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Tx:4966629

2018-11952

RECORDER MARK BRANDENBURG

POTTAWATTAMIE COUNTY, IA

FILE TIME: 09/14/2018 02:24:05 PM

RECORDING FEE	50.00
RMA FEE	1.00
ECM FEE	1.00

R FEE \$ 50<sup>00</sup> RMA \$ 1<sup>00</sup>

A FEE \$ \_\_\_\_\_ ECOM \$ 1<sup>00</sup>

T TAX \$ \_\_\_\_\_

## BILL OF SALE

Recorder's Cover Sheet

**Preparer Information:** (Name, address and phone number)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager. Reviewed and approved by legal counsel for the Board of Water Works Trustees of the City of Council Bluffs, Iowa.

**Taxpayer Information:** (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager.

**Return Document To:** (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager.

**Grantors:**

TS Development LLC  
11205 South 150th Street, Suite 100  
Omaha, Nebraska 68138

**Grantees:**

City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa

**Legal Description:** See next page.

**Document or instrument number of previously recorded documents if applicable:**

## BILL OF SALE

For the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, TS Development LLC, 11205 South 150th Street, Suite 100 Omaha, Nebraska 68138, an Iowa limited liability company (the "Seller"), does hereby sell, assign, transfer and set over unto the City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa (the "Buyer"), the following described personal property, to-wit:

all water lines and appurtenances thereto lying either within a certain easement granted to the Buyer by the Seller, which easement is over, across and through the real estate situated in Pottawattamie County, Iowa, as described in the plat attached hereto as Exhibit 1 or the public rights-of-way identified in said plat

which personal property is currently in the possession of Seller.

The above named Buyer does hereby assent to becoming the owner of the above described property.

Seller hereby covenants with Buyer that Seller is the owner of said personal property, that Seller has good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Seller covenants to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

[signature page follows]

Signed the month, day and year appearing opposite the signature block.

TS Development LLC

Dated: August 23<sup>rd</sup>, 2018 By: Jerry Torczon  
Jerry Torczon, Managing ~~Partner~~ manager

11205 South 150<sup>th</sup> Street, Suite 100  
Omaha, Nebraska 68138  
402-592-6942

STATE OF Nebraska )  
 ) ss  
COUNTY OF Douglas )

This instrument was acknowledged before me on August 23<sup>rd</sup>, 2018 by Jerry Torczon as  
Managing Partner of TS Development LLC.

Mary Jayne Throener  
Notary Public in and for said State

(Seal)

State of Nebraska - General Notary  
MARY JAYNE THROENER  
My Commission Expires  
September 27, 2020

