ATTACHMENT A

RECORDER'S INDEX
LOT: 5
BLOCK:
SUBDIVISION: NEW HORIZON SUBDIVISION REPLAT 2
ALIQUOT PART:
SECTION
SECTION: /TOWNSHIP: / RANGE:
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: ROBERT P. MCCARTHY
REQUESTED BY: ROBERT P. MCCARTHY
DATE OF FIELD SURVEY: OCTOBER 4, 2021

OWNER
BLUFFS HOMES, LLC
535 W. BROADWAY STE 100
COUNCIL BLUFFS, IOWA 51503

DEVELOPER
ROBERT P. MCCARTHY
BOX 683
AVOCA, IOWA 51521

PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

FINAL PLAT OF
NEW HORIZON SUBDIVISION, REPLAT 3

BEING A REPLAT OF ALL OF LOT 5, NEW HORIZON SUBDIVISION, REPLAT 2, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

RECORD LEGAL DESCRIPTION

LOT 5, NEW HORIZON SUBDIVISION, REPLAT 3, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

NOTE:

A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN NEW HORIZON SUBDIVISION, REPLAT 3, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT,

A. PRIVATE RESTRICTIONS AND/OR COVENANTS TO BE RECORDED WITH THIS FINAL PLAT.

B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

PROFESSIONAL LAND SURVEYOR
DAVID E. FORSYTHE
25604
IOWA

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DAVID E. FORSYTHE NOVEMBER 16, 2021
DATE

LICENSE NUMBER 25604

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.

PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 2 AND SHEET 2 OF 2

FOR REVIEW

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 36, INCLUSIVE, OUTLOT A, OUTLOT B AND OUTLOT C. SAID PROPERTY TO BE KNOWN AS NEW HORIZON SUBDIVISION, REPLAT 3.

AS PART OF THIS PLATTING, BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, THE RIGHT-OF-WAY FOR PATRICK CIRCLE (1.21 ACRES, MORE OR LESS).

AS PART OF THIS PLATTING, BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY DOES HEREBY DEDICATE OUTLOT A, OUTLOT B AND OUTLOT C TO THE HOMEOWNER'S ASSOCIATION AND SHALL PERPETUALLY OPERATE AND MAINTAIN OUTLOT A, OUTLOT B AND OUTLOT C.

AS PART OF THIS PLATTING, BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY DOES HEREBY DEDICATE TO THE HOMEOWNERS ASSOCIATION AND THE OWNERS OF LOTS 1 THROUGH 4 IN NEW HORIZON SUBDIVISION REPLAT 2, THEIR ADMINISTRATORS, EXECUTORS, SUCCESSORS, HEIRS, OR ASSIGNS A PERPETUAL STORM SEWER, ACCESS AND DRAINAGE EASEMENT 20 FEET IN WIDTH, BEING 10.00 FEET IN WIDTH ON EACH SIDE OF THE LOT LINE BETWEEN LOT 2 AND LOT 3 AS SHOWN IN THE DRAWING.

AS PART OF THIS PLATTING, BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY DOES HEREBY DEDICATE TO THE HOMEOWNERS ASSOCIATION AND THE OWNERS OF LOTS 1 THROUGH 4 IN NEW HORIZON SUBDIVISION REPLAT 2, THEIR ADMINISTRATORS, EXECUTORS, SUCCESSORS, HEIRS, OR ASSIGNS A PERPETUAL ACCESS EASEMENT 20 FEET IN WIDTH ACROSS THE BACK LOT LINE OF LOTS 34, 35 36 AND OUTLOT "A" AS SHOWN IN THE DRAWING.

AS PART OF THIS PLATTING, BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, A PERPETUAL STORM SEWER AND DRAINAGE EASEMENT 20 FEET IN WIDTH, BEING 10.00 FEET IN WIDTH ON EACH SIDE OF THE LOT LINE BETWEEN LOT 32 AND LOT 33 AS SHOWN IN THE DRAWING.

THE DEDICATION OF THESE EASEMENTS SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS.

1. EASEMENT RUNS WITH THE LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, ITS SUCCESSORS OR ASSIGNS.
2. ERECTION OF STRUCTURES PROHIBITED: BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, OR ITS SUCCESSORS OR ASSIGNS SHALL NOT ERECT ANY STRUCTURE OVER NOR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PROIOR WRITTEN CONSENT OF THE CITY ENGINEER.
3. CHANGES OF GRADE: BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, OT ITS SUCCESSORS OR ASSIGNS SHALL NOT CHANGE THE GRADE, ELEVATION, NOR THE CONTOURS OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
4. RIGHT OF ACCESS: THE CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHTS OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA HEREIN DESCRIBED.
5. REMOVAL AND REPLACEMENT: THE COST AND REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY SAID BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, OR ITS SUCCESSORS OR ASSIGNS.
6. SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED TO GRADING AND SEEDING.
7. DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD, OR OTHER IMPROVEMENT OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO SAID BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, OR ITS SUCCESSORS OR ASSIGNS.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY PROPERTY AS CONTAINED HEREIN ON THIS

