

INST # 16501
RECORDING FEE 3000
AUDITOR FEE _____
RMA FEE 100 EGOM 500

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

04 JAN 16 PM 2: 59

JOHN SCIORTINO
RECORDER

Prepared by: City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4620
Return to: City Clerk, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4616

RESOLUTION NO. 03-276

A RESOLUTION granting final plat approval for Oak Ridge Estates Phase III.

WHEREAS, Oak Ridge Estates, LLC has requested final plat approval for a 32-lot, 19.5 acre residential subdivision to be known as Oak Ridge Estates Phase III. The proposed development is a northerly extension of Parkwild Drive, which turns south and connects to Millard Avenue; and

WHEREAS, the preliminary plan for Oak Ridge Estates Phase III was approved by Resolution No.02-280 on September 23, 2002; and

WHEREAS, the proposed subdivision is consistent with the purpose and intent of the Subdivision and Zoning Ordinances; and

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 for a subdivision to be known as Oak Ridge Estates Phase III, as shown on Attachment "A", subject to the following conditions:

1. Prior to executing the final plat, all corrections required by the Community Development Department and/or Public Works Department shall be incorporated in the final plat document.
2. Upon completion, inspection and acceptance of the required public improvements, the Developer shall provide the City with two sets of final as-built mylars, and a two-year maintenance guarantee sponsored by the Developer.
3. A water main extension agreement shall be executed prior to executing the final plat.
4. All fire hydrants shall be active and accessible prior to initiation of any framing activity in the subdivision.
5. Turn-arounds adequate for emergency apparatus shall be provided where Parkwild Drive meets the right-of-way for Mt. Vernon Street.
6. Sidewalks shall be installed at no expense to the City, along the street frontage of each lot prior to the issuance of a certificate of occupancy for each house. Sidewalks shall be installed at no expense to the City along the street frontage of all outlots prior to issuance of the first building permit in Phase III.
7. Street lights shall be installed consistent with Public Works Department standards and shall be functional prior to issuance of a certificate of occupancy for any house located in the subdivision.
8. The variances approved with the preliminary plan are accepted.

165-1

4A

9. Private covenants shall be provided to the Community Development Department prior to execution of the final plat, as well as the Recorder, contemporaneously with the final plat,
10. Tree piles located on Lots 59, 63 or 64, and 70 or 71 shall be removed prior to execution of the plat.
11. Lots 74 is not suitable for development and shall be incorporated with Lot 73 prior to execution of the final plat.
12. Lot 58 shall be redesigned to meet the minimum lot width requirement of 50 feet.
13. Ownership and maintenance agreements for the stormwater detention basin shall be reviewed and approved by the City prior to the execution of the final plat.
14. Lots 71, 72 and 73 shall be graded sufficiently to accommodate a building pad site for a single family residence prior to execution of the final plat.
15. Additional fill is needed along the back of curb adjacent to Lots 61, 80, 83 and 84 prior to execution of the final plat.
16. Additional right-of-way shall be dedicated to the public at the intersection of Millard and Park Wild Drive. Line of sight isosceles triangle from Lot 61 and Lot 80 shall be platted as city right-of-way. The triangle dimensions are 20 feet along the right-of-way line from the right-of-way line point of intersection. The triangles shall be graded and cleared of debris to adequately provide unobstructed line of sight.

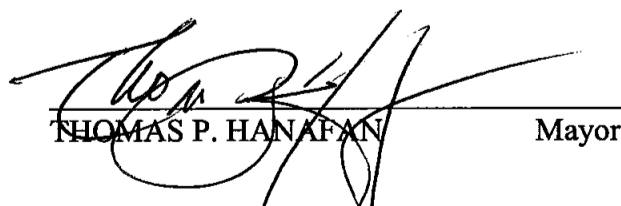
NOW, THEREFORE, BE IT RESOLVED
 BY THE CITY COUNCIL
 OF THE
 CITY OF COUNCIL BLUFFS, IOWA:

That the final plat for Oak Ridge Estates Phase III, as shown on Attachment "A", is hereby approved, subject to the conditions set forth above; and


