Jerry Koch
598 6th Ave SW
Dyersville, IA 52040

DELAWARE COUNTY IOWA
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DEBORAH L. FENTON
DELAWARE CO. RECORDER
12.00

Preparer Information: Marc W. Casey (Individual's Name) | 129 1st Avenue E (Street Address) | Dyersville (City) | (563) 875-7178 (Phone)

RESOLUTION NO. 20-04

RESOLUTION APPROVING THE PLAT OF LOTS 1W, 1E, LOTS 2 THROUGH 6, LOTS 7E, 7W, 8E and 8W, LOTS 9 THROUGH 13, LOT 14E AND 14W, LOT A, LOT B, LOT C AND LOT D OF WESTRIDGE ESTATES 5TH ADDITION, DYERSVILLE, IOWA.

WHEREAS, there has been filed with the City Clerk a plat in which Lot 1 of Westridge Subdivision, Lot 23 of Westridge Estates 3rd Addition, Parcel H of the NE¼ of the SE¼ of Section 36, T89N, R3W, Parcel I of Lot 24, of Westridge Estates 4th Addition and Lot D of Westridge Estates 4th Addition, have been subdivided by K & K Building and Supply, Inc., into Lots 1W, 1E, Lots 2 through 6, Lots 7E, 7W, 8E and 8W, Lots 9 through 13, Lot 14E and 14W, Lot A, Lot B, Lot C and Lot D of Westridge Estates 5th Addition, Dyersville, Iowa;

WHEREAS, said plat has been examined by the City Planning and Zoning Commission and approved by said body, and;

WHEREAS, upon said plat appear streets to be known as 7th Avenue SW, and 8th Avenue Court SW, and also easements for utilities which are represented on the plat, all of which the owners have dedicated to the public forever, and;

WHEREAS, said plat has been found by the City Council to conform to the statutes and ordinances relating thereto, except that the streets have not been reduced to grade, paving, sewer, storm sewers or water installed therein.

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

SECTION 1. That the dedication of 7th Avenue SW, and 8th Avenue Court SW, together with easements for public utilities, all as the same appear on said plat, be and the same are hereby accepted and that said streets be and are herein established as public streets in the City of Dyersville, Iowa.

SECTION 2. That the plat of the above stated subdivision to be hereafter known as Lots 1W, 1E, Lots 2 through 6, Lots 7E, 7W, 8E and 8W, Lots 9 through 13, Lot 14E and 14W, Lot A, Lot B, Lot C and Lot D of Westridge Estates 5th Addition, Dyersville, Iowa, is hereby approved and the Mayor and City Clerk are hereby authorized and directed to endorse the approval of the City of Dyersville of said plat provided the owners of said property, hereinbefore named execute written acceptance hereto attached, agreeing:

(a) To reduce the streets to grade and curb and gutter and surface the streets according to the City Code Specification. That said streets shall be Portland Cement Concrete Pavement as provided in Section 166.07(E) of the City Code. That the City of Dyersville, Iowa, will reimburse developer $9.00 for each square yard of Portland Cement Concrete Pavement street, exclusive of curb and gutter. That reimbursement shall be made when developer's engineer certifies the final amount of Portland Cement Concrete Pavement installed that is eligible for reimbursement.

(b) To install sanitary sewer mains and sewer service laterals in accordance with plans submitted with the plat.

(c) To install water mains and water Service laterals in accordance with plans submitted with the plat.

(d) To construct the foregoing in accordance with plans and specifications approved by the City Council, under the supervision of the developers engineer. Any changes in the plans and specifications must be approved by the developer's engineer and a revised plan and specification submitted to the City. The engineer shall certify to the substantial compliance with said plans upon completion. That upon completion, developer's engineers shall provide a complete set of as built drawings which must be received prior to final acceptance of this subdivision.

(e) To maintain the foregoing improvements for a period of two years from the date of their acceptance by the City of Dyersville, Iowa;

(f) To provide the forgoing construction and maintenance at the sole expense of the subdivider as owner except as otherwise provided for herein, and as normally provided by the City of Dyersville, Iowa;

(g) To construct said improvements prior to June 21, 2005, and further provided that the undersigned owners of said subdivision secure the performance of the foregoing conditions by providing security in such form and such sureties as may be acceptable to the City Council.

SECTION 3. That in the event that the owner herein shall fail to execute the acceptance and provide security provided for in Section 2 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 21st day of June, 2004.

James A. Heavens, Mayor

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

(SEAL)

CITY SEAL

ACCEPTANCE OF TERMS OF RESOLUTION

The undersigned on behalf of K & K Building and Supply, Inc., Blue-J Development Corporation, and Jerome L. Koch and Jeanine Koch hereby accept the terms of Resolution No. 20-04.

Dated this 12th day of July, 2004.

K & K BUILDING & SUPPLY, INC.

BY: Jerome L. Koch
Jerome L. Koch

BLUE-J DEVELOPMENT CORPORATION

BY: Jerome L. Koch
Jerome L. Koch

PRIVATE OWNERS

Jerome L. Koch
Jerome L. Koch

Jeanine Koch
Jeanine Koch

CERTIFICATE OF SECURITY

I, Susan L. Ertl, Clerk for the City of Dyersville, Iowa hereby certify that the security required by the forgoing resolution No. 20-04 was provided within 45 days from the date of said resolution.

Susan L. Ertl, Clerk

(SEAL)

CITY SEAL