest corner of said Block 33 and the south right-of-way line of 24th Avenue;

thence along the north line of said Block 33 and the south right-of-way line of 24th Street, South 89 degrees 52 minutes 29 seconds West, 329.86 feet to the beginning of a curve, concave westerly, having a radius of 50 feet;

thence continuing along the right-of-way line of 24th Avenue and along said curve through a central angle of 277 degrees 31 minutes 6 seconds to a point on the south line of said Block 24.

thence along the south line of said Block 24 and continuing along the north right-of-way of 24th Avenue, North 89 degrees 52 minutes 29 seconds West, 141.81 feet to the southwest corner of said Block 24 and the east right-of-way line of 16th Street;

thence along the west line of said Block 24 and the east right-of-way line of 16th Street, North 0 degrees 01 minute 06 seconds West, 141.81 feet to the Point of Beginning.

Subject subdivision has an area of 6.367 acres, more or less.

FD 5/8" REBAR



197.91'



COMPARED

Proposed By: City of Council Bluffs, Iowa Department: City Council Bluffs, Iowa File # 00-268  
Approved By: City Clerk, 200 First Street, Council Bluffs, Iowa 51501 (712) 226-4141

RESOLUTION NO. 00-268

A RESOLUTION granting final plat approval for a replat of Block 23, Block 24, and the north 165' of Block 33, all in Railroad Addition, along with the portion of 24<sup>th</sup> Avenue right-of-way adjacent to Blocks 24 and 33, located south of 23<sup>rd</sup> Avenue between South 15<sup>th</sup> and South 17<sup>th</sup> Streets in Council Bluffs, Iowa.

WHEREAS, 23<sup>rd</sup> Avenue Ltd. has requested final plat approval for a subdivision to be known as Coy First Subdivision, which will create 32 residential lots on 2-1/2 blocks located south of 23<sup>rd</sup> Avenue between South 15<sup>th</sup> and South 17<sup>th</sup> Streets; and

WHEREAS, the proposed subdivision is generally consistent with the 1994 Comprehensive Plan and the purpose and intent of the Zoning and Subdivision ordinances;

WHEREAS, the final plat has been reviewed by the appropriate city departments and utilities; and

WHEREAS, the Community Development Department recommends approval of the final plat of a subdivision to be known as Coy First Subdivision, as shown on Attachment "A", subject to the following conditions:

1. Prior to execution of the final plat, all technical corrections required by the Community Development and/or Public Works Department into the final plat document, including changing the title from Coy First Addition to Coy First Subdivision and adjusting the lot width on several lots to comply with the minimum required width.
2. Sidewalk shall be installed at no expense to the City along the street frontage of each lot prior to issuance of a Certificate of Occupancy for each lot.
3. The Director of Community Development Department shall review and approve the type and placement of the required buffer adjacent to 23<sup>rd</sup> Avenue on Lots 1, 14 and 15.
4. Approval of a variance to allow Lots 1 through 4, 11 through 14, 18, 27 and 28 to exceed the 3:1 maximum lot depth to width ratio.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

That the final plat of a subdivision to be known as Coy First Subdivision, as shown on Attachment "A", is hereby approved subject to the conditions set forth above; and

BE IT FURTHER RESOLVED



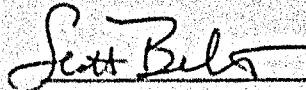
# COMPARED

RESOLUTION NO. 05-241

PAGE TWO

That the Mayor and City Clerk are authorized and directed to endorse the final plat.

ADOPTED  
AND November 13, 2000  
APPROVED



Scott Belt

Mayor Pro Tem

Attest:



OLGA/RAMIREZ

City Clerk

Planning Case No. SUB-00-013

**COMPARED** CERTIFICATE AND RECEIPT

=====

STATE OF IOWA, } ss.

Pottawattamie County,

The undersigned, Clerk of the City of Council Bluffs, Iowa,  
hereby certifies that: Resolution No. 00-268 is a true and correct copy

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

as the same appears of record in this office.

Witness my hand and seal of Council Bluffs, Iowa, this

1st day of December A.D. 2000

Olga Ramirez  
City Clerk of the City of Council Bluffs, Iowa

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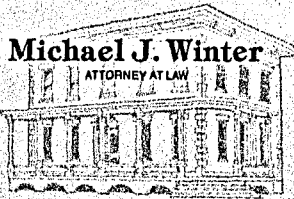


BK101PG33644



**COMPARED**

The Historic Seminary Building  
541 6th Avenue  
Council Bluffs, Iowa 51508



Telephone: 712-322-0133  
Fax: 712-322-0421

January 8, 2001

Bud Mahan  
%NP Dodge

Dear Bud:

Attached is an abstract opinion that you can file with your plat. Please note that when Missouri River Title extended the abstract, they did not include the vacated alleys in their title search, although the abstract does show a deed from Loa and Brent Van Houten to the 23<sup>rd</sup> Avenue Limited Partnership and a deed from James Lee Zaiger to 23<sup>rd</sup> Avenue Limited Partnership for those alleys. I have therefore included them in my opinion as I am sure they were included in your plat.

I have also enclosed a bill for the cost of preparing the abstract opinion and reviewing the 8 part abstract. Please ask Missouri River Title to include the described alleys which are all in Block 33, Railroad Addition.

Before you can file a plat, you are required by Section 354.11 of the Iowa Code to attach a statement by the owners that the plat is prepared with their free consent and you must attach a statement from all mortgage holders that the plat is prepared with their consent and a certificate from the County Treasurer that the land is free from taxes.

The abstracts show that you acquired the interest in the 24 lots in Block 24 as 23<sup>rd</sup> Ave. Limited Partnership and the same name for the property in Block 33; however, the property in Block 23 was taken in the name of 23<sup>rd</sup> Avenue Ltd., Limited Partnership. You should also be aware that you do not own Lot 15 in Block 33 nor that portion of the north-south alley that abuts that lot. You also do not own any of the alleys in Blocks 23 and 24 according to the abstract.

Sincerely,

*Michael J. Winter*  
MICHAEL J. WINTER  
Attorney at Law

MJW/dms

BK101PG33645



# COMPARED

Abstract Opinion  
January 4, 1961

The abstract shows that the real estate taxes for the above-described real estate are current.

Sincerely,

*Michael J. Winter*  
MICHAEL J. WINTER  
Attorney at Law

MJW/S

BK101PG33647

**PEOPLES**

**COMPARED**

**National • Bank**

Full Service Bank – Member FDIC

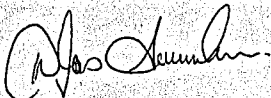
December 15, 2000

POTTAWATTAMIE COUNTY RECORDER  
227 S. 6<sup>TH</sup> ST.  
COUNCIL BLUFFS, IA 51501

RE: RAILROAD ADDITION REPLATTING

TO WHOM IT MAY CONCERN:

WE ARE AWARE OF THE REPLATTING CURRENTLY IN PROCESS ON  
THE ABOVE ADDITION SOON TO BE NAMED COY FIRST SUBDIVISION.  
WE DO NOT HAVE A PROBLEM WITH THIS OCCURRING.



DOUGLAS GOODMAN  
VICE PRESIDENT

BK101PG33648

Member FDIC

Bennett Ave.  
328-1333

Midtown  
329-4256

Carter Lake  
347-6070

Crescent  
545-3900

Missouri Valley  
642-2781

201 Bennett Avenue • P.O. Box 557 • Council Bluffs, IA 51502-0557