BE IT FURTHER RESOLVED

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

ADOPTED
 AND December 15, 2003
 APPROVED



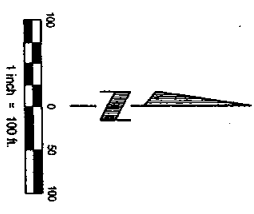
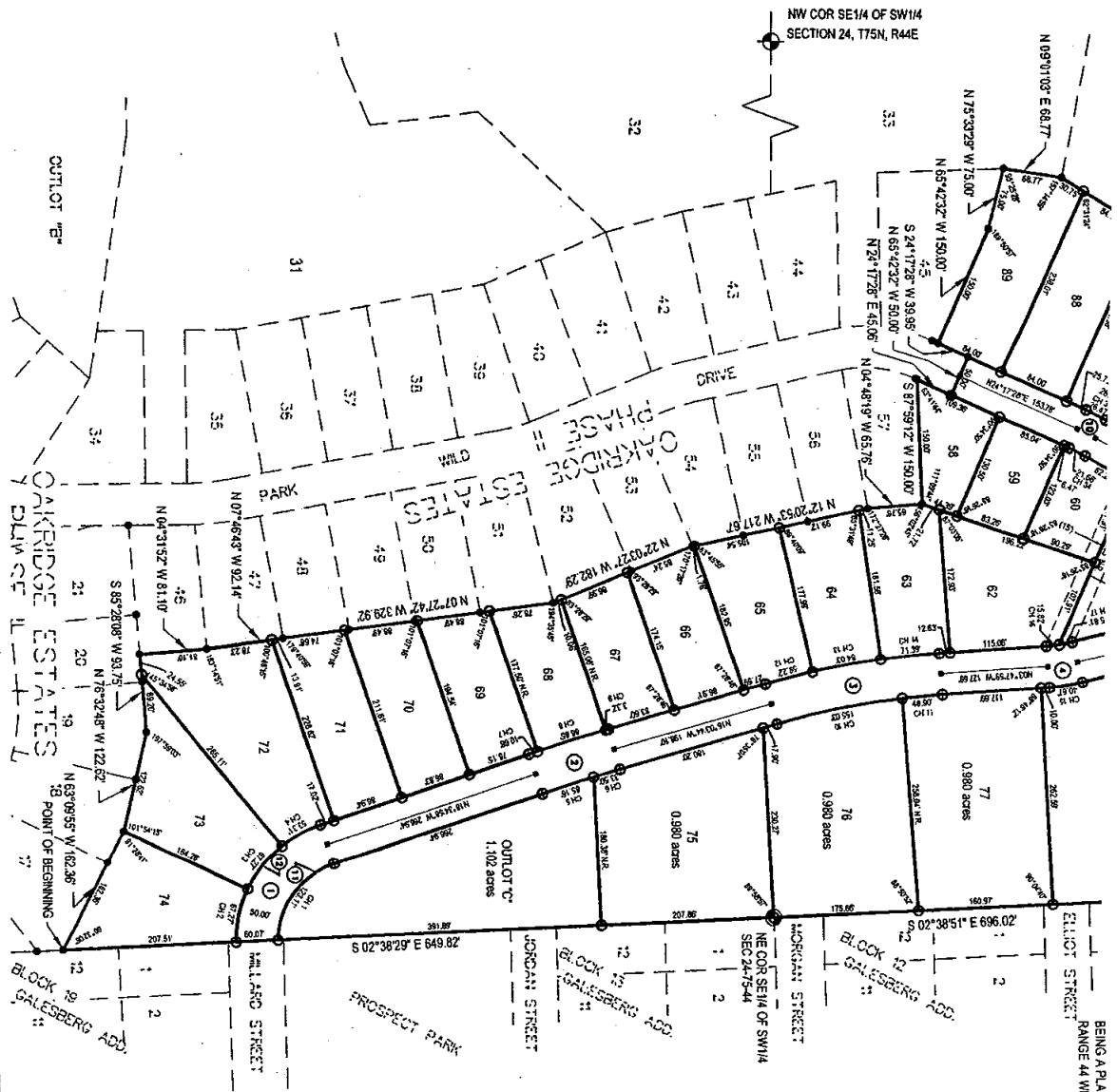
 THOMAS P. HANAFAN Mayor

Attest: 

 Marcia L. Worden Deputy City Clerk

OAK RIDGE ESTATES PHASE III

LOTS 58 THRU 89 INCLUSIVE AND OUTLOT 'C'
 BEING A PLATTING OF PART OF THE EAST 1/2 OF SECTION 24, TOWNSHIP 75 NORTH,
 RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.