RECORDED OFFICE

8 FEE \$ 100 BMA \$ 100

A FEE \$ 100 ECON \$ 100

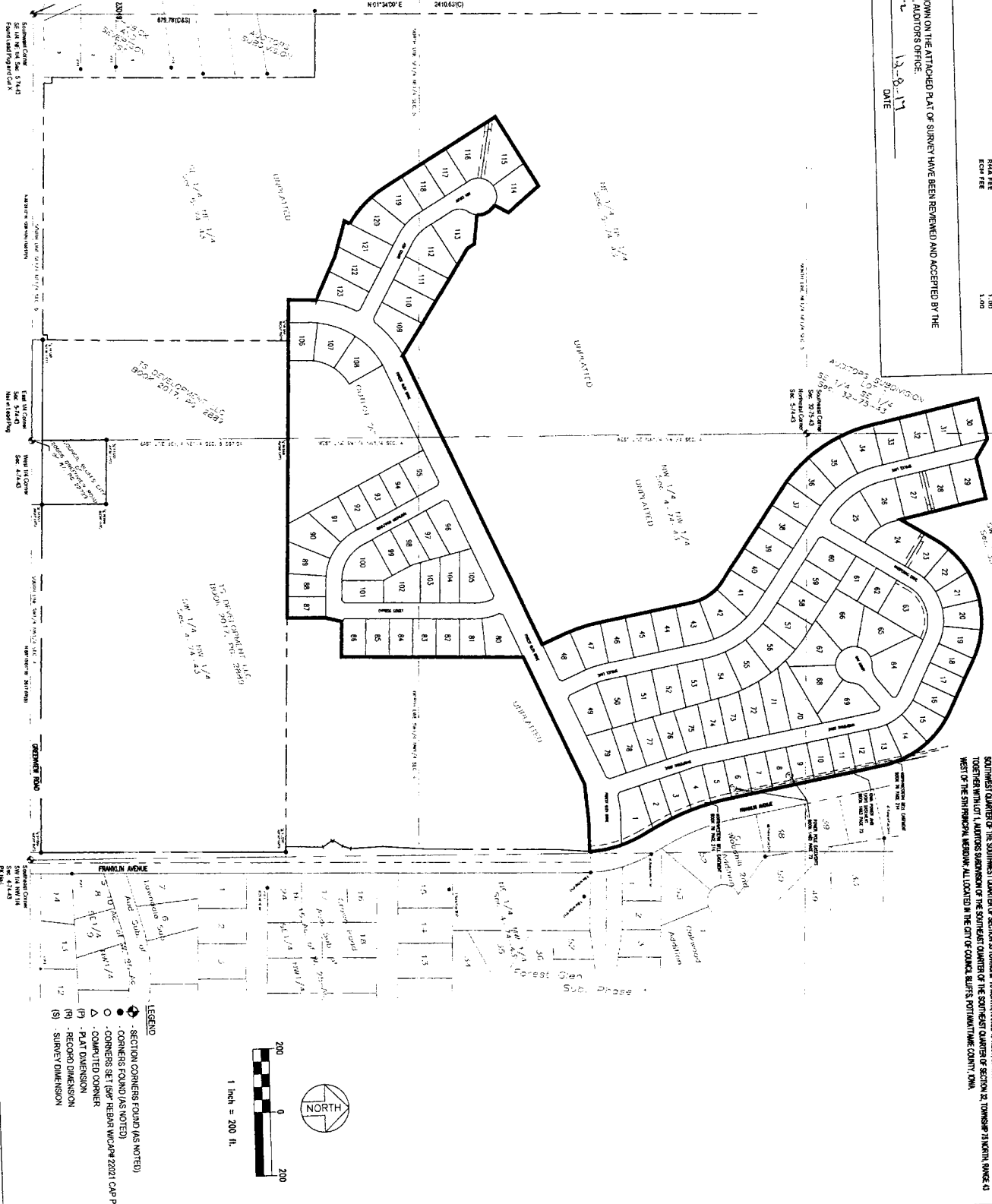
1-4-465555

T TAX \$

2017-1-6378

RECORDS MARK BRANNENBURG  
POTTAWATTAMIE COUNTY, IA  
FILE TIME: 12/11/2017 12:08:18 PM  
RECORDED BY: 18000  
RECORD FEE: 1.00  
ECON FEE: 1.00

AUDITOR'S OFFICE  
THE PARCEL DESIGNATIONS SHOWN ON THE ATTACHED PLAT OF SURVEY HAVE BEEN REVIEWED AND ACCEPTED BY THE  
POTTAWATTAMIE COUNTY, IOWA AUDITOR'S OFFICE:  
MEYVYHOISEK, CO. AUDITOR DATE 12-8-17



LOT 1-123 INCLUSIVE & OUTLOT 'A'  
WHISPERING OAKS

A PORTION AND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH LOT 2 OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH LOT 1, BEING PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH LOT 1, BEING PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH LOT 1, BEING PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

<p>DESIGNED</p> <p>DRAWN SAC</p> <p>CHECKED DJM</p> <p>BY</p>	10/03/2017	CITY COMMENTS	
	11/18/2017	CITY COMMENTS	
BOOK 657	DATE 06/04/2017	DATE	BY APP REVISION



