

SE094900118

BK10049646034

COMPARED

CENTRE POINTE HEIGHTS 2ND ADDITION

LOTS 1 THRU 12 INCLUSIVE

BEING A PLATTING OF PART OF LOT 4, AUDITOR'S SUBDIVISION LOCATED IN THE SE1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 75 NORTH, RANGE 44 WEST, OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

00 APR -4 PH12:17

JOHN SORICHTINO
RECORDER

INST # **16507**
 RECORDING FEE 120⁰⁰
 AUDITOR FEE 7⁰⁰
 RMA FEE 7⁰⁰

APR 4 2000

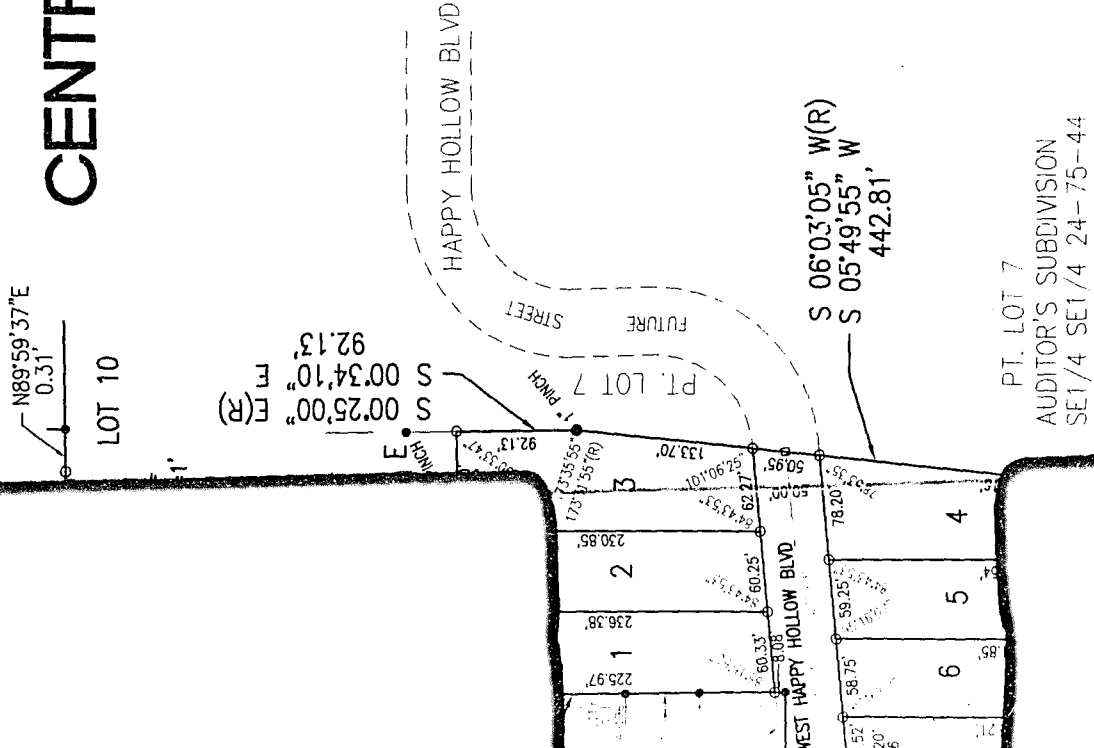
LEGAL DESCRIPTION

I, Robert V. Clark, a registered land surveyor, do hereby certify that I have surveyed the property described below, being a platting of part of Lot 4, Auditor's Subdivision located in the SE1/4 of the SE1/4 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 Southwest corner of Lot 13, Centre Pointe Heights Replat Two, a subdivision located in said SE 1/4 of Section 24, said point also being on the East line of Lot 10, Auditor's Subdivision of said SE 1/4 of the SE 1/4 of Section 24; thence N89°59'37"E (assumed bearing) along the South line of said Lot 13, Centre Pointe Heights Replat Two, a distance of 137.20 feet to the point of intersection of said South line of Lot 13, Centre Pointe Heights Replat Two and the West right-of-way line of Happy Hollow Boulevard; thence S00°00'23"E along said West right-of-way line of Happy Hollow Boulevard, a distance of 50.00 feet to the Southwest corner of said Happy Hollow Boulevard right-of-way; thence N89°59'37"E along the South right-of-way line of said Happy Hollow Boulevard, a distance of 150.00 feet; thence N00°00'23"W along the East right-of-way line of Happy Hollow Boulevard, a distance of 50.00 feet to a point on the South line of Lot 14, said Centre Pointe Heights Replat Two; thence N89°59'37"E along said South line of Lot 14, Centre Pointe Heights Replat Two, a distance of 93.99 feet to the Southeast corner of said Lot 14, Centre Pointe Heights Replat Two; thence N00°32'20"W along the East line of said Centre Pointe Heights Replat Two, a distance of 234.05 feet to the Northeast corner of Lot 17, said Centre Pointe Heights Replat Two, said point also being on the South line of Lot 18, said Centre Pointe Heights Replat Two; thence N89°59'37"E along said South line of Lot 18, Centre Pointe Heights Replat Two, a distance of 45.00 feet to the Southeast corner of said Lot 18, Centre Pointe Heights Replat Two; thence N00°32'20"W along the East line of said Lot 18, Centre Pointe Heights Replat Two, a distance of 15.96 feet; thence N89°59'37"E, a distance of 152.02 feet to a point on the East line of said Lot 4, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, said line also being the West line of Lot 7, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24; thence S00°34'10"E along said East line of Lot 4, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, a distance of 92.13 feet; thence S05°49'55"W, along said East line of Lot 4, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, said line also being said West line of Lot 7, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, a distance of 442.81 feet to a point on the North line of Lot 1, Auditor's Subdivision of Lots 5 and 6 of Auditor's Subdivision of the SE1/4 of the SE1/4 of Section 24; thence N88°47'24"W along the North line of said Lot 1, and also the North line of Lot 2, Auditor's Subdivision of Lots 5 and 6 of Auditor's Subdivision of the SE1/4 of the SE1/4 of Section 24, a distance of 530.33 feet to the Northwest corner of said Lot 2, Auditor's Subdivision of Lots 5 and 6 of Auditor's Subdivision of the SE1/4 of the SE1/4 of Section 24, said point also being on the East right-of-way line of Casady Street; thence N00°19'55"W along said East right-of-way line of Casady Street, and also along the East right-of-way of Millard Street and also along said East line of Lot 10, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, a distance of 271.39 feet to the point of beginning.