LEGEND

- PINS FOUND, 5/8" X 3" REBAR WITH ALUMINUM CAP (1130) (UNLESS OTHERWISE NOTED)
- PINS SET, 5/8" X 3" REBAR WITH ALUMINUM CAP (1130)
- ◻ PINS SET, 5/8" STEEL PIPE
- ◐ SECTION CORNER POUND
- ◑ CURVE CORNER DATA (SEE TABLE)

NOTES

1. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED
2. ALL LOT LINES ARE PARALLEL TO CURVED STREETS UNLESS SHOWN AS (M.A.)
3. A PERPETUAL EASEMENT 5 FEET IN WIDTH IS RESERVED ALONG THE SIDE LOT LINES OF ALL LOTS, AND 10 FEET IN WIDTH ALONG THE FRONT AND REAR LOT LINES OF ALL LOTS. SAID EASEMENTS ARE FOR UTILITY INSTALLATION AND MAINTENANCE AND FOR DRAINAGE. SAID DRAINAGE AREAS AND ANY INCLUDED DRAINAGE SYSTEMS ARE PRIVATE AND TO BE INSTALLED AND MAINTAINED BY THE OWNERS OF THE LOTS ADJOINING THEM.
4. PROTECTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS HAVE BEEN PREPARED FOR THIS DEVELOPMENT AND WILL BE RECORDED WITH THE FINAL PLAN.
5. ALL DIMENSIONS AND ANGLES SHOWN WITH PARENTHESES ARE FOR THE LOCATION OF EASEMENTS.

4A

Proj. No.	2000032 02
Date	10/4/2003
Designed By	MAA
Drawn By	LDO
Chk. By (Insp.)	CMK By (Chk. Insp.)
Scale	1" = 100'

Revisions	Date

FINAL PLAT

OAK RIDGE ESTATES PHASE III

COUNCIL BLUFFS, IOWA



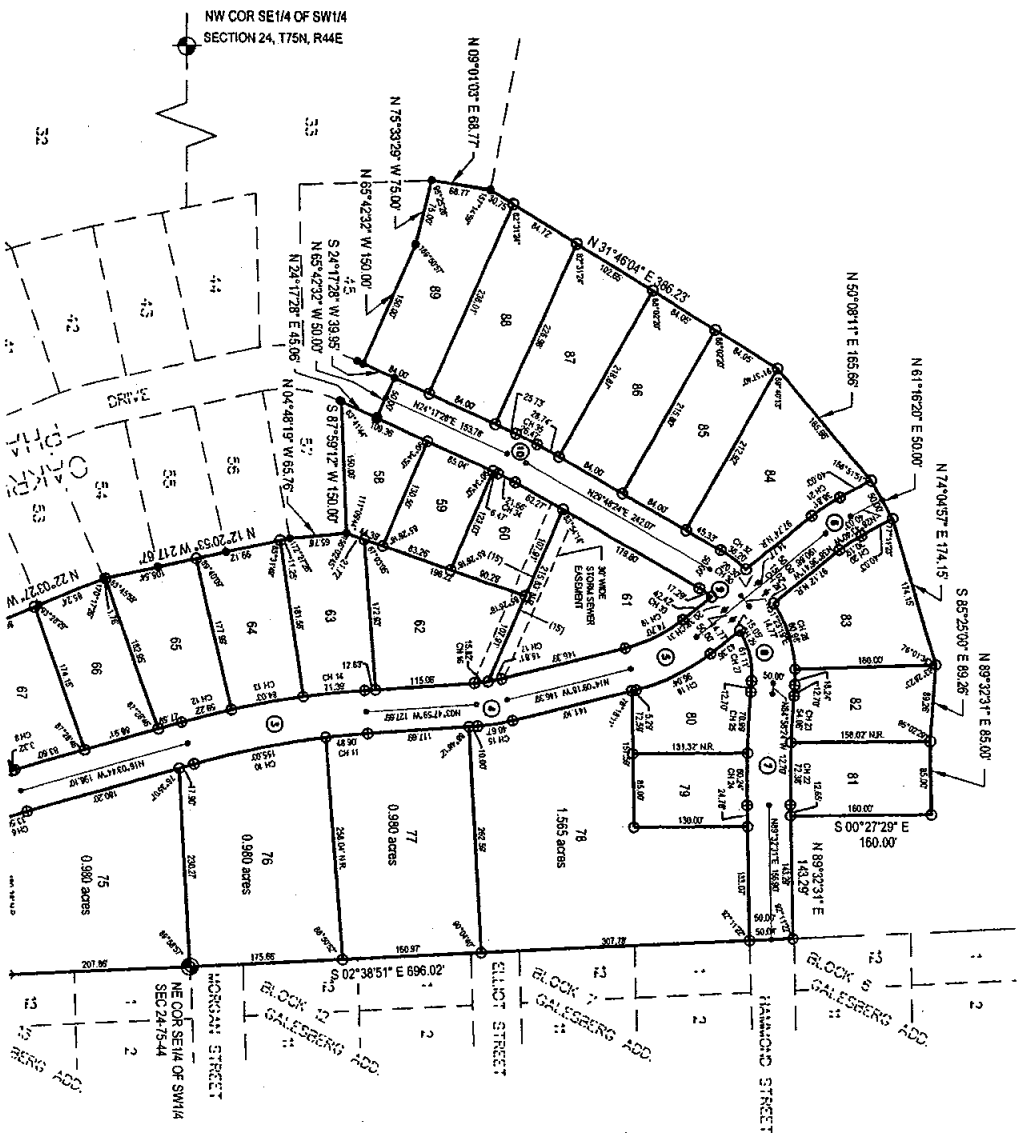
E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS

1200 N. STREET
 OMAHA, NE 68137
 PHONE: (402) 895-4700
 FAX: (402) 895-5599

7130 SOUTH 29TH STREET, SUITE D
 LINCOLN, NE 68516-5841
 PHONE: (402) 426-7217
 FAX: (402) 426-7218

OAK RIDGE ESTATES PHASE III

LOTS 58 THRU 89 INCLUSIVE AND OUTLOT C
 BEING A PLATTING OF PART OF THE SW 1/4 OF SECTION 24, TOWNSHIP 75 NORTH,
 RANGE 44 WEST OF THE 9TH P.M., POTTAWATTAMIE COUNTY, IOWA



LINE	LENGTH	BEARING
CH 1	115.48	N85°51'00"W
CH 2	88.71	N77°32'28"W
CH 3	88.71	N61°47'44"W
CH 4	53.04	N28°45'58"W
CH 5	65.16	N17°45'01"W
CH 6	33.50	N85°28'24"W
CH 7	10.88	N10°28'24"W
CH 8	88.93	N10°28'24"W
CH 9	154.56	N11°24'00"W
CH 10	48.50	N05°56'17"W
CH 11	58.21	S14°27'24"E
CH 12	84.00	S10°16'03"E
CH 13	84.00	S10°16'03"E
CH 14	71.38	S05°56'21"E
CH 15	40.81	N05°58'32"W
CH 16	15.81	N05°23'18"W
CH 17	15.81	N11°39'58"W
CH 18	85.31	N05°23'18"W
CH 19	14.18	N03°42'00"W
CH 20	38.78	N03°42'00"W
CH 21	22.27	S08°33'17"E
CH 22	54.05	S06°08'45"E
CH 23	60.23	S05°11'58"E
CH 24	80.00	S72°35'29"W
CH 25	70.98	S89°11'58"E
CH 26	80.00	S77°31'01"W
CH 27	80.17	S54°15'22"W
CH 28	15.01	S59°41'18"W
CH 29	15.02	S42°30'57"W
CH 30	20.28	S36°45'57"W
CH 31	38.12	S34°45'38"W
CH 32	11.72	S34°45'38"W
CH 33	21.55	S27°02'58"W
CH 34	28.48	S27°02'58"W
CH 35	28.48	S27°02'58"W

