Prepared by: *City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503 (712)890-5350*
Return to: *City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503 (712)890-5350*

AGREEMENT OF CONSENT TO CONNECTION TO SANITARY SERVICES

AND

PETITION FOR VOLUNTARY ANNEXATION

This agreement between the City of Council Bluffs, Iowa (herein referred to as "the City") and Risen Son Christian Village (herein referred to as "the Petitioner") is entered this 10th day of July, 2023.

Petitioner is the owner of four parcels of land with the parcel numbers 744308276001, 744309101001, 744309101003, and 744309101004 (see "Exhibit A"). The Petitioner is requesting the City's consent to connect said identified parcels to the Council Bluffs sanitary sewer network to replace an existing onsite sanitary sewer treatment facility.

The proposed property is not contiguous to the city limits of Council Bluffs. The Petitioner wishes to extend a private sanitary service line from its property along Highway 92 to the City's sanitary main located along Harry Langdon Boulevard (see "Exhibit B"). The City is conditioning its consent to the proposed sanitary sewer connection on the Petitioner, petitioning the Voluntary Annexation of all four parcels. This petition is to be signed at the time that the City grants its consent to the proposed sanitary sewer connection. The City agrees not to act upon the Petition for Voluntary Annexation until such time is convenient for the City unless otherwise requested by the Petitioner or its assigns.

Petitioner shall be responsible for the design, permitting, and construction of all improvements necessary for connection to the public sanitary sewer system. All construction proposed to occur within City right-of-way shall comply with City standards. The project plans shall be submitted for review and approval, and no work shall commence until City permits are approved and issued.

Petitioner shall own and operate said improvements, up to and including the connection to the public sanitary sewer system. "Exhibit B" identifies the route of the service line and connection point.

Petitioner shall pay service charges for the discharge of sanitary sewer in accordance with Municipal Code Chapter 2.08 and Chapter 5.22, as a user outside the city limits.

In addition to the above requirements, the following conditions shall be adhered to:

1. The Petitioner shall not contest the City utilizing this Voluntary Annexation for any additional annexation(s) the City may pursue as allowed by State of Iowa.

2. The Petitioner shall not subdivide or modify the size, shape, or square footage of any of the identified parcels in this agreement without written consent from the City and may require immediate annexation.

3. No additional users shall be allowed to connect to the sanitary sewer extension without permission from the City. Any connections made to the extension may require immediate annexation by all parties.

4. Any new development constructed on the Petitioner's identified parcels, as set out above, regardless of annexation status, shall conform to City of Council Bluffs Municipal Code Titles 4, 5, 6, 12, 13, 14, 15, and 17. The Petitioner shall be required to submit all plans and specifications of new development to a third party inspector approved by the City and cause said third party inspector to certify to the City that any new development is designed and constructed in a manner that is consistent with the Municipal Code Titles set out above.

Any document conveying an interest in the aforementioned parcels shall expressly state the restrictions and conditions contained herein either by insertion into such document or specific reference to this agreement.

As witness to the above agreement and as authorized representative of our respective party we have affixed our signatures below.

CITY OF COUNCIL BLUFFS, IOWA

By: _____
MATTHEW J. WALSH
Mayor
209 Pearl Street
Council Bluffs, Iowa 51503

RISEN SON CHRISTIAN VILLAGE
(Petitioner)

By: Dave Florek

Dave Florek