WHISPERING OAKS  
LOTS 1- 123 INCLUSIVE & OUTLOT 'A'  
POTTAWATTAMIE COUNTY, IOWA

FINAL PLAT

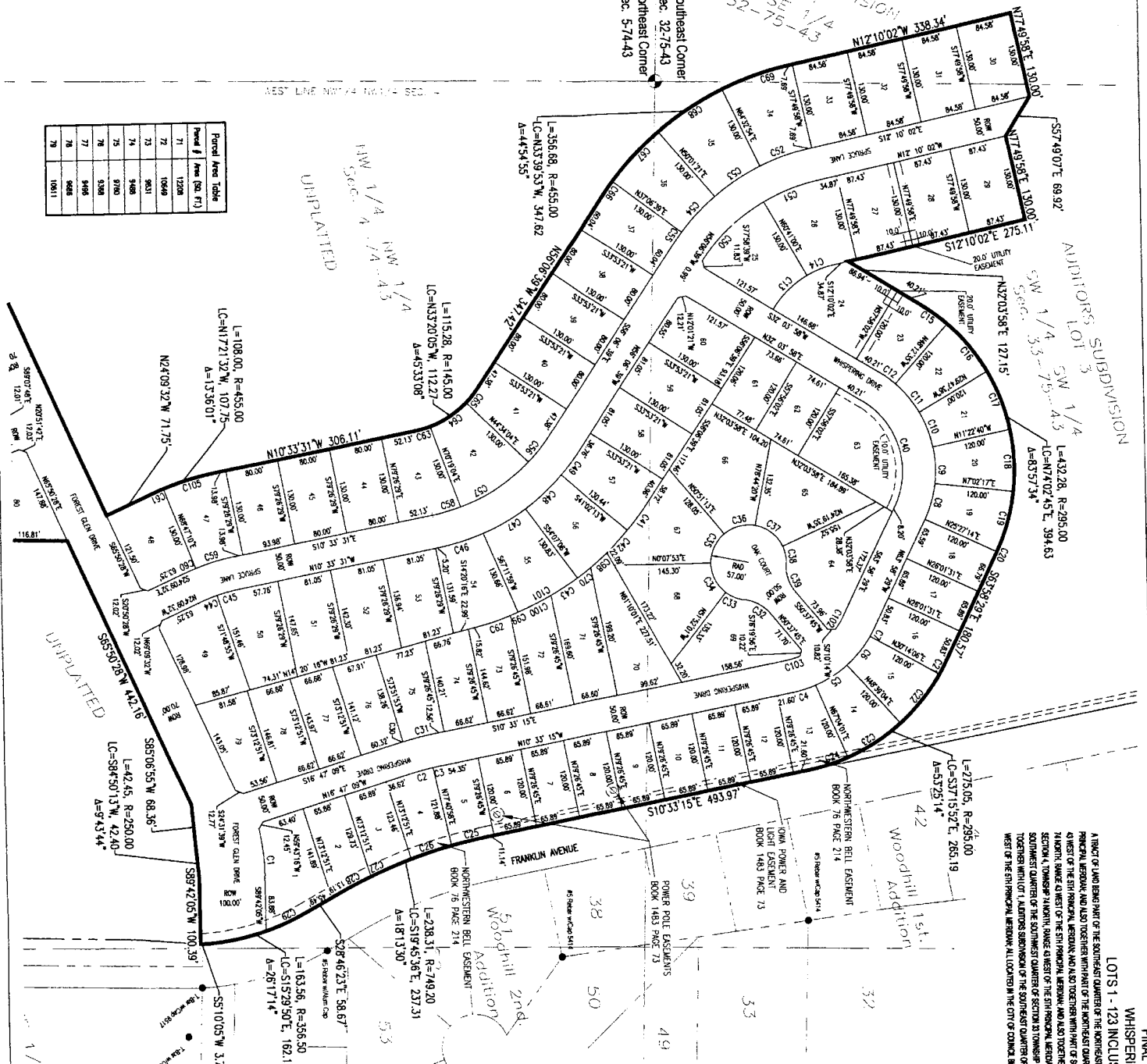
JOB NO. 06519 001

SHEET 1 of 5

AUDITORS SUBDIVISION  
SE 1/4 LOT 1  
Sec. 32-75-43

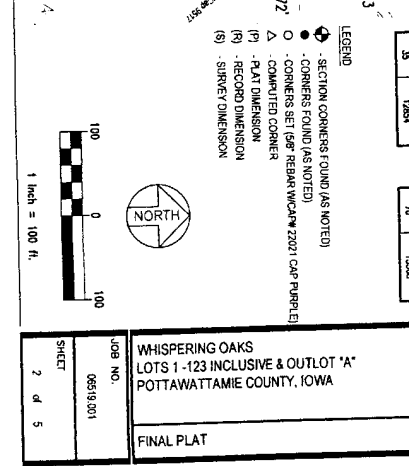
Southeast Corner  
Sec. 32-75-43  
Northeast Corner  
Sec. 5-74-43

AUDITORS SUBDIVISION  
LOT 3  
Sec. 32-75-43  
L-4328, R-295.00  
L-61402, R-394.63  
A-835734



Parcel #	Area (sq. ft.)
71	12000
72	10000
73	8000
74	6000
75	4000
76	2000
77	1000
78	500
79	250

UNPLATTED  
L=108.00, R=455.00  
L-61417, R-107.75  
A=153601  
L=115.28, R=145.00  
L-61423, R=295.00  
L-61428, R=394.63  
A=835734  
L=108.00, R=455.00  
L-61417, R-107.75  
A=153601  
L=115.28, R=145.00  
L-61423, R=295.00  
L-61428, R=394.63  
A=835734  
L=108.00, R=455.00  
L-61417, R-107.75  
A=153601  
L=115.28, R=145.00  
L-61423, R=295.00  
L-61428, R=394.63  
A=835734  
UNPLATTED  
L=108.00, R=455.00  
L-61417, R-107.75  
A=153601  
L=115.28, R=145.00  
L-61423, R=295.00  
L-61428, R=394.63  
A=835734  
UNPLATTED  
L=108.00, R=455.00  
L-61417, R-107.75  
A=153601  
L=115.28, R=145.00  
L-61423, R=295.00  
L-61428, R=394.63  
A=835734



Parcel Area Table	Parcel #	Area (sq. ft.)
1	1314	
2	817	
3	830	
4	845	
5	907	
6	797	
7	797	
8	797	
9	797	
10	797	
11	797	
12	797	
13	865	
14	864	
15	864	
16	811	
17	797	
18	791	
19	804	
20	804	
21	804	
22	804	
23	811	
24	1381	
25	1380	
26	1294	
27	1196	
28	1196	
29	1196	
30	1098	
31	1098	
32	1098	
33	1098	
34	1252	
35	1264	

Parcel Area Table	Parcel #	Area (sq. ft.)
36	1143	
37	1066	
38	1040	
39	1040	
40	1040	
41	1286	
42	1286	
43	1112	
44	1040	
45	1040	
46	1040	
47	1040	
48	1126	
49	1198	
50	1313	
51	1129	
52	1316	
53	1083	
54	1165	
55	1165	
56	1164	
57	1037	
58	1037	
59	1037	
60	1189	
61	898	
62	893	
63	1610	
64	1420	
65	1818	
66	1414	
67	1414	
68	1365	
69	1431	
70	1359	

FINAL PLAT  
WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE & OUTLOT 'A'

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 24 NORTH RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 24 NORTH RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 24 NORTH RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SOUTHQUARTER OF SECTION 4, TOWNSHIP 24 NORTH RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE WESTERLY HALF OF SECTION 4, TOWNSHIP 24 NORTH RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, ALL LOCATED IN THE CITY OF COOK COUNTY, ILLINOIS, WITHIN THE COUNTY OF COOK, ILLINOIS.