Said tract of land contains an area of 4.380 acres, more or less.

I further certify that the plat of said property was made under my direct supervision with reference to known monuments and that the plat accurately described all dimensions of the subdivision of Centre Pointe Heights Replat Three by length and breadth and the breadth and course of all boundaries certified herein.



PT. LOT 7
 AUDITOR'S SUBDIVISION
 SE1/4 SE1/4 24-75-44

5E0949d0018

CENTRE POINTE HEIGHT

LOTS 1 THRU 12 INCLUSIVE

BEING A PLATTING OF PART OF LOT 4, AUDITOR'S SUBDIVISION OF THE SE1/4 OF SECTION 24, TOWNSHIP 75 NORTH, RANGE POTTAWATTAMIE COUNTY, IOWA.

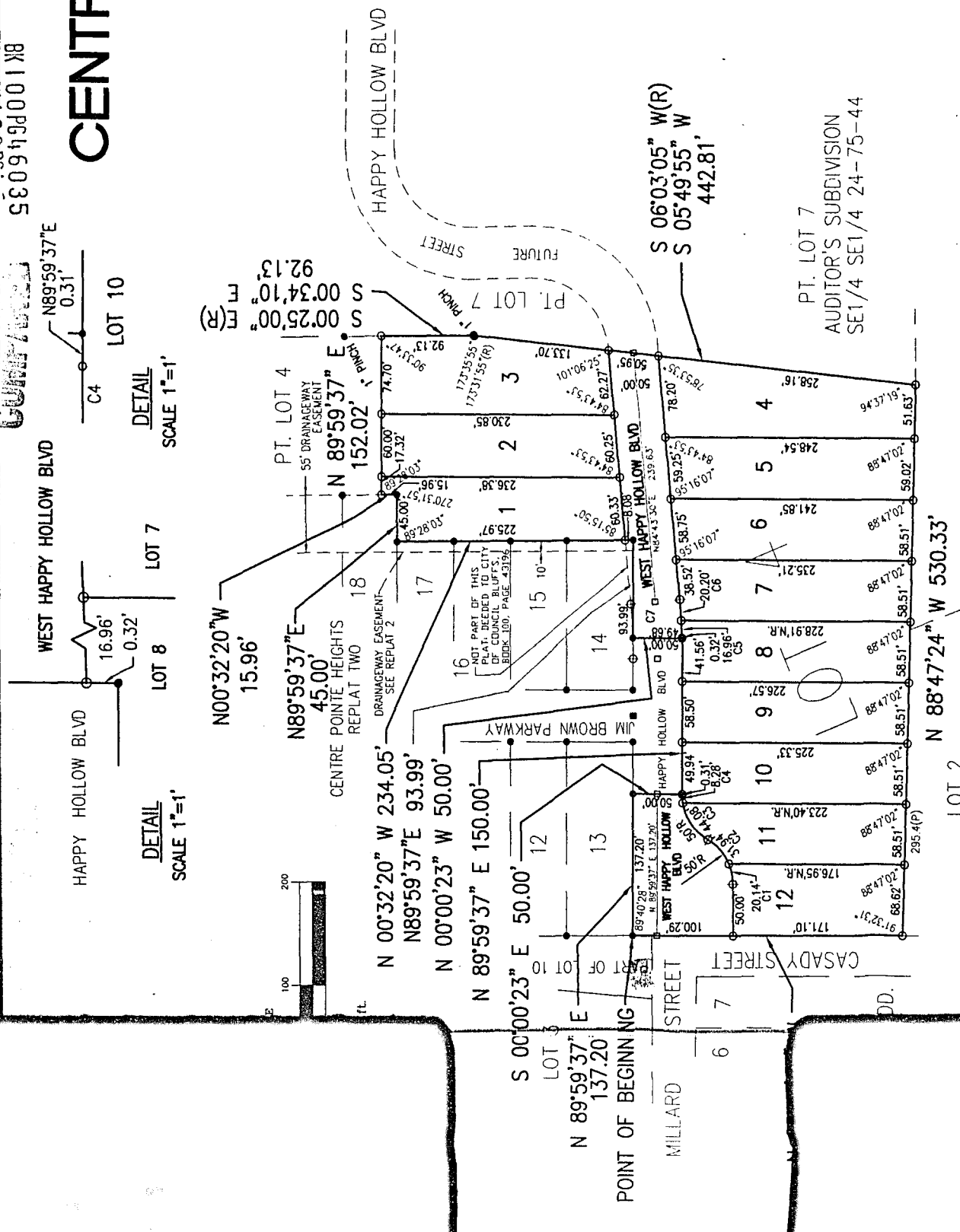
LEGAL DESCRIPTION

I, Robert V. Clark, a registered land surveyor, do hereby certify that I have surveyed the plat of Lot 4, Auditor's Subdivision located in the SE1/4 of the SE1/4 of Section 24, Township 75 North, Range Pottawattamie County, Iowa, more particularly described as follows:

Beginning at the Southwest corner of Lot 13, Centre Pointe Heights Replat Two, also being on the East line of Lot 10, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, Township 75 North, Range Pottawattamie County, Iowa, a distance of 50.00 feet along the South line of said Lot 13, Centre Pointe Heights Replat Two, of Lot 13, Centre Pointe Heights Replat Two and the West right-of-way line of Happy Hollow Boulevard, a distance of 50.00 feet north along the South right-of-way line of said Happy Hollow Boulevard, a distance of 50.00 feet east along the South right-of-way line of said Happy Hollow Boulevard, a distance of 50.00 feet north along the East line of Lot 14, Centre Pointe Heights Replat Two, thence N00°32'20"W along said South line of Lot 14, Centre Pointe Heights Replat Two, thence N00°32'20"W a distance of 234.05 feet to the Northeast corner of Lot 17, said Lot 17, a distance of 45.00 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two; thence N89°59'37"E a distance of 45.00 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 15.96 feet to the Southeast corner of said Lot 18, said Lot 18, said Centre Pointe Heights Replat Two, a distance of 06°03'05" W(R) S 05°49'55" W 442.81'

Said tract of land contains an area of 4.380 acres, more or less.

