Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 - Phone: (712) 890-5261
Prepared by: Community Development Dept., Co. Bluffs, IA 51503 - Phone: (712) 890-5350

RESOLUTION NO. 25-192

A RESOLUTION GRANTING A 9-MONTH EXTENSION OF TIME FOR USA BUILDERS, LLC TO CONSTRUCT TWO RESIDENTIAL DWELLINGS ON PROPERTY FORMERLY OWNED BY THE CITY OF COUNCIL BLUFFS, BEING LEGALLY DESCRIBED AS THE EAST ½ OF LOT 3, BLOCK 45, BEERS SUBDIVISION AND WEST ½ OF LOT 3, BLOCK 45, BEERS SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, On March 25, 2024, the Council Bluffs City Council adopted Resolution No. 24-92 (see Attachment A) which disposed of property legally described as the East ½ of Lot 3, Block 45, Beers Subdivision and West ½ of Lot 3, Block 45, Beers Subdivision, to USA Builders, LLC for a purchase price of $15,282.00 with a forgivable mortgage; and

WHEREAS, As part of the approved Resolution No. 24-92, City Council agreed to forgive the remaining balance for the property ($15,282.00) if a residential dwelling was constructed and issued a Certificate of Occupancy within fifteen months from the date of approval with a deadline expiring on March 4, 2026; and

WHEREAS, USA Builders, LLC has split the original property into two separate parcels and intends to build two new residential dwellings on the subject property asking for a 9-month extension of time request; and

WHEREAS, The Community Development Department recommends approval of the request by USA Builders, LLC for a 9-month extension of time to construct two residential dwellings on property legally described as the East ½ of Lot 3, Block 45, Beers Subdivision and West ½ of Lot 3, Block 45, Beers Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

A. The applicant shall complete construction and obtain a Certificate of Occupancy for two new residential dwellings on the subject property by December 4, 2026;
B. If the applicant cannot complete construction and obtain a Certificate of Occupancy for the residential dwelling by December 4, 2026, an extension of time shall be requested in writing to the Community Development Department prior to the expiration date.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the 9-month extension of the deadline for USA Builders, LLC to construct two residential dwellings on property formerly owned by the City of Council Bluffs, and being legally described as the East ½ of

Lot 3, Block 45, Beers Subdivision and West ½ of Lot 3, Block 45, Beers Subdivision , City of Council Bluffs, Pottawattamie County, Iowa is hereby granted and shall become effective immediately.

ADOPTED
AND
APPROVED: July 28, 2025.

_____
MATTHEW J. WALSH Mayor

ATTEST: _____
JODI QUAKENBUSH City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, 2023, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

_____
Notary Public in and for said State