

**ATTORNEY'S OPINION WITH RESPECT TO RIVER'S EDGE
SUBDIVISION REPLAT TWO OF:**

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1914-1986

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1916-2002

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1935-2009

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**BLOCKS 2, 3 & 5, RIVER'S EDGE SUBDIVISION AN OFFICIAL
PLAT IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,
IOWA AS RECORDED ON JULY 7, 2015 IN BOOK 2015, PAGE 08651**

TO THE COUNTY RECORDER OF POTTAWATTAMIE COUNTY:

I have examined the abstract of title pertaining to the following described property:

**BLOCKS 2, 3 & 5, RIVER'S EDGE SUBDIVISION AN OFFICIAL
PLAT IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE
COUNTY, IOWA AS RECORDED ON JULY 7, 2015 IN BOOK 2015,
PAGE 08651.** This abstract is a continuation of the abstracts referenced in the opinion for the platting of River's Edge Subdivision and does not cover matters included in Chapter 614.29 through 614.38 of the Code of Iowa as amended, the Marketable Title Act and Chapter 11 of the Iowa Land Title Examination Standards and the Abstracting Standards of the Iowa Land Title Association, which are excluded thereunder except plat and surveys, easements, party wall and other boundary line agreements, unexpired recorded leases, and patents, and is certified to November 25, 2015, at 8:00 AM by Abstract Guaranty Company, and is in ONE part containing 4 entries.

Marketable title to the property under examination is held in the City of Council Bluffs, Iowa, as shown in Entry 1 by the opinion rendered and attached to the platting of River's Edge Subdivision in Book 2015 Page 08651.


From my examination of the preceding property and from my examination for the platting of River's Edge Subdivision, marketable title is subject to the following:

1. Entry #1 of the abstract with regard to the above described property sets forth the subdivision platting of River's Edge Subdivision. The property is subject to the conditions and restrictions set out in the dedication of the final plat regarding the erection of structures, change of grade, right of access by the city, removal and replacement of unauthorized improvements, surface restoration and other restrictions and conditions. The plat also sets out permanent easements for the construction repairing/replacing storm sewers. You are referred to the

- final plat for an itemization and description of the restrictions and conditions affecting the use of the subdivision.
2. Entry #1 sets forth a Declaration of Covenants, Conditions and Restrictions for River's Edge Subdivision requiring that the described property be developed according to the Playland Park Master Plan Amendment No. 2 which is attached to the Declaration and which is referenced in the title opinion attached to the platting of River's Edge Subdivision Paragraph 1. You are referred to the Declaration of Covenants and the Playland Park Master Plan for further particulars that may affect the use of the described property.
 3. All of the described property is subject to City Zoning and City Ordinances, as amended and adopted. You are referred to said ordinances for further particulars.
 4. All of the described property is exempt from Real Estate Taxes.
 5. No liens of record are shown on the described property.

This opinion is a continuation and a supplement to the opinion rendered and attached to the River's Edge Subdivision final plat. This opinion is given solely for the purpose of re-platting the property under examination. This opinion contains only the information required in Chapter 354.11(3) 2013 Code of Iowa. This opinion should not be relied upon for any other purpose.

This opinion is expressed as of the 20th day of May, 2016.



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CERTIFICATE AND RECEIPT

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STATE OF IOWA

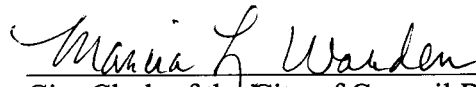
} SS.

Pottawattamie County,

The undersigned, City Clerk of the City of Council Bluffs, Iowa, hereby certifies that: Resolution 16-44, Public Hearing Notice, Map and the Final Plat for River's Edge Subdivision, Replat Two, being a Replat of Blocks 2, 3, and 5, River's Edge Subdivision, are as the same that appears of record in this office.

Witness my hand and seal of Council Bluffs, Iowa,

this 3rd day of May, A.D. 2016.



City Clerk of the City of Council Bluffs

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RESOLUTION NO. 16-44

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A SUBDIVISION PLAT TO BE KNOWN AS RIVER'S EDGE SUBDIVISION, REPLAT TWO, BEING A REPLAT OF BLOCKS 2, 3, AND 5, RIVER'S EDGE SUBDIVISION.

WHEREAS, The Community Development Department is requesting rezoning of Blocks 3, 4 and 5, River's Edge Subdivision and a replat of Blocks 2, 3 and 5, River's Edge Subdivision; and

WHEREAS, The Community Development Department recommends approval of the final plat for a subdivision to be known as River's Edge Subdivision, Replat Two, being a replat of Blocks 2, 3 and 5, River's Edge Subdivision, as shown on Attachment B.