I further certify that the plat of said property was made under my direct supervision and that the dimensions of the subdivision of Centre Pointe Heights Replat Two are accurately described all boundaries certified herein.



PT. LOT 7
AUDITOR'S SUBDIVISION
SE1/4 SE1/4 24-75-44

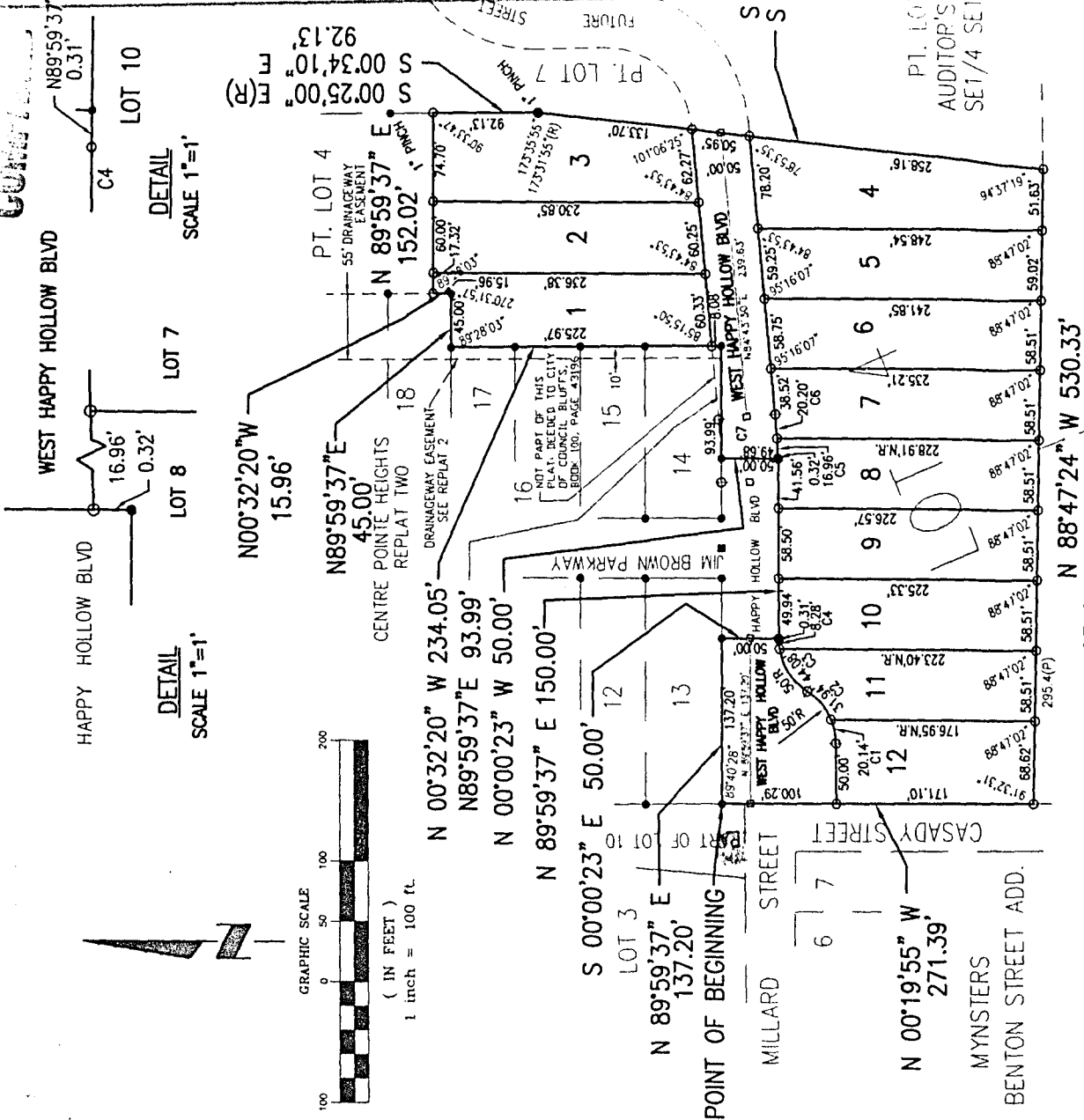
LOT 2
N 88°47'24" W 530.33'

LOT 1

LOT 2

COMPARED

BK 100P646036



MYNSTERS
BENTON STREET ADD.

LOT 2

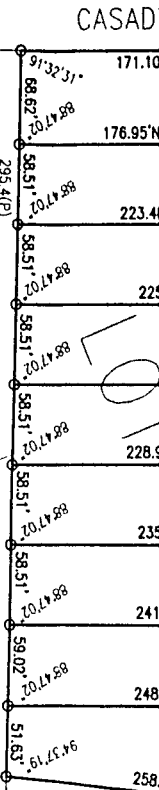
LOT 2

LOT 2

AUDITOR'S SU
SET/4 SET 1 4

PT. LOT 7

MYNSTERS
BENTON STREET ADD.



Pt. Lot 7
AUDITOR'S SUBDIVISION
SE1/4 SE1/4 24-75-44

NOTES:

1. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED
2. ALL LOT LINES ARE RADIAL TO CURVED STREETS UNLESS INDICATED BY N.R.
3. A PERPETUAL EASEMENT 5 FEET IN WIDTH IS RESERVED ALONG THE SIDE LOT LINES OF LOTS 5 AND 6 OF AUDITOR'S SUBDIVISION OF SE1/4 SE1/4 24-75-44 FOR DRAINAGE. SAID EASEMENTS ARE FOR UTILITY INSTALLATION AND MAINTENANCE AND PRIVATE AND ARE TO BE INSTALLED AND MAINTAINED BY THE OWNERS OF THE LOTS ADJOINING THEM.
4. ZONED R-3, BUILDING FRONT YARD SETBACK IS 15 FEET FOR LOTS 1 THRU 12 INCLUSIVE PER APPROVED VARIANCE.
5. PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN PREPARED FOR THIS DEVELOPMENT AND WILL BE RECORDED SIMULTANEOUSLY WITH THE FINAL PLAT.
6. ALL DIMENSIONS SHOWN IN PARENTHESES ARE FOR EASEMENT LOCATION.
7. REFER TO BOUNDARY SURVEY RECORDED IN THE RECORDS OF THE POTTAWATTAMIE COUNTY RECORDER FOR BOUNDARY CONTROL.