**SCHEMMER**  
Design with Purpose. Build with Confidence.

DESIGNED	KAG	12/15/2017	CITY COMMENTS
DRAWN	KAG	12/15/2017	CITY COMMENTS
CHECKED	SLM	12/15/2017	CITY COMMENTS
DATE	08/04/2017		

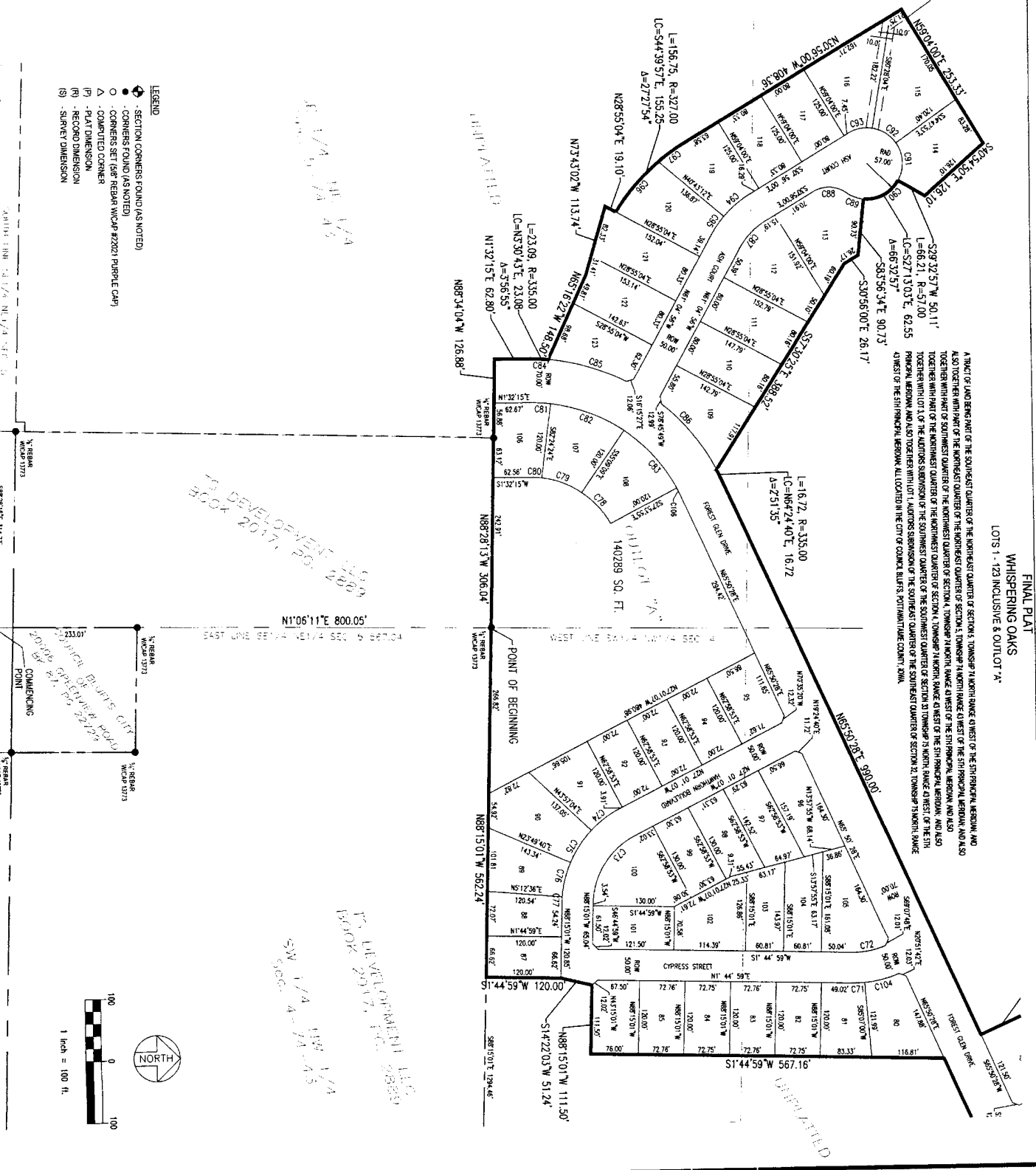
BOOK 897  
DATE 08/04/2017

WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE & OUTLOT 'A'  
POTTAWATTAMIE COUNTY, IOWA