CURVE	RADIUS	LENGTH	TANGENT	DELTA
1	125.00'	156.55'	94.41'	11°45'18"
2	2267.51'	99.76'	48.89'	2°31'14"
3	977.87'	209.29'	105.84'	12°15'45"
4	200.00'	36.15'	18.12'	10°21'19"
5	200.00'	65.37'	43.34'	24°27'23"
6	1345.84'	34.50'	17.29'	9°53'05"
7	128.00'	95.50'	50.04'	43°38'17"
8	128.00'	41.08'	23.82'	21°24'55"
9	128.00'	24.07'	12.04'	5°30'58"
10	100.00'	123.11'	70.72'	10°32'04"
11	150.00'	187.85'	108.49'	11°45'18"

4A

Proj No:	20000222
Date:	10/14/2003
Designed By:	MAA
Drawn By:	LDJ
Checked By:	LDJ
Scale:	1" = 100'

Revisions	Date
1	10/20/2003

FINAL PLAT

OAK RIDGE ESTATES PHASE III
 COUNCIL BLUFFS, IOWA



E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS

1201 O STREET
 OMAHA, NE 68137
 PHONE: (402) 865-4700
 FAX: (402) 865-5399

7130 SOUTH 29TH STREET, SUITE D
 LINCOLN, NE 68506-8841
 PHONE: (402) 486-2717
 FAX: (402) 486-2718

OAK RIDGE ESTATES PHASE III

LOTS 58 THRU 89 INCLUSIVE AND OUTLOT "C"
 BEING A PLATTING OF PART OF THE SW1/4 OF SECTION 24, TOWNSHIP 75 NORTH,
 RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION

A tract of land located in the SW1/4 of Section 24, Township 75 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described as follows:

Beginning at the Northeast corner of Lot 17, Oakridge Estates Phase I, a subdivision located in said Section 24, thence along the North line of said Lot 17, Oakridge Estates Phase I, and also the North line of Lots 18, 19 and 20, said Oakridge Estates Phase I, on the following described courses: thence N 63°08'55" W, a distance of 182.36 feet; thence N 75°32'48" W, a distance of 122.62 feet; thence S 85°20'00" W, a distance of 83.75 feet to a point on the North line of said Lot 20, Oakridge Estates Phase I, said point also being the Southwest corner of Lot 48, Oakridge Estates Phase II, a subdivision located in said SW1/4 of Section 24, thence along the East line of said Lot 48, Oakridge Estates Phase II, and also along the East line of Lots 47 thru 57, inclusive, said Oakridge Estates Phase II, on the following described courses: thence N 04°31'52" W, a distance of 81.10 feet; thence N 07°42'43" W, a distance of 52.14 feet; thence N 07°27'42" W, a distance of 229.92 feet; thence N 22°10'27" W, a distance of 182.29 feet; thence N 12°20'53" W, a distance of 217.67 feet; thence N 04°48'19" W, a distance of 65.16 feet to the Northeast corner of said Lot 57, Oakridge Estates Phase II, said point also being on the East right-of-way line of said Lot 57, Oakridge Estates Phase II, a distance of 150.00 feet; thence S 87°59'12" W, along the South line of said Lot 57, Oakridge Estates Phase II, a distance of 150.00 feet; thence N 24°17'28" E, along the West right-of-way line of said Lot 57, Oakridge Estates Phase II, a distance of 150.00 feet to the point of intersection of said East right-of-way line of said Lot 57, Oakridge Estates Phase II, and the North right-of-way line of said Lot 57, Oakridge Estates Phase II, a distance of 150.00 feet to the point of intersection of said North right-of-way line of said Lot 57, Oakridge Estates Phase II, and the West right-of-way line of said Lot 57, Oakridge Estates Phase II, a distance of 39.95 feet to the Northeast corner of Lot 45, said Lot 45, Oakridge Estates Phase II, thence along the South line of said Lot 45, said Oakridge Estates Phase II, on the following described courses: thence N 65°42'32" W, a distance of 130.00 feet; thence N 75°33'29" W, a distance of 73.00 feet to the Southwest corner of said Lot 33, Oakridge Estates Phase II, a distance of 68.77 feet to the Northeast corner of Lot 33, said Oakridge Estates Phase II, thence N 69°10'03" E, along the East line of said Lot 33, Oakridge Estates Phase II, a distance of 165.66 feet; thence N 61°16'02" E, a distance of 50.00 feet; thence N 74°04'57" E, a distance of 174.15 feet; thence S 85°22'00" E, a distance of 89.26 feet; thence N 89°32'31" E, a distance of 65.00 feet; thence S 00°27'29" E, a distance of 160.00 feet; thence N 89°32'31" E, a distance of 143.29 feet to a point on the East line of said SW 1/4 of Section 24, said point also being on the West right-of-way line of Hammond Street, thence S 02°38'51" E, along said West right-of-way line of Hammond Street, and also the West line of Lots 1 and 12, Block 12, said Galatsberg Addition, and also the West right-of-way line of Morgan Street, and also the West line of Lots 1 and 12, Block 12, said Galatsberg Addition, and also the West right-of-way line of Jordan Street, and also the West line of Prospect Park, and also the West line of Lots 1 and 12, Block 13, said Galatsberg Addition, and also the West right-of-way line of Galatsberg Addition, a distance of 857.33 feet to the point of beginning.