AUDITOR'S SUBDIVISION OF
LOTS 5 AND 6 OF
AUDITOR'S SUBDIVISION OF
SE1/4 SE1/4 24-75-44

LEGEND

- PINS FOUND, 5/8" X 30" REBAR WITH ALUMINUM CAP #13373 (UNLESS OTHERWISE NOTED)
- PINS SET, 5/8" X 30" REBAR WITH ALUMINUM CAP #13373
- ◻ PINS SET, 5/8" STEEL PLUG
- PINS FOUND, 5/8" STEEL PLUG
- (P) PLAT DIMENSION
- (S) SURVEY DIMENSION
- (R) RECORDED
- ◄ SECTION CORNER FOUND
- (C*) CURVE CHORD DATA (SEE TABLE)

CURVE CHORD DATA

CURVE #	CHORD BEARING & DISTANCE
C1	N 78°07'52" E 200.00'
C2	N 48°17'38" E 314.41'
C3	N 55°14'52" E 424.65'
C4	N 85°14'52" E 82.76'
C5	N 85°55'05" E 18.56'
C6	N 85°55'05" E 18.40'

CENTER-LINE CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	596.72	34.68	17.35	319.49

Project No.	02896.2
Date:	01-18-00
Designed By:	MAW
Drawn By:	LDD
Checked By:	
Scale:	1" = 100'
Sheet:	1 of 2

FINAL PLAT

**CENTRE POINTE HEIGHTS
2ND ADDITION**

COUNCIL BLUFFS, IOWA

12001 Q
OMAHA, NE
PHONE: (402)
FAX: (402)

BK 100Pg46037
COMPASS

being on the East right-of-way line of Casady Street, thence N007°19'55"W along said East right-of-way line of Casady Street, and also along the East right-of-way of Millard Street, and also along said East line of Lot 10, Auditor's Subdivision of said SE1/4 of the SE1/4 of Section 24, a distance of 271.39 feet to the point of beginning.
 Said tract of land contains an area of 4.380 acres, more or less.

I further certify that the plat of said property was made under my direct supervision with reference to known monuments and that the plot accurately described all dimensions of the subdivision of Centre Point Heights Replat Three by length and breadth and the breadth and course of all boundaries certified herein.

LEGEND

- PINS FOUND, 5/8" X 30" REBAR WITH ALUMINUM CAP #13373 (UNLESS OTHERWISE NOTED)
- PINS SET, 5/8" X 30" REBAR WITH ALUMINUM CAP #13373
- PINS SET, 5/8" STEEL PLUG
- PINS FOUND, 5/8" STEEL PLUG
- (P) PLAT DIMENSION
- (S) SURVEY DIMENSION
- (R) RECORDED
- SECTION CORNER FOUND
- CURVE CHORD DATA (SEE TABLE)

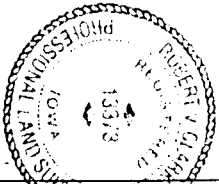
CURVE CHORD DATA

CURVE NO.	CHORD BEARING	CHORD DISTANCE
1	N 78°17'38" E	5.40'
2	N 58°14'53" E	42.56'
3	N 85°14'52" E	8.27'
4	N 87°22'06" E	16.96'
5	N 85°39'22" E	20.20'

CENTER-LINE CURVE TABLE			
RAJUS	LENGTH	TANGENT	DELTA
596.72'	34.66'	17.35'	319.49°

**CENTRE HEIGHTS
 ADDITION**

BLUFFS, IOWA



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 Registered Land Surveyor under the laws of the State of Iowa.

Signature: *Robert V. Clark* Date: 3-27-00
 Robert V. Clark
 License Number 13373

My license renewal date is December 31, 2000.
 Pages or sheets covered by this seal: 2

12001 Q STREET
 OMAHA, NE 68137-3542
 PHONE: (402) 895-4700
 FAX: (402) 895-3599

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



7130 SOUTH 29TH STREET, SUITE D
 LINCOLN, NE 68516-5841
 PHONE: (402) 420-7217
 FAX: (402) 420-7218



BLUFFS COMMUNITY DEVELOPMENT

CENTRE POINTE HEIGHTS 2ND ADDITION
COUNCIL BLUFFS COMMUNITY
SENT ON THIS 27th DAY OF March

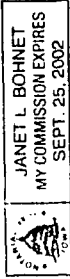
ACKNOWLEDGEMENT OF NOTARY)
COUNTY OF POTTAWATTAMIE)

ON THIS 30 DAY OF March, 2000, BEFORE ME THE
UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME
BEVERLY A. ROTH, TO ME PERSONALLY KNOWN TO BE THE
IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE
FOREGOING INSTRUMENT, AND SHE ACKNOWLEDGES THE
SAME TO BE HER VOLUNTARY ACT AND DEED.

Janet L. Bohnet

NOTARY PUBLIC

MY COMMISSION EXPIRES 9-25-2003



CERTIFICATE

AT I FIND NO REGULAR OR SPECIAL
OBJECTION, AGAINST THE PROPERTY
DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED
IN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE,
THIS 27th DAY OF March, 2000.

Judy Ann Miller

JUDY ANN MILLER, POTTAWATTAMIE COUNTY TREASURER

CENTRE POINTE HEIGHTS
ADDITION
COUNTY OF POTTAWATTAMIE, IOWA



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

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OMAHA, NE 68137-3542
PHONE: (402) 895-4700
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7130 SOUTH 29TH STREET, SUITE D
LINCOLN, NE 68516-5841
PHONE: (402) 420-7217
FAX: (402) 420-7218

BK 100PG46040

BK 100PG46039

THAT I WILL MEET ALL EQUAL OPPORTUNITY
PLANNING OBJECTIVES CONSISTENT WITH FEDERAL
GUIDELINES.