JOB NO. 06519.01  
SHEET 2 of 5  
FINAL PLAT

Parcel #	Area (Sq. Ft.)
60	8170
61	8170
62	8731
63	8731
64	8731
65	8731
66	8731
67	8731
68	8731
69	8731
70	8731
71	8731
72	8731
73	8731
74	8731
75	8731
76	8731
77	8731
78	8731
79	8731
80	8731
81	8731
82	8731
83	8731
84	8731
85	8731
86	8731
87	8731
88	8731
89	8731
90	8731
91	8731
92	8731
93	8731
94	8731
95	8731
96	8731
97	8731
98	8731
99	8731
100	8731
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102	8731
103	8731
104	8731
105	8731
106	8731
107	8731
108	8731
109	8731
110	8731
111	8731
112	8731
113	8731
114	8731
115	8731
116	8731
117	8731
118	8731
119	8731
120	8731
121	8731
122	8731
123	8731

- LEGEND**
- SECTION CORNERS FOUND (AS NOTED)
  - CORNERS SET (AS NOTED)
  - △ CORNERS SET (6" REBAR W/ 20" PURPLE CAP)
  - ▽ COMPUTED CORNER
  - (P) PLAT DIMENSION
  - (N) RECORD DIMENSION
  - (S) STREET DIMENSION

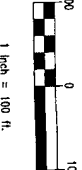


N88°28'13"W 1380.51(R) 1330.51(S)

East 1/4 Corner Sec. 5-74-43

West 1/4 Corner Sec. 4-74-43

N88°15'01"W 2817.69(S)



JOB NO. 0615001 SHEET 3 of 5	WHISPERING OAKS LOTS 1 - 123 INCLUSIVE & OUTLOT "A" POTTAWATTAMIE COUNTY, IOWA	<h1 style="text-align: center;">SCHEMMER</h1> <p style="text-align: center;">Design with Purpose. Build with Confidence.</p>	DESIGNED 10/03/2017 11/16/2017 12/06/2017	CITY COMMENTS CITY COMMENTS GIS COMMENTS
	FINAL PLAT		DRAWN KAG 12/07/2017	CHECKED CLM

Table with 5 columns: Curve #, Length, Radius, Date, Curve Direction, Curve Length. Contains curve data for curves C1 through C37.

Table with 5 columns: Curve #, Length, Radius, Date, Curve Direction, Curve Length. Contains curve data for curves C38 through C70.

LEGAL DESCRIPTION
A POINT OF BEGINNING OF SECTION 34, TOWNSHIP 24 NORTH RANGE 41 WEST OF THE SHIPPLING MERIDIAN AND ALSO...

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34, THENCE S 79° 15' 30" E ALONG THE EAST LINE OF SAID SECTION 34 TO THE POINT OF BEGINNING OF SAID SECTION 34...

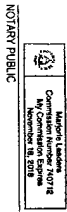
SECTION 34, TOWNSHIP 24 NORTH RANGE 41 WEST OF THE SHIPPLING MERIDIAN AND ALSO TOGETHER WITH PART OF THE WEST HALF OF SECTION 34, TOWNSHIP 24 NORTH RANGE 41 WEST OF THE SHIPPLING MERIDIAN...

OWNERS CERTIFICATION

WE HEREBY CERTIFY THAT WE HAVE MET ALL EQUAL OPPORTUNITY AND FARM MARKETING OBJECTIVES... WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER...

STATE OF IOWA
COUNTY OF POTTAWATTAMIE

ON THIS 29th DAY OF DECEMBER 2017 BEFORE ME A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY OF POTTAWATTAMIE, IONIA, IOWA, I HAVE PERSONALLY KNOWN AND BEING FIRST BY ME DANA SWORN, DID SAY THAT HE OR SHE IS THE MANAGER AND THAT THE SAID INSTRUMENT WAS SIGNED BY HIM OR HER ON BEHALF OF T S DEVELOPMENT, LLC BY AUTHORITY OF ITS MEMBERS AND SAID THE MANAGER BY ITS VOLUNTARILY EXECUTED



NOTARY PUBLIC

COMMISSION EXPIRES

APPROVAL OF THE COUNCIL BLUFFS CITY COUNCIL
THIS PLAT OF LOTS 1-123 INCLUSIVE & OUTLOT 'A', WHISPERING OAKS HAS BEEN APPROVED BY THE COUNCIL BLUFFS CITY COUNCIL

THE KNOWLEDGE AND INTENT OF WALSH JAMOR

Handwritten signature of Walsh Jamor

DATE 11-30-17

DATE 11-30-17

APPROVAL OF THE COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT
THIS PLAT OF LOTS 1-123 INCLUSIVE & OUTLOT 'A', WHISPERING OAKS HAS BEEN APPROVED BY THE COUNCIL BLUFFS COMMUNITY DEVELOPMENT DEPARTMENT

BRANDON GARRETT, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR

DATE 11-30-17

COUNTY TREASURERS CERTIFICATION

I, LEA VOSS, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN LOTS 1-123 INCLUSIVE & OUTLOT 'A', WHISPERING OAKS IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS

LEA VOSS, POTTAWATTAMIE COUNTY TREASURER

DATE 12/18/17

STANDARD UTILITY EASEMENTS (LOTS 1-123 INCLUSIVE)

