City of Dyersville ORIGINAL

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Preparer Information: Marc W. Casey (Individual's Name) P.O. Box 274 (Street Address) Dyersville (City) (319)875-7178 (Phone)

RESOLUTION NO. 08-97

A RESOLUTION AMENDING RESOLUTION NO. 20-94 AND NO. 22-96 BY EXTENDING THE TIME FOR COMPLETION OF IMPROVEMENTS

WHEREAS, by Resolution No. 20-94, the City Council approved the plat of Sunset Heights No. 1, subject to the completion of improvements, and;

WHEREAS, by Resolution No. 22-96. the City Council approved and extended the time for completion of improvements, and;

WHEREAS, the Developer has requested additional time to complete certain of said improvements, and;

WHEREAS, the City Council had determined that an extension should be granted subject to certain conditions.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Dyersville, Iowa:

SECTION 1. That the time for final completion of Sunset Heights No. 1 is extended to June 6, 1997.

SECTION 2. That all of the items contained in Resolution No. 20-94 must be completed by June 6, 1997, with the following exceptions:

(A) That if all improvements adjacent to Lot 1 of Block 4 and Lots 1 and 5 of Block 2 are not completed by June 6, 1997, these lots will be finally approved, but no building permits will be issued for said lots until such time as all improvements have been completed at Developer's cost. Upon completion at Developer's cost, there shall be adopted a resolution providing these lots are eligible for building permits, and providing for the maintenance obligation of the Developer for the improvements.

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(B) If water and sewer have not been provided to Lots 1 and 2 of Block 3 by June 6, 1997, said lots will be finally approved, but no building permit will be issued for said lots until such time as water and sewer are provided to said lots at Developer's cost. Upon completion at Developer's cost, there shall be adopted a resolution providing that these lots are eligible for building permits an providing for the maintenance obligations of the Developer for the improvements.

SECTION 3. That prior to June 6, 1997, Developer will provide City with a complete set of as-built plans showing all improvements and in conformity with City requirements.

SECTION 4. That Developer shall continue to provide security to insure the performance of the foregoing conditions by providing security on such form and in such securities as may be acceptable to the City of Dyersville, Iowa.

SECTION 5. That in the event that the owners herein shall fail to execute the acceptance and provide security provided for in Section 4, hereof, within forty-five days from the date of this resolution, the provisions hereof shall be null and void and the acceptance and dedication and approval of the plat shall not be effective.

Passed, adopted and approved this 7th day of April , 1997.

Robert H Kramer
Robert Kramer, Mayor

Attest: Susan L Steffen-Ertl
Susan L. Steffen Ertl,
Clerk

CITY OF DYERSVILLE IOWA (SEAL) CITY SEAL

ACCEPTANCE OF TERMS OF RESOLUTION

We, the undersigned, hereby accept the terms of Resolution No. 08-97 .

Dated this 8th day of April , 1997.

Allan Ertl
Allan Ertl

Susan L Steffen-Ertl
Susan L. Steffen Ertl

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