Said tract of land contains an area of 852.978 square feet or 19.581 acres, more or less.

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

Signature: Robert V. Galt Date: _____

License Number: 13372

My License renewal date is December 31, 2004.

Papers or sheets covered by this said 3 OF 3

WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTAINING COURTESY WITH THE FILING OF THE FINAL PLAT

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A PART OF THE SUBJECT DEVELOPMENT.
 - B. A NOTARIZED CERTIFICATION OF OWNER THAT THE SUBDIVISION AS IT APPEARS HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE OWNER.
 - C. A NOTARIZED STATEMENT FROM THE MORTGAGE HOLDER OR LIENHOLDER, IF ANY, THAT THE PLAT IS PREPARED WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRE.
 - D. A NOTARIZED PARTIAL RELEASE FROM THE MORTGAGE HOLDER OR LIENHOLDER FOR ALL AREAS CONNECTED TO THE GOVERNING BODY OR DEDICATED TO THE PUBLIC.
 - E. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.
- WE HEREBY CERTIFY THAT I WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL LAWS.

NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

BY: FIRST MANAGEMENT, INC. MANAGING MEMBER
 RANDY WEBSTER, CHAIRMAN

Declarations

Know all persons by these presents that Oak Ridge Estates L.L.C. (managed by First Management, Inc., hereinafter known as Oak Ridge Estates L.L.C. being the sole owner and proprietor of the land described in the survey's certificate and embraced within the plat has caused said property to be subdivided and partitioned into the number shown as Oak Ridge Estates Phase III, consisting of Lots 58 through 89, inclusive and Outlot "C" in the SW1/4 of Section 24, Township 75 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa, and that Oak Ridge Estates L.L.C. is the sole owner and proprietor of the land described in the survey's certificate and embraced within the plat, that the subdivision of the property as shown in the plat, done with the consent and full knowledge of the proprietor and with no proposed claims that the property be subdivided and that the subdivision be known as Oak Ridge Estates Phase III.

Oak Ridge Estates L.L.C. does hereby ratify and approve the location of their property as shown on the plat.

Oak Ridge Estates L.L.C. does hereby dedicate to the City of Council Bluffs, Iowa, for public use Parkside Drive. Oak Ridge Estates L.L.C. does hereby dedicate to the City of Council Bluffs, Iowa, any sanitary sewer and storm sewer and drainage way easements for the installation and maintenance of sewer conduits and appurtenances thereto and any drainage systems deemed necessary by the City of Council Bluffs, Iowa.

1. ERECTION OF STRUCTURES PROHIBITED: Oak Ridge Estates L.L.C. or its successors or assigns shall not erect any structure over or within the Easement Area without obtaining the prior written consent of the City Engineer.
2. CHANGE OF GRADE PROHIBITED: Oak Ridge Estates L.L.C. or its successors or assigns shall not change the grade elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Engineer.
3. RIGHT OF ACCESS: City shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described.
4. REMOVAL AND REPLACEMENT: The cost of removal and replacement of any unauthorized improvement or structures within the Easement Area, necessitated by the exercise of the right of the City, shall be borne by the Oak Ridge Estates L.L.C. or its successors or assigns.
5. SURFACE RESTORATION: City's liability to restore the surface within the Easement Area shall be limited only to grading and seeding.
6. DUTY TO REPAIR: City agrees that any drain, ditch or access way, fence, or yard or other improvements outside of the Easement Area which may be damaged as a result of any entry made through an easement of the City's right of access, shall be repaired at no expense to Oak Ridge Estates L.L.C. or its successors or assigns.
7. EASEMENT RUNS WITH LAND: This easement shall be deemed to run with the land and shall be binding on Oak Ridge Estates L.L.C. or its successors and assigns.