A PERPETUAL EASEMENT IS RESERVED FOR STORM DRAINAGE AND THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO WATER, GAS, AND TELEPHONE LINES, ALONG ALL FRONT AND REAR LOT LINES. EASEMENTS ARE NOT INCLUDED IN THIS NOTE THE MAINTENANCE OF ALL DRAINAGE EASEMENTS BEING THE RESPONSIBILITY OF THE WHISPERING OAKS HOMEOWNERS ASSOCIATION. THIS WOULD INCLUDE THE 20 FOOT WIDE UTILITY EASEMENTS BETWEEN LOTS 23 AND 24, LOTS 27 AND 28, AND LOTS 115 AND 116.

DEDICATION

OWNER DOES RESERVE UNTO ITSELF AND ITS SUCCESSORS:
A) AN EXISTING EASEMENT TO IOWA POWER AND LIGHT COMPANY ALONG THE EASTERLY LINE OF LOTS 6 THRU 14, INCLUSIVE AS DISCLOSED HEREON AS RECORDED IN POTTAWATTAMIE COUNTY, RECORDERS OFFICE, BOOK 148, PAGE 73
B) AN EXISTING EASEMENT TO IOWA POWER AND LIGHT COMPANY FOR POWER POLE EASEMENTS IN LOT 6 AND LOT 8 AS DISCLOSED HEREON AS RECORDED IN POTTAWATTAMIE COUNTY, RECORDERS OFFICE, BOOK 148, PAGE 73
C) AN EXISTING EASEMENT TO NORTHWESTERN BELL TELEPHONE COMPANY ALONG THE EASTERLY LINE OF LOTS 1, THRU 14, INCLUSIVE AS DISCLOSED HEREON AS RECORDED IN POTTAWATTAMIE COUNTY, RECORDERS OFFICE, BOOK 78, PAGE 214
IN WITNESS WHEREOF WE DO HEREBY SET OUR HANDS, FORTH AND DEVELOPMENT, LLC, LIMITED LIABILITY COMPANY

DATE 11-29-17

ACKNOWLEDGEMENT TO DEDICATION & PROPRIETORS STATEMENT

ACKNOWLEDGEMENT TO DEDICATION & PROPRIETORS STATEMENT
STATE OF IOWA
COUNTY OF POTTAWATTAMIE
ON THIS 29th DAY OF DECEMBER 2017 BEFORE ME THE UNDERSIGNED NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED
G. T. TOWN, AS
MANAGER OF T S DEVELOPMENT, LLC, AN IOWA LIMITED LIABILITY COMPANY, PERSONALLY KNOWN TO BE IDENTICAL PERSON WHOSE NAME APPEARED TO THE ABOVE DEDICATION, AND HERISE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED AS SUCH MEMBER AND VOLUNTARY ACT AND DEED OF SAID T S DEVELOPMENT LLC



NOTARY PUBLIC

COMMISSION EXPIRES

FINAL PLAT
WHISPERING OAKS
LOTS 1 - 123 INCLUSIVE & OUTLOT 'A'

A PART OF AND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 24 NORTH RANGE 4 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE WESTERN QUARTERS OF SECTIONS 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 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992, 993, 994, 995, 996, 997, 998, 999, 1000

PROPRIETORS STATEMENT

I, T S DEVELOPMENT, LLC, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBARRASSED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 123, INCLUSIVE, OUTLOT 'A', AND PUBLIC STREET RIGHT-OF-WAY FOR AN EXTENSION OF FOREST LANE DRIVE, SPRUCE LAKE, WHISPERING DRIVE, OAK COURT, CYPRESS STREET, HAWTHORN BOULEVARD AND ASH COURT, SAID PROPERTY TO BE KNOWN AS WHISPERING OAKS SAID T S DEVELOPMENT, LLC, DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, THE RIGHT-OF-WAY FOR AN EXTENSION OF FOREST LANE DRIVE (3.45 ACRES, MORE OR LESS), SPRUCE LAKE (1.82 ACRES, MORE OR LESS), WHISPERING DRIVE (1.95 ACRES, MORE OR LESS), OAK COURT (3.7 ACRES, MORE OR LESS), CYPRESS STREET (0.57 ACRES, MORE OR LESS), HAWTHORN BOULEVARD (0.67 ACRES, MORE OR LESS), AND ASH COURT (0.81 ACRES, MORE OR LESS), AS PART OF THIS PLATTING, T S DEVELOPMENT, LLC DOES HEREBY DEDICATE OUTLOT 'A' TO A NEW HOME OWNERS ASSOCIATION TO BE FORMED BY LOTS 1 THROUGH 123 INCLUSIVE AND AS PART OF THIS PLATTING, T S DEVELOPMENT, LLC DOES HEREBY DEDICATE OUTLOT 'A' AND THE MAINTENANCE AND RESPONSIBILITY OF ALL DRIVEWAYS AND EASEMENTS TO THE NEW HOME OWNERS ASSOCIATION FORMED BY OWNERS OF LOTS WITHIN WHISPERING OAKS.