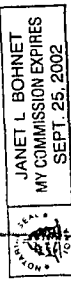
Beverly A. Roth
ROTH

NOTARY PUBLIC
(POTTAWATTAMIE)

ON THIS March 2000, BEFORE ME THE
NOTARY PUBLIC, PERSONALLY CAME
TO ME PERSONALLY KNOWN TO BE THE
WHOSE NAME IS AFFIXED TO THE
INSTRUMENT, AND SHE ACKNOWLEDGES THE
VOLUNTARY ACT AND DEED.

Janet L. Bohnet
NOTARY PUBLIC

MY COMMISSION EXPIRES 9-25-2002



Project No. 02896.2

FINAL PLAT

APPROVAL OF COUNCIL BLUFFS COMMUNITY DEVELOPMENT
DEPARTMENT

THIS FINAL PLAT OF CENTRE POINTE HEIGHTS 2ND ADDITION
WAS APPROVED BY THE COUNCIL BLUFFS COMMUNITY
DEVELOPMENT DEPARTMENT ON THIS 21st DAY OF March
2000.

Donald Gross

DONALD GROSS, DIRECTOR

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL
TAXES, DUE OR DELINQUENT, AGAINST THE PROPERTY
DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED
IN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE,
THIS 21st DAY OF March, 2000.

Judy Ann Miller

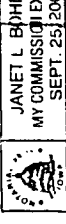
JUDY ANN MILLER, POTTAWATTAMIE COUNTY TREASURER

ACKNOWLEDGEMENT OF NOTARY
COUNTY OF POTTAWATTAMIE)

ON THIS 30 DAY OF March
UNDERSIGNED, A NOTARY PUBLIC
BEVERLY A. ROTH, TO ME PERSONALLY
KNOWN TO BE THE PERSON WHOSE NAME
IS AFFIXED TO THE FOREGOING INSTRUMENT, AND SHE
ACKNOWLEDGES THE VOLUNTARY ACT AND DEED.

Beverly A. Roth
NOTARY PUBLIC

MY COMMISSION EXPIRES 9-25



CENTRE POINTE HEIGHTS
2ND ADDITION

COUNCIL BLUFFS, IOWA

12001 Q STREET
OMAHA, NE 68137-3542
PHONE: (402) 895-4700
FAX: (402) 895-3599

E&A CONSULTANTS
ENGINEERS • PLANNERS

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

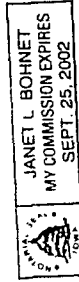
Beverly A. Roth
BY: BEVERLY A. ROTH

ACKNOWLEDGEMENT OF NOTARY)
COUNTY OF POTTAWATTAMIE)

ON THIS 30 DAY OF March, 2000, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME BEVERLY A. ROTH, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE FOREGOING INSTRUMENT, AND SHE ACKNOWLEDGES THE SAME TO BE HER VOLUNTARY ACT AND DEED.

Janet L. Bohnet
NOTARY PUBLIC

MY COMMISSION EXPIRES 4-25-2003



Project No. 02896.2
Date: 01-18-00
Designed By: MAW
Drawn By: LDD
Checked By:
Scale: 1" = 100'

FINAL PLAT

CENTRE POINTE HEIGHTS 2ND ADDITION

COUNCIL BLUFFS, IOWA

APPROVAL OF COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT

THIS FINAL PLAT OF CENTRE POINTE HEIGHTS 2ND ADDITION WAS APPROVED BY THE COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT ON THIS 27th DAY OF March, 2000.

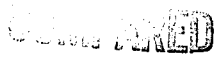
Donald Gross

DONALD GROSS, DIRECTOR

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES, DUE OR DELINQUENT, AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE, THIS 27th DAY OF March, 2000.

Judy Ann Miller
JUDY ANN MILLER, POTTAWATTAMIE COUNTY TREASURER



BK100PG46041

240949D001JB

RECORDED

CENTRE POINTE HEIGHTS

LOTS 1 THRU 12 INCLUSIVE

BEING A PLATTING OF PART OF LOT 4, AUDITOR'S SUBDIVISION 100 OF THE SE1/4 OF SECTION 24, TOWNSHIP 75 NORTH, RANGE 44 WEST, POTTAWATTAMIE COUNTY, IOWA.

I HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDED CONTEMPORANEOUS 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. 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 CONVEYED 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.
- I HEREBY CERTIFY THAT I WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES.

BY: Beverly A. Roth
BEVERLY A. ROTH

APPROVAL OF COUNCIL BLUFFS CITY COUNCIL

THIS FINAL PLAT OF CENTRE POINTE HEIGHTS 2ND ADDITION WAS APPROVED BY THE COUNCIL BLUFFS CITY COUNCIL ON THIS _____ DAY OF _____, 2000.

Thomas P. Hanifan
THOMAS P. HANIFAN, MAYOR

ATTEST: [Signature]
CITY CLERK

APPROVAL OF COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT

THIS FINAL PLAT OF CENTRE POINTE HEIGHTS 2ND ADDITION WAS APPROVED BY THE COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT ON THIS 21st DAY OF March, 2000.

[Signature]

RECORDED

CENTRE POINTE HEIGHTS 2ND ADDITION

LOTS 1 THRU 12 INCLUSIVE

PLATTING OF PART OF LOT 4, AUDITOR'S SUBDIVISION LOCATED IN THE SE1/4
SECTION 24, TOWNSHIP 75 NORTH, RANGE 44 WEST, OF THE 5TH P.M.,
POTTAWATTAMIE COUNTY, IOWA.

COUNCIL BLUFFS CITY COUNCIL

OF CENTRE POINTE HEIGHTS 2ND ADDITION
THE COUNCIL BLUFFS CITY COUNCIL ON
_____, 2000.

[Signature]
CITY CLERK

[Signature]
CITY CLERK

COUNCIL BLUFFS COMMUNITY DEVELOPMENT

CENTRE POINTE HEIGHTS 2ND ADDITION
THE COUNCIL BLUFFS COMMUNITY
DEVELOPMENT ON THIS 2nd DAY OF March

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT I, BEVERLY A. ROTH, BEING THE SOLE OWNER
AND PROPRIETOR OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND
EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED INTO LOTS
AS SHOWN, SAID ADDITION TO BE HEREAFTER KNOWN AS CENTRE POINTE HEIGHTS
2ND ADDITION, CONSISTING OF LOTS 1 THROUGH 12, INCLUSIVE. I DO HEREBY
RATIFY AND APPROVE OF THE DISPOSITION OF MY PROPERTY AS SHOWN ON
THIS PLAT. I DO HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, FOR PUBLIC
USE, WEST HAPPY HOLLOW BOULEVARD.

