

INST # 7026 ✓
RECORDING FEE 15⁰⁰
AUDITOR FEE -
RMA FEE 7⁰⁰

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

COMPALED

97 NOV -6 AM 11:16

JOHN SCIORTINO
RECORDER

A4 (P)

PREPARED BY: City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, IA 51503 (712) 328-4620
RETURN TO: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503

RESOLUTION NO. 97-280

A RESOLUTION granting final plat approval for a 12-lot residential subdivision to be known as Opal 2nd Addition, located on 4.699 acres in part of Lot 6, Auditor's Subdivision of the SW¼ SE¼ of Section 18-75-43, and Lot 5, Opal 1st Addition, generally located east of the intersection of Kimberly and Opal Drives.

WHEREAS, Opal Drive L.L.C. has applied for final plat approval for a 12-lot residential subdivision to be known as Opal 2nd Addition, as set out on attached Exhibit "A", legally described as:

Part of Lot 6, Auditor's Subdivision of the SW¼ SE¼, Section 18-75-43, and Lot 5, Opal 1st Addition, Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, the proposed subdivision is consistent with the 1994 Comprehensive Plan and the purpose and intent of the Subdivision and Zoning Ordinances. The lots meet or exceed the minimum lot size required by the Zoning Ordinance. The proposed lots all have direct abutting access to public street right-of-way; and

WHEREAS, the final plat of Opal 2nd Addition is generally consistent with the preliminary plan approved on December 12, 1983, by Resolution No. 83-517. Lot lines have been adjusted to accommodate single family lots, rather than the duplexes proposed earlier. The last 35 feet of Lot 5, Opal 1st Addition have been incorporated into Opal 2nd, as part of Lot 1; and

WHEREAS, the sanitary sewer was inspected and repairs have been made as required by the Public Works Department. Arrangements have been made for the installation of electricity, natural gas, telephone and cable television; and

WHEREAS, the water distribution system and fire hydrants are in place, consistent with the requirements of the Water Works and the Fire Safety Code; and

WHEREAS, covenants have been prepared, which will be recorded with the final plat; and

WHEREAS, the preliminary plan for Opal 2nd is void because the former owner did not file for final plat approval in a timely manner. The property has been purchased by Opal Drive L.L.C. The requirements for final plat approval have been met; and

WHEREAS, the final plat has been reviewed by the appropriate City departments and utilities, with no adverse comments received; and

WHEREAS, the Community Development Department recommends confirmation of the preliminary plan, approved by Resolution No. 83-517 on December 12, 1983, and approval of the final plat for a subdivision to be known as Opal 2nd Addition, as shown on Attachment "A", subject to the following conditions:

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- 1. Prior to executing the final plat, all technical corrections required by the Community Development and/or Public Works Departments shall be incorporated into the final plat document;
- 2. Sidewalks shall be installed at no expense to the City, along the street frontage of Lots 1 through 10A, prior to issuance of a certificate of occupancy for each dwelling.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That final plat for Opal 2nd Addition is hereby approved; and

BE IT FURTHER RESOLVED

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

ADOPTED
AND October 27, 1997
APPROVED

Thomas P. Hanafan
THOMAS P. HANAFAN Mayor

Attest: Cheryl Puntenev
CHERYL PUNTENEV Deputy City Clerk

Planning Case #SUB-97-011