A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
B. GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION, OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
C. RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF WAY, EGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.
D. REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, AS NECESSARY TO CURE THE VIOLATION OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
E. SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.
F. DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRAIN OR ACCESS WAY, FENCE OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY THROUGH AN EGRESS OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR.
G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTORS SUCCESSORS AND ASSIGNS.
H. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.
I. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.
AS PART OF THIS PLATTING, T S DEVELOPMENT, LLC DOES HEREBY DEDICATE ALL RIGHTS OF DIRECT VEHICULAR ACCESS FROM LOTS 1 THROUGH 14 INCLUSIVE ONTO FRANKLIN AVENUE AND FROM LOTS 1, 48, 49, 79, 80, 95, 96, 105, 109 AND 123 INCLUSIVE ONTO FOREST LANE DRIVE TO THE CITY OF COUNCIL BLUFFS, IOWA.

IN WITNESS WHEREOF WE DO HEREBY SET OUR HANDS, FORTH AND DEVELOPMENT, LLC, LIMITED LIABILITY COMPANY
DATE 11-29-17

SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A duly LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA



PREPARED BY: Daniel L. Mann
DATE: 11/29/2017
LICENSE NUMBER: 22021
DATE OF LICENSE RENEWAL: 01/15/2021

SCHEMMER Design with Purpose. Build with Confidence.
JOB NO. 08191001
SHEET 5 of 5
DESIGNED: KAG
DRAWN: KAG
CHECKED: OLM
DATE: 08/04/2017