[Signature]
BY: BEVERLY A. ROTH

ACKNOWLEDGEMENT OF NOTARY)
COUNTY OF POTTAWATTAMIE)



500 West Broadway
 Council Bluffs, Iowa 51503-0810
 712 325-2632
 712 325-2671 fax

COUNCIL BLUFFS

March 30, 2000

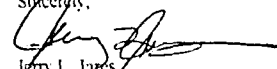
Mr. John Scortino
 Pottawattamie County Recorder
 Pottawattamie County Recorder's Office
 227 South 6th Street
 Council Bluffs, Iowa 51501

RE: Centre Pointe Heights, Second Addition, City of Council Bluffs
 Beverly A. and John M. Roth, Mortgagors

Dear Mr. Scortino,

US Bank (fka First Bank) currently holds a first mortgage lien against certain (captioned) real property located in part of Lot 4 of the SE 1/4 SE 1/4 of 24-75-44. With respect to that property, the City of Council Bluffs has granted final plat approval for the Centre Pointe Heights, Second Addition, subdivision. The subdivision plat for Centre Pointe Heights Replat II is prepared with the consent and in accordance with the desire of US Bank, mortgagee.

Sincerely,

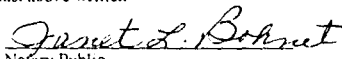

 Jerry L. Jares
 Vice President

JLJ/gp


STATE OF IOWA)
)
 COUNTY OF POTTAWATTAMIE)

On this 30th day of March, A.D., 2000, before me, a Notary Public in and for the County and State above named, personally came Jerry L. Jares, to me personally known, who being by me duly sworn, did say each for him/herself that he/she was the Vice President of US BANK N.A., Council Bluffs, Iowa, and that said instrument was signed and sealed in behalf of the said corporation by authority of its Board of Directors, and the said Jerry L. Jares, acknowledged said instrument to be the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal the day and year last above written


 Notary Public

My commission expires 9-25-2002
 MSW/D:\data\RothReplatII.doc\03\30 00

	JANET L. BOHNET MY COMMISSION EXPIRES SEPT. 25, 2002
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Entered for Taxation
 APR 4 2000
 COUNTY AUDITOR

BK100PG46044

PORTER, TAUKE & EBKE

ATTORNEYS AT LAW

500 WEST BROADWAY, SUITE 201

P.O. Box 457

COUNCIL BLUFFS, IOWA 51502-0457

April 4, 2000

TELEPHONE (712) 322-5588

FAX (712) 322-8308

E-MAIL: PTEBKE@USWEST.NET

V. (TONY) TAUKE
STEPHEN C. EBKE
REGINA WEATHERHEAD
ASSOCIATE

CHARLES A. PORTER (1927-1999)

Beverly A. Roth
4 Ridge Drive West
Council Bluffs, Iowa 51503

Gentlemen/Mses:

I have re-examined the abstract of title to:

Lot 4 of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 75, Range 44 except the East 152 feet of the North 264.62 feet and except that part of Centre Pointe Heights Replat Two, Lots 1-26 inclusive, City of Council Bluffs which lies within said Lot 4 of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 75, Range 44, Pottawattamie County, Iowa.

This abstract 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 March 29, 2000 at 8:00 o'clock a.m. by Abstract Guaranty Company, and is in two parts, the last part of which contains entries #1 through #62. From my re-examination I find marketable title to be in - - -

BEVERLY A. ROTH, a married person, subject to the following:

1. Entries #27, 28, 29, 30, 44, 45, 59, and 60 of Part 2 of the abstract set forth City Zoning Ordinances which appear to affect the property under examination. For further particulars you are referred to said entries.

2. Entry #53 of Part 2 of the abstract sets forth an Easement Agreement between titleholder and the Council Bluffs City Water Works providing for an easement to the City of Council Bluffs for the use and benefit of the City for construction, operation and maintenance of an iron pipeline over and across approximately 50 feet of real estate, part of which includes the above-described

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property. You are referred to the Easement and the entry for further particulars.

3. Entry #56 of Part 2 of the abstract sets forth a Mortgage to the above-described property in the amount of \$100,000.00 from Beverly A. Roth and John M. Roth to U.S. Bank National Association dated April 1, 1999 and recorded on April 8, 1999 in Book 99, Page 52028.

4. Entry #61 set forth a lien search as to Beverly A. Roth and no liens are shown of record.

5. Entry #62 of Part 2 of the abstract shows the General Taxes for 1997 and prior years paid. The General Taxes for 1998 are shown first one-half paid and second one-half unpaid.

Yours very truly,



A. W. Tauke

AWT:ph

BK100PG46046

CERTIFICATE AND RECEIPT

=====

STATE OF IOWA,

} ss.

Pottawattamie County,

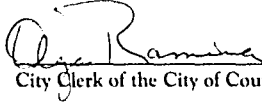
The undersigned, Clerk of the City of Council Bluffs, Iowa,

hereby certifies that: Resolution No. 2000-03 is of true and correct copy

as the same appears of record in this office.

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

28th day of March A.D. 2000



City Clerk of the City of Council Bluffs, Iowa

=====



BK100PG46047

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. 00-03

A RESOLUTION granting final plat approval for Centre Pointe Heights 2nd Addition, located south of Elliott Street, east of Marshall Drive.

