

INST # 14337  
RECORDING FEE 20.00  
AUDITOR FEE -  
RMA FEE 1.00

**COMPARED**

FILED FOR RECORD  
POTTAWATTAMIE CO. IA.

02 JAN 17 AM 9:12

JOHN SCORATINO  
RECORDER

② 1/14

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. 01-289

A RESOLUTION granting final plat approval for Briarwood Subdivision Phase 2, located on the west side of State Orchard Road, north of Greenview Road.

WHEREAS, DORCOR, Inc. has requested final plat approval for Phase 2 of Briarwood Subdivision, as shown on Attachment "A"; and

WHEREAS, the preliminary plan for Briarwood Subdivision was approved on August 23, 1999, by City Council Resolution No. 99-234. The final plat for Phase 1, which created 100 lots, was approved by Resolution No. 00-198 on August 14, 2000. On July 10, 2001, the Planning Commission extended the deadline for submitting an application for final plat approval for Phase 2 until August 23, 2002.

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

WHEREAS, the appropriate city departments and utilities have reviewed the final plat with no adverse comments; and

WHEREAS, the Community Development Department recommends approval of the final plat for a subdivision to be known as Briarwood Phase 2, as shown on Attachment "A", subject to the following conditions:

1. Prior to executing the final plat, all required public improvements shall be installed at developer's expense and accepted by the City, or the City shall be in receipt of a performance guarantee in an amount determined by the Public Works Department to be sufficient to finish all required public improvements not yet completed and/or certified and accepted by the Public Works Department.
2. Prior to executing the final plat, all technical corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document. The two sections of Garwin Circle shall have "East" or "West" added as appropriate.
3. All fire hydrants shall be active and accessible prior to any framing activity in the subdivision.
4. The developer shall provide the City with two sets of as-built construction drawings, testing results, and a two-year maintenance bond, upon acceptance of all required improvements.
5. 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 house. The applicant is not required to construct sidewalk along the State Orchard Road frontage.

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


4-B

That the final plat of for a subdivision to be known as Briarwood Phase 2, 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 authorized and directed to endorse the final plat.

ADOPTED  
AND November 19, 2001  
APPROVED

  
\_\_\_\_\_  
THOMAS P. HANAFAN Mayor

Attest:   
\_\_\_\_\_  
OLGA RAMIREZ City Clerk

Planning Case No. SUB-01-01-3

4-8



COMPARED

# PROOF OF PUBLICATION

STATE OF IOWA  
POTTAWATTAMIE COUNTY

I, JEANNETTE JOHNSON, on my oath do solemnly swear that I am the Accountant 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 31 day of Oct., 2001
- the 2nd on the \_\_\_\_\_ day of \_\_\_\_\_, 2001
- the 3rd on the \_\_\_\_\_ day of \_\_\_\_\_, 2001
- the 4th on the \_\_\_\_\_ day of \_\_\_\_\_, 2001
- the 5th on the \_\_\_\_\_ day of \_\_\_\_\_, 2001

Signed in my presence by the said JEANNETTE JOHNSON and by her sworn to before me this 19 day of Nov., A.D. 2001.

**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 Briarwood Subdivision Phase 2, located west of State Orchard road and north of Briarwood Phase 1.  
 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 7:00 p.m., on the 19th day of November, 2001 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.  
 s/ Olga Ramirez, City Clerk  
 20011102-1 Wednesday

Jeannette Johnson

Marlene J. Lahr

Notary Public  
Legal Typist

Filed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001  
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RECEIVED LARRY  
 NOTARY PUBLIC  
July 31, 2003

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