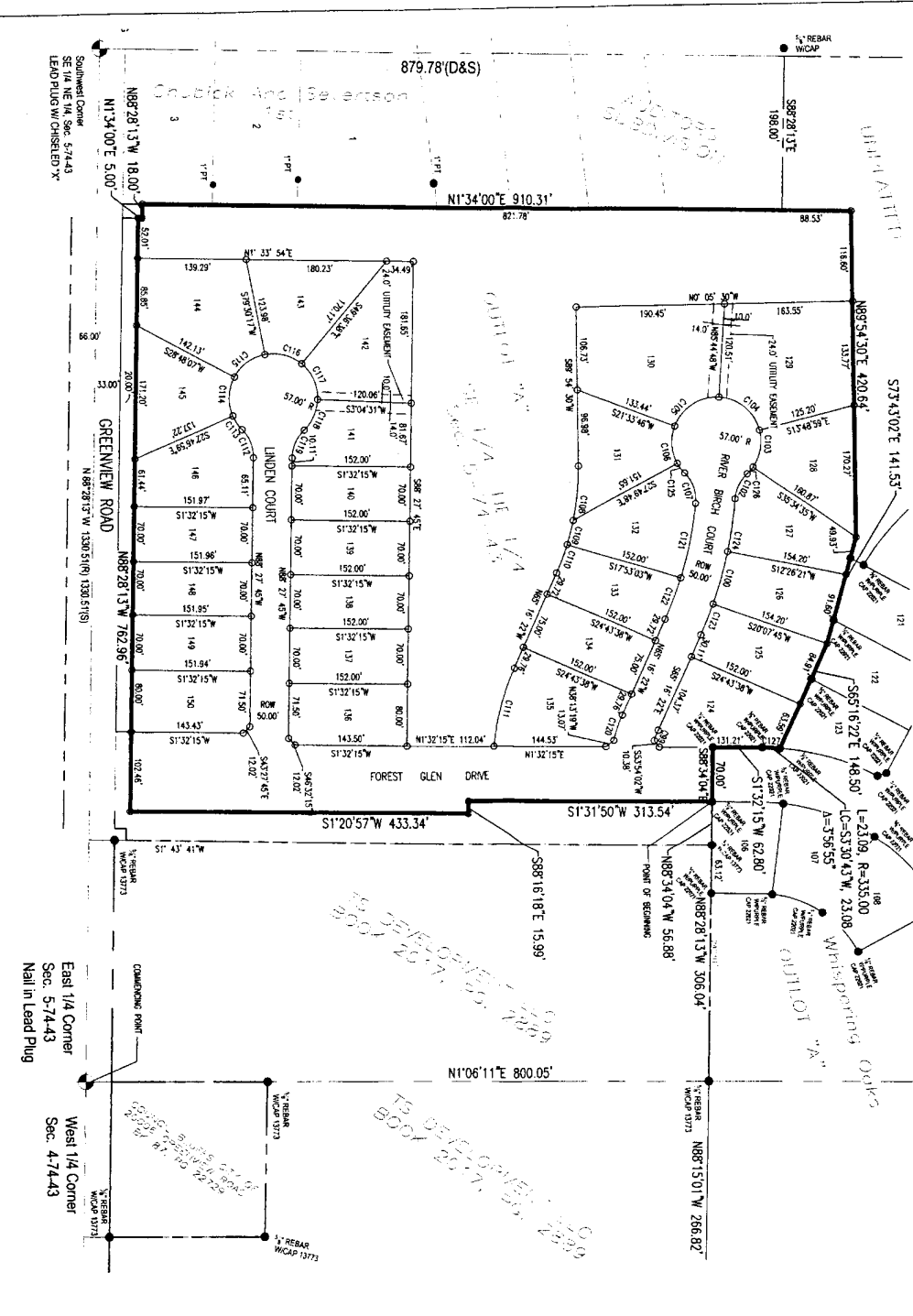


RECORDER'S OFFICE  
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 A FEE \$ 1.00 ECOM \$ 1.00  
 T FEE \$ 1.00  
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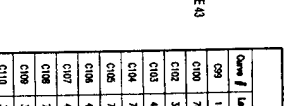
2017-16263  
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 POTTAWATTAMIE COUNTY, IA  
 FILE TIME 11/13/2017 10:49:00 AM  
 RMA FEE 1.00  
 RMA FEE 1.00  
 ECOM FEE 1.00

ADJUDICATOR'S OFFICE  
 THE PARCEL DESIGNATIONS SHOWN ON THE ATTACHED PLAN OF SURVEY HAVE BEEN REVIEWED AND ACCEPTED BY THE  
 POTTAWATTAMIE COUNTY, IOWA, ADJUDICATOR'S OFFICE.  
 KATHI HANSEN, Deputy  
 DATE 11/17

FINAL PLAT  
 WHISPERING OAKS PHASE II  
 LOTS 124 - 150 INCLUSIVE & OUTLOT 'A'  
 A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24 RANGE 43  
 WEST OF THE 5TH PRINCIPAL MERIDIAN CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.



LEGEND  
 ● SECTION CORNERS FOUND (AS NOTED)  
 ○ CORNERS FOUND (AS NOTED)  
 △ CORNERS SET (FOR REBAR WITH 2021 PURPLE CAP)  
 ▲ COMPUTED CORNER  
 (P) - PLAT DIMENSION  
 (R) - RECORD DIMENSION  
 (S) - SURVEY DIMENSION



Parcel #	Area	Parcel #	Area
124	14471.30	OUTLOT A	189144.39
125	10001.02		
126	12444.15		
127	13162.25		
128	15868.23		
129	24272.39		
130	24208.95		
131	14897.95		
132	14897.95		
133	14823.46		
134	11400.00		
135	15718.10		
136	12122.88		
137	10640.05		
138	10640.05		
139	10640.05		
140	10640.18		
141	11507.78		
142	17363.56		
143	14508.70		
144	14508.70		
145	13688.23		
146	13688.23		
147	10630.46		
148	10630.46		
149	10630.46		
150	12118.90		

Curve #	Length	Radius	Delta	Chord Dimension	Chord Length
C09	14.21	125.00	6.3151	887.31 40' W	14.21
C10	70.91	594.00	1.8875	873.43 02' W	70.92
C12	36.72	50.00	42.0023	863.54 30' W	35.90
C13	48.14	51.00	48.3029	878.07 12' W	47.83
C14	71.58	51.00	71.3031	540.13 08' W	68.55
C15	72.32	51.00	72.6665	537.05 31' E	47.83
C16	48.14	51.00	48.3029	888.51 30' E	47.83
C17	45.07	50.00	48.8165	871.17 10' E	42.12
C18	70.98	327.00	12.4337	882.52 30' W	70.92
C19	51.83	327.00	3.5423	872.53 13' W	51.82
C20	39.05	327.00	6.8430	888.41 40' W	39.03
C21	104.67	327.00	18.3898	872.28 34' W	104.42
C22	39.70	50.00	42.4880	888.47 10' E	38.87
C23	21.07	51.00	21.1773	885.37 42' E	20.85
C24	51.32	51.00	51.5850	588.58 26' E	48.80
C25	50.44	51.00	50.7038	532.58 00' E	48.81
C26	50.44	51.00	50.7038	516.58 00' W	48.81
C27	52.41	51.00	52.6665	566.43 20' W	50.59
C28	42.13	51.00	42.3804	888.58 10' W	42.07
C29	38.70	50.00	42.4880	885.42 40' W	38.67
C30	34.87	125.00	11.1189	570.55 33' E	34.51
C31	97.71	478.00	11.8882	577.57 36' E	97.55
C32	57.21	478.00	6.8430	588.41 40' E	57.17
C33	42.48	329.00	4.8077	887.34 27' W	42.47
C34	68.28	528.00	7.3058	887.15 31' W	68.23
C35	15.71	51.00	15.3984	884.16 33' E	15.66
C36	11.49	51.00	11.5486	884.38 50' W	11.47
C37	23.08	335.00	3.8485	527.30 43' W	23.08

**SCHEMMER**  
 Design with Purpose. Build with Confidence.

DESIGNED	KAG
DRAWN	KAG
CHECKED	SLM
DATE	08/04/2017

WHISPERING OAKS PHASE II  
 LOTS 124 - 150 INCLUSIVE & OUTLOT 'A'  
 POTTAWATTAMIE COUNTY, IOWA  
 FINAL PLAT

JOB NO. 06519.001  
 SHEET 1 of 2