WHEREAS, John and Beverly Roth have requested final plat approval for Centre Pointe Heights 2nd Addition, as shown on Attachment "A"; and

WHEREAS, the preliminary plan for the 38-lot residential subdivision was approved on April 20, 1998, by City Council Resolution No. 98-109. Variances were granted with preliminary plan approval to allow a 5' front yard setback variance for each of the lots in this plat and to allow the lot depth to width ratio to exceed 3 to 1; and

WHEREAS, Centre Pointe Heights was built in two phases. Replat Two, approved by Resolution No. 99-71 on March 22, 1999, created 26 lots. Centre Pointe Heights 2nd Addition creates another 12 lots along Happy Hollow Boulevard, a new public street connected to Elliott Street by Jim Brown Parkway; 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 Centre Pointe Heights 2nd Addition, as shown on Attachment "A", subject to the following conditions:

1. 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, including the change of the street name to West Happy Hollow Boulevard;
2. 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 improvements not yet completed and/or certified and accepted by the Public Works Department;
3. Upon acceptance of all required improvements, the developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond.
4. 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 residence, with the following exceptions: Sidewalk shall not be required along the street side yard of Lot 13 in Replat Two or along the west side of the west cul-de-sac; and
5. The variances approved with the preliminary plan are accepted and apply to all construction within this phase of the subdivision.

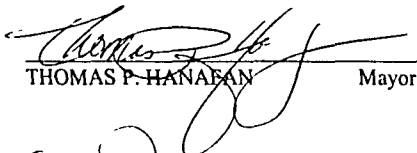
NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That final plat for Centre Pointe Heights 2nd Addition is hereby approved, subject to the conditions set forth above; and

BE IT FURTHER RESOLVED

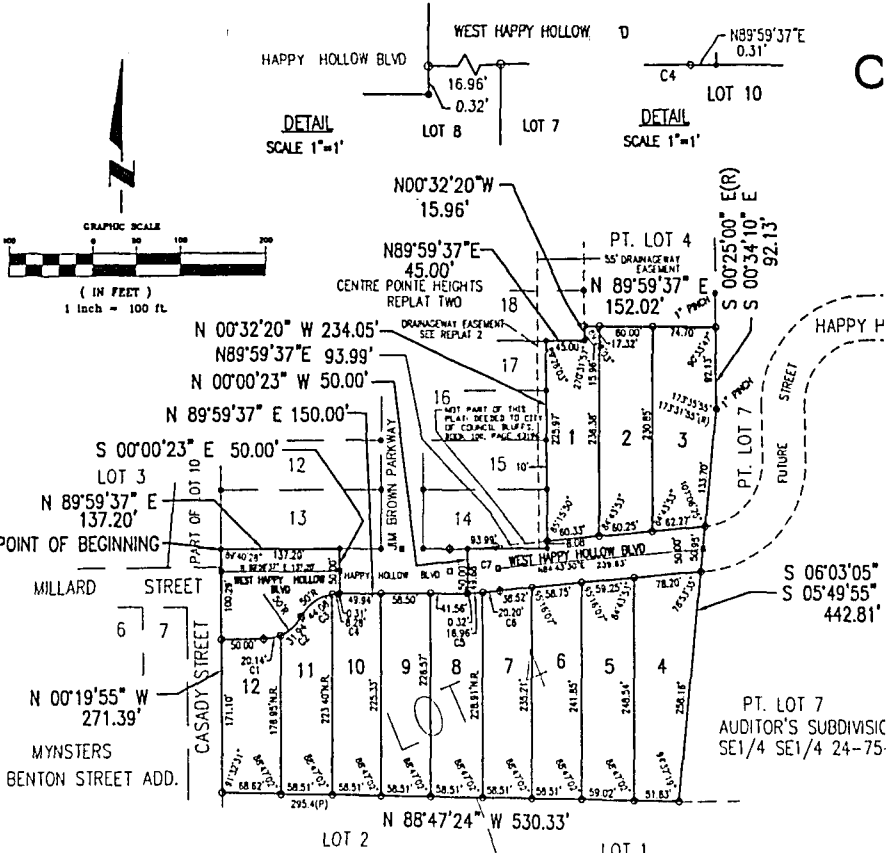
That the Mayor and City Clerk are authorized and directed to endorse the final plat.

ADOPTED
AND January 10, 2000
APPROVED


THOMAS P. HANABAN Mayor

Attest: 
OLGA RAMIREZ City Clerk

Planning Case No. SUB-00-001



NOTES:

- ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED
- ALL LOT LINES ARE RADIAL TO CURVED STREETS UNLESS INDICATED BY N.R.
- A PERPETUAL EASEMENT 5 FEET IN WIDTH IS RESERVED ALONG THE SIDE LOT LINES OF 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 ARE TO BE INSTALLED AND MAINTAINED BY THE OWNERS OF THE LOTS ADJOINING THEM.
- ZONED R-3, BUILDING FRONT YARD SETBACK IS 15 FEET FOR LOTS 1 THRU 12 INCLUSIVE PER APPROVED VARIANCE.
- PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN PREPARED FOR THIS DEVELOPMENT AND WILL BE RECORDED SIMULTANEOUSLY WITH THE FINAL PLAT.
- ALL DIMENSIONS SHOWN IN PARENTHESES ARE FOR EASEMENT LOCATION.
- REFER TO BOUNDARY SURVEY RECORDED IN THE RECORDS OF THE POTTAWATTAMIE COUNTY RECORDER FOR BOUNDARY CONTROL.

Project No. 02896.2
 Date: 01-18-00
 Designed By: MAW
 Drawn By: LDD
 Checked By:

FINAL PLAT
 BK 100 PG 46050

**CENTRE POINTE HEIGHTS
 2ND ADDITION**
 COUNCIL BLUFFS, IOWA

DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS,
FOR
CENTRE POINTE HEIGHTS SECOND ADDITION
IN THE CITY OF COUNCIL BLUFFS, IOWA

THIS DECLARATION, made this 1st day of April, 2000 by the undersigned,

WITNESSETH:

WHEREAS, the undersigned is the owner of the real estate described in Clause I of this Declaration, and is desirous of subjecting the real property described in said Clause I to the conditions, restrictions, limitations, covenants, reservations, easements, liens and charges hereinafter set forth, each and all of which is and are for the benefit of said property and for each owner thereof and shall inure to the benefit of and pass with said property, and each and every parcel thereof, and shall apply to and bind the successors in interest and any owner thereof;

NOW, THEREFORE, the undersigned hereby declares that the real property described in and referred to in Clause I hereof, is and shall be held, transferred, sold and conveyed, subject to the conditions, restrictions, limitations, covenants, reservations, easements, liens and charges herein set forth.