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

That the final plat approval for a subdivision to be known as River's Edge Subdivision, Replat Two, being a replat of Blocks 2, 3 and 5, River's Edge Subdivision, as shown on Attachment B, is hereby approved subject to all local, state and federal regulations; and

BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

February 22, 2016


MATTHEW J. WALSH Mayor

ATTEST: 
MARCIA L. WORDEN City Clerk

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 14th day of February, 2016

Signed in my presence by the said Amy McKay and by her sworn to before me this 15th day of February, A.D. 2016.

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 of the Community Development Department for final plat approval of a 8-lot residential/commercial subdivision to be known as River's Edge Subdivision, Replat Two, being a replat of Blocks 2, 3 and 5, River's Edge Subdivision all in the City of Council Bluffs, Pottawattamie County, Iowa.
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 22nd day of February, 2016 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.
Marcia L. Worden, City Clerk
2016(2)14-1 Sunday

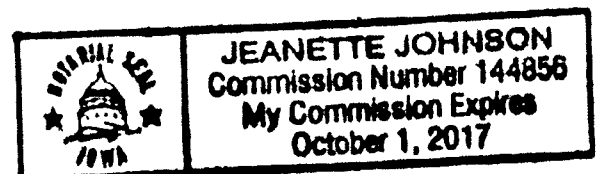


Amy McKay
Daily Nonpareil Controller



Jeannett Johnson
Notary Public

Filed this 15th day of February, A.D. 2016.
Publication Cost: \$ 11.86



Customer Number: 35700
Order Number: 20404785

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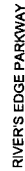
CASE #ZC-16-004 & CASE #PR-16-002



| | | | |
|-----------|-----|------|------|
| Zoning_CB | BC | I-2 | R-1M |
| Zoning | C-1 | I-3 | R-2 |
| A-1 | C-2 | PC | R-3 |
| A-2 | C-3 | PI | R-4 |
| A-3 | C-4 | R-1 | |
| AP | I-1 | R-1E | |



FINAL PLAT



Survey

| | |
|------------------------------|--|
| Section Corner | |
| 1/2" Rebar, Cap = 11804 | |
| (Unless Otherwise Noted) | |
| ROW Marker | |
| Control Point | |
| Bench Mark | |
| Platted Distance | |
| Measured Bearing & Distance | |
| Recorded As | |
| Dead Distance | |
| Calculated Distance | |
| Minimum Protection Elevation | |
| Centerline | |
| Section Line | |
| 1/4 Section Line | |
| 1/4 Section Line | |
| End of Section | |

INTERSTATE 480

FINAL PLAT

Project No: 1061066
Sheet 1 of 1

TREASURER OF POTAWATTAMIE COUNTY, IOWA: LEA VOSS DATE:

I hereby certify that this land 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 licensed Professional Land Surveyor under the laws of the State of Texas.

Michael G. Geier 4/27/2004

Michael G. Geier, PLS
License Number 11804

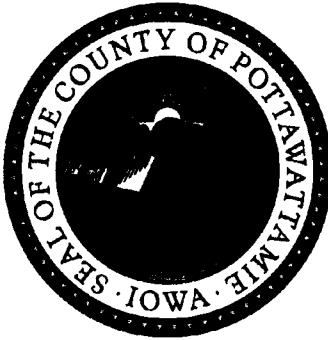
License Number 11804

My License Renewal Date is December 31, 2011.

Pages or sheets covered by this seal:

Pottawattamie County Auditor's Certification Of Subdivision Name Approval

MARILYN JO DRAKE
POTTAWATTAMIE COUNTY AUDITOR
AND ELECTION COMMISSIONER
P. O. BOX 649
COUNCIL BLUFFS, IOWA 51502-0649



Kristi Everett, First Deputy - Elections
Joan Miller, First Deputy - Real Estate
Rebecca Belt, First Deputy - Tax and
Finance
Phone (712) 328-5700
FAX (712) 328-4740

I, Marilyn Jo Drake, Auditor of Pottawattamie County, Iowa, or designee, do hereby certify that the subdivision name of the attached platting is unique within Pottawattamie County and is hereby approved.

Name of new subdivision:

RIVER'S EDGE SUBDIVISION REPLAT TWO

Joan P. Miller Deputy of Real Estate 5/20/16
Signed Date