Oak Ridge Estates, L.L.C.
 BY: First Management, Inc. Managing Member
 Randy Webster, Chairman
 (Acknowledgment of Notary)
 County of Pottawattamie)

On this _____ day of _____, 2003, before me the undersigned, a notary public, personally came Randy Webster, Chairman, First Management, Inc. to me personally known to be the identical person whose name is affixed to the foregoing instrument, and he acknowledges the same to be his voluntary act and deed, as said Chairman.

Notary Public _____

My Commission Expires _____

APPROVAL OF COUNCIL BLUFFS COUNTY DEVELOPMENT DEPARTMENT
 THIS FINAL PLAT OF OAK RIDGE ESTATES PHASE III WAS APPROVED BY THE COUNCIL BLUFFS COUNTY DEVELOPMENT DAY OF DEPARTMENT ON _____ DAY OF _____, 2003.

APPROVAL OF COUNCIL BLUFFS CITY COUNCIL
 THIS FINAL PLAT OF OAK RIDGE ESTATES PHASE III WAS APPROVED BY THE COUNCIL BLUFFS CITY COUNCIL ON THIS _____ DAY OF _____, 2003.

THOMAS P. MANAFRA, MAYOR
 ATTEST:
 CHERYL DOMINERY
 CITY CLERK

APPROVAL OF COUNTY TREASURER'S CERTIFICATE
 THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES, DUE OR DEFERRED, AGAINST THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE. THIS _____ DAY OF _____, 2003.

JUDY ANN MILLER, POTTAWATTAMIE COUNTY TREASURER

ACKNOWLEDGEMENT OF NOTARY
 COUNTY OF POTTAWATTAMIE)
 ON THIS _____ DAY OF _____, 2003, BEFORE ME THE UNDERSIGNED A NOTARY PUBLIC, PERSONALLY CAME RANDY WEBSTER, CHAIRMAN, FIRST MANAGEMENT, INC. TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGES THE SAME TO BE HIS VOLUNTARY ACT AND DEED, AS SAID CHAIRMAN.

NOTARY PUBLIC _____
 MY COMMISSION EXPIRES _____

FINAL PLAT

OAK RIDGE ESTATES PHASE III
 COUNCIL BLUFFS, IOWA



E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS

12001 O STREET
 OMAHA, NE 68137
 PHONE: (402) 855-4700
 FAX: (402) 855-3399

7130 SOUTH 23TH STREET, SUITE D
 LINCOLN, NE 68516-9941
 PHONE: (402) 432-7271
 FAX: (402) 432-7128

4A

PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

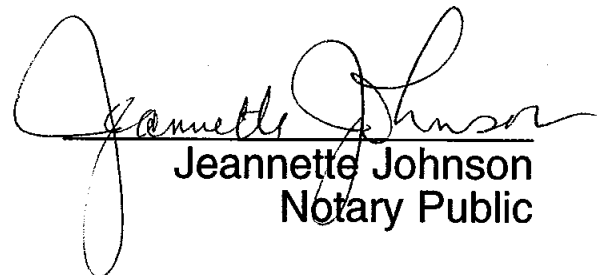
The first publication thereof

began on the 18 day of Nov, 2003
the 2nd on the _____ day of _____, 2003
the 3rd on the _____ day of _____, 2003
the 4th on the _____ day of _____, 2003
the 5th on the _____ day of _____, 2003

Signed in my presence by the said Amy McKay and by her sworn to before me this 17 day of Dec, A.D. 2003.

NOTICE OF PUBLIC HEARING
TO WHOM IT MAY CONCERN:
You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request for final plat approval of a subdivision to be known as Oak Ridge Estates, Phase III located along Parkwild Drive, north of Oak Ridge Estates, Phase II.
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7pm, on the 24th day of November, 2003 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.
2003(11)18 - 1 Tuesday


Amy McKay
Daily Nonpareil Controller


Jeannette Johnson
Notary Public

Filed this _____ day of _____, A.D. 2003
Publication Cost: \$ 7.60
Proof of Publication Fee: \$ _____