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CLAUSE I

Property Subject to this Declaration

The real property which is, and shall be, held and shall be conveyed, transferred, and sold, subject to these conditions, restrictions, limitations, reservations, easements, liens and charges, with respect to the various portions thereof set forth in the various clauses and subdivisions of this Declaration is located in the City of Council Bluffs, Pottawattamie County, State of Iowa, and is more particularly described in the final plat of Centre Pointe Heights Second Addition to Council Bluffs, Iowa, attached hereto and incorporated herein by reference.

No property other than that described above shall be subject to this Declaration, unless and until specifically made subject thereto.

CLAUSE II

General Purposes of Conditions

The real property described in Clause I hereof is subject to the conditions, restrictions, limitations, covenants, reservations, easements, liens and charges hereby declared to insure the best use and the most appropriate development and improvement of each building site thereof.

Plans and specifications must be submitted to Centre Pointe Heights Second Addition Developer for approval to protect owners and guard against improper use of surrounding building sites as will depreciate the value of their property; to encourage and secure the erection of attractive homes thereon; and to secure and maintain proper setbacks from street and adequate free spaces between structures.

1. Lots 1 through 12 described herein shall be known, described and used solely as residential lots, and no structures shall be erected on any lot other than one detached single family dwelling, unless authorized by Developer, and shall not to exceed two stories in height and a garage for not less than two automobiles.

2. No trailer, basement, tent, shack, garage, barn or outbuilding shall be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

3. Recreational vehicles, mobile homes, campers, motor homes, trailers, motorcycles, motor boats, house boats or similar water boats may be maintained, stored or kept on any parcel of property covered by these covenants providing they are placed to the rear of the parcel and are screened from view by an attractive fence or housed within the garage of said home.

4. Vehicles belonging to owners or used by owners and/or other occupants of dwelling shall be parked in the garage or driveway and not on the street so as not to inhibit traffic or street maintenance.

5. No building shall be erected on any lot unless the design and location is in harmony with the existing structures and location in the tract, and does not violate any of the protective covenants herein.

A one story dwelling, a split entry dwelling, or a split level dwelling shall have not less than 912 square feet on the main living floor level; a one and one-half story dwelling shall have not less than 800 square feet on the main living floor level; a two story dwelling shall have not less than 800 square feet on the main living floor level. All square footage requirements referred to are exclusive of porches and/or attached garages.

6. No changes, alterations, additions, buildings, fences or walls shall be commenced unless such design and location are harmonious with existing structures and do not violate any restrictive covenants.

7. No fence shall be erected on any lot that would extend forward past the rear of any house erected thereon.

8. The title holder or contract holder to each lot, vacant and improved, shall keep his/her lot or lots free of weeds and debris.

9. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other wastes.

10. No offensive or obnoxious trade shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

11. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes. No more than one (1) dog or other domestic animal may be kept in an outside kennel or in the yard.

12. No satellite dish for television communication purposes shall be placed on any lot unless approved by Developer.

13. No house trailers, prefabricated houses or modular houses will be allowed on any lot. No vinyl siding and/or overhang material will be allowed on any house.

14. Buildings for garden tools, etc. shall be required to have a design similar to the house design with regard to siding materials and roofing materials. Metal storage buildings shall not be allowed.

15. No dwelling shall be moved to any lot within Centre Pointe Heights Second Addition from outside the development.

16. The maximum time allowed to complete construction and landscaping will be one year from commencement of construction. Excess dirt from excavation shall be hauled from the lot within the construction period. All excavation, backfilling and landscaping shall be done in a manner such that the natural drainage is not altered to such an extent that unreasonable or undesirable drainage or erosion results.

17. Materials and equipment used during the construction and landscaping process shall be stored and maintained on the lot in an orderly manner.

18. No business activities shall be conducted on any lot.

19. No sign, billboard or other structure for advertising or the display of advertising material of any kind shall be erected, altered, placed or permitted to remain on any lot except that real estate for-sale or for-rent signs shall be permitted temporarily in the yards of dwellings which are being offered for sale or rent.

20. Notwithstanding the foregoing provisions, paragraphs "18" and "19" shall not restrict the business activities, advertising, signs and billboard, or the construction and maintenance of structures by the Centre Pointe Heights Second Addition Developer, its agents and assignees, during the construction and sale period of this development.

21. A perpetual easement for utility installation, maintenance and drainage facilities is reserved over, across and through the side five feet of all lots, and over, across and through the front and the rear ten feet of all lots.

22. All buildings and improvements shall be constructed in compliance with the pertinent zoning and building codes of the City of Council Bluffs, Iowa.

23. No building shall be erected on any residential lot nearer than 15 feet from the front lot line. The side yard on each side shall be a minimum of 10 percent of the lot width at the building setback line, or a minimum of five feet, whichever is greater; provided, however, that on corner lots the setback for all buildings shall be a minimum of 15 feet on the side abutting a public street or avenue. The rear yard shall be a minimum of 20 feet.

24. Public sidewalks shall be constructed of concrete four feet wide by four inches thick in front of each built-upon lot and along the street side of each built-upon corner lot. The sidewalks shall be placed five feet back of the street curb line.

25. Fruit or vegetable gardens shall not be permitted which would extend forward past the rear of any house erected on any lot.

26. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until March 31, 2025. It shall be lawful for any person or persons owning any lot in Centre Pointe Heights Second Addition to proceed at law or in equity against the person or persons violating or attempting to violate such covenant or restriction and either to enjoin him/her or them from so doing and to recover damages from such violation.

27. Invalidation of any of these covenants by judgment of court order shall in no way affect any of the other provisions which shall remain in full force and effect.

28. Developer shall maintain 51 percent of voting rights until the last lot in Centre Pointe Heights Second Addition is sold.

Executed on the above date set forth:

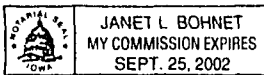
Beverly A. Roth
Beverly A. Roth, Owner

STATE OF IOWA)

)

COUNTY OF POTTAWATTAMIE)

On this 4th day of April, 2000, before me the undersigned, a Notary Public in and for said state, personally appeared Beverly A. Roth to me personally known, who being by me duly sworn did acknowledge that she voluntarily executed the foregoing instrument.



Janet L. Bohnet

Notary Public