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FILED FOR RECORD POTTAWATTAME CO. IA.

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JOHN SOIGHTINO RECORDER

(P) 14 (P)

Prepared by: Return to:

City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4620 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:

- 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.
- 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.
- 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.
- 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:

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RESOLUTION NO. 01-289

PAGE TWO

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

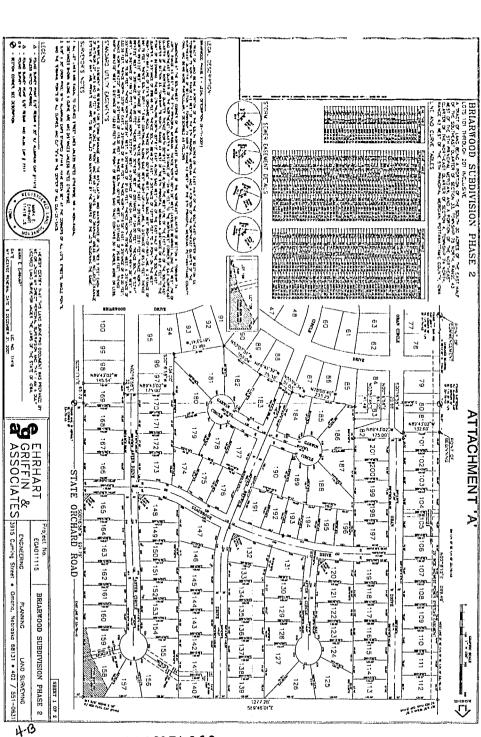
That the Mayor and City Clerk are authorized and directed to endorse the final plat.

ADOPTED

AND November 19, 2001

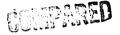
Mayor

Planning Case No. SUB-01-01-3



BK 102PG54862

PD



PROOF OF PUBLICATION

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/_ consecutive time(s) as follows:
The first publication thereof began on the3/_ day ofOct,2001
the 2nd on theday 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 he sworn to before me this _/9_ day of, A.D. 2001.
NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN. You and rach of you are bereby natified that the City Concoll of the City of Council Bulls. It was, has exhel- uled a public hearing on the request for final plat spopwal of Britary and Subdition Phase 2, located was of State Orchard rold and out of Britary and Phase 1.
You are further notified that a noble hearing on male matter will be held by the City Control of the City of Council Bluffs, fows, at the regular meeting hold at 200 par, on the 18th day of November, 2001 to the City Council Chambers, the Floor of City Hall, 200 Pearl Street, Council Bluffs, lower at which then and place all persons the treets of City Hall, 200 Pearl Street, Council Bluffs, lower at which then and place all persons the treets of the and matter will be
Notary Public Legal Typis
Filed this day of, A.D. 2001 Publication Cost: \$, A.D. 2001 Proof of Publication Fee: \$
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