_____ DAY OF _____ , 2021.

BY: _____

JOHN H. JERKOVICH

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF _____ , 2021, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JOHN H. JERKOVICH, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS A MEMBER OF BLUFFS HOMES, LLC, AN IOWA LIMITED LIABILITY COMPANY, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND THAT SAID JOHN H. JERKOVICH ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

_____
NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____

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hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

DEF drawn | DEF designed | DEF approved | OCT '21 date | revision | date

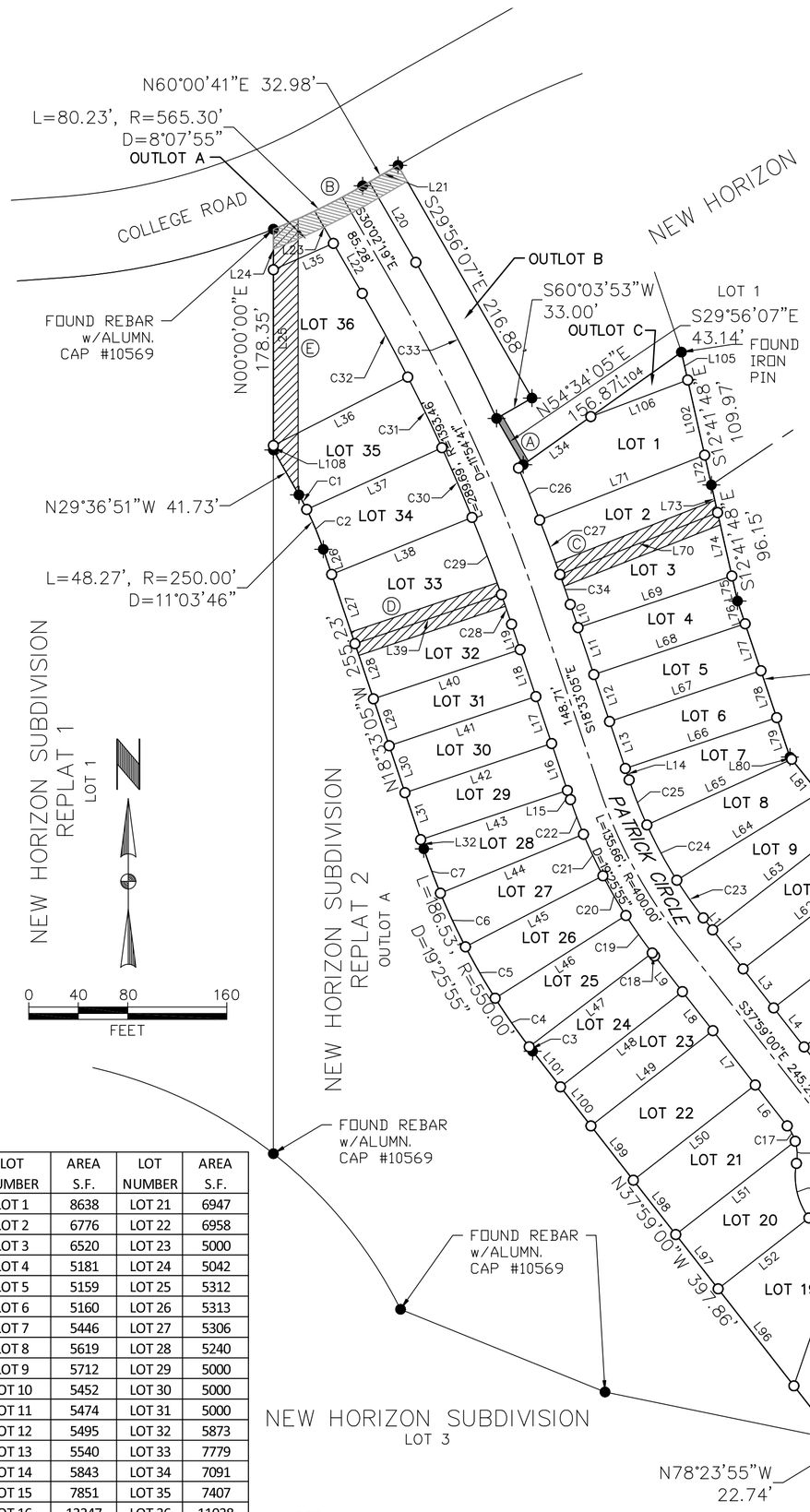
project NEW HORIZON SUBDIVISION, REPLAT 3
REPLAT-LOT 5, NEW HORIZON SUBDIVISION, REPLAT 2
client ROBERT P. MCCARTHY
P.O. BOX 683, AVOCA, IOWA 51521
sheet FINAL PLAT

project no. 105017
sheet 1 OF 2

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FINAL PLAT OF
NEW HORIZON SUBDIVISION, REPLAT 3

BEING A REPLAT OF ALL OF LOT 5, NEW HORIZON SUBDIVISION, REPLAT 2, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.



CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	13.38'	250.00'	003°03'57"
C2	34.89'	250.00'	007°59'49"
C3	4.50'	550.00'	000°28'06"
C4	47.97'	550.00'	004°59'49"
C5	47.95'	550.00'	004°59'42"
C6	47.83'	550.00'	004°58'56"
C7	38.29'	550.00'	003°59'21"
C8	32.14'	38.00'	048°27'32"
C9	14.56'	57.00'	014°37'58"
C10	52.18'	57.00'	052°27'01"
C11	42.54'	57.00'	042°45'45"
C12	42.54'	57.00'	042°45'45"
C13	42.54'	57.00'	042°45'43"
C14	34.63'	57.00'	034°48'39"
C15	46.50'	57.00'	046°44'14"
C16	18.09'	38.00'	027°16'22"
C17	14.05'	38.00'	021°11'10"

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C18	3.06'	425.00'	000°24'44"
C19	37.03'	425.00'	004°59'30"
C20	37.05'	425.00'	004°59'43"
C21	37.08'	425.00'	004°59'54"
C22	29.93'	425.00'	004°02'04"
C23	37.25'	375.00'	005°41'32"
C24	50.81'	375.00'	007°45'47"
C25	39.12'	375.00'	005°58'37"
C26	45.31'	1515.00'	001°42'48"
C27	47.01'	1515.00'	001°46'40"
C28	25.31'	1465.00'	000°59'23"
C29	66.66'	1465.00'	002°36'25"
C30	61.34'	1465.00'	002°23'57"
C31	63.41'	1465.00'	002°28'48"
C32	76.99'	1465.00'	003°00'40"
C33	142.01'	1515.00'	005°22'14"
C34	25.58'	1515.00'	000°58'03"

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N37°59'00"W	12.27'
L2	N37°59'00"W	40.00'
L3	N37°59'00"W	40.00'
L4	N37°59'00"W	40.00'
L5	N37°59'00"W	40.32'
L6	S37°59'00"E	41.93'
L7	S37°59'00"E	55.66'
L8	S37°59'00"E	40.00'
L9	S37°59'00"E	36.56'
L10	N18°33'05"W	19.75'
L11	N18°33'05"W	40.00'
L12	N18°33'05"W	40.00'
L13	N18°33'05"W	40.00'
L14	N18°33'05"W	9.75'
L15	S18°33'05"E	7.81'
L16	S18°33'05"E	40.00'
L17	S18°33'05"E	40.00'
L18	S18°33'05"E	40.00'
L19	S18°33'05"E	21.69'
L20	S30°02'19"E	75.05'
L21	S60°00'41"W	26.74'
L22	S30°02'19"E	46.63'
L23	S30°02'19"E	30.16'
L24	N00°00'00"E	32.77'
L25	N00°00'00"E	142.02'
L26	N18°33'05"W	21.35'
L27	N18°33'05"W	59.07'
L28	N18°33'05"W	47.00'
L29	N18°33'05"W	40.00'
L30	N18°33'05"W	40.00'
L31	N18°33'05"W	40.00'
L32	N18°33'05"W	7.81'
L34	N54°34'05"E	71.70'
L35	S66°15'53"W	52.92'
L36	S62°59'48"W	121.84'
L37	S65°27'45"W	120.07'
L38	S67°55'22"W	122.35'
L39	S71°26'55"W	124.78'
L40	S71°26'55"W	125.00'
L41	S71°26'55"W	125.00'
L42	S71°26'55"W	125.00'
L43	S71°26'55"W	125.00'
L44	S67°36'46"W	125.00'
L45	S62°41'08"W	125.00'
L46	S57°41'28"W	125.00'
L47	S52°40'33"W	125.00'
L48	S52°01'00"W	125.00'
L49	S52°01'00"W	125.00'
L50	S52°01'00"W	125.00'
L51	S52°01'00"W	122.43'
L52	S52°01'00"W	93.03'
L53	S18°55'39"W	122.04'
L54	S23°50'04"E	109.38'
L55	S66°35'49"E	114.11'

LINE TABLE		
#	BEARING	LENGTH
	N70°38'26"E	127.67'
	N52°01'00"E	74.81'
	N70°38'26"E	50.07'
	N52°01'00"E	139.39'
	N52°12'14"E	137.67'
	N52°12'29"E	137.13'
	N52°12'43"E	136.59'
	N52°12'59"E	136.06'
	N58°28'22"E	134.59'
	N65°36'20"E	128.42'
	N71°26'38"E	129.00'
	N71°26'38"E	128.99'
	N71°26'38"E	128.98'
	N71°26'38"E	131.09'
	N68°32'28"E	136.84'
	N68°32'28"E	143.22'
	S12°41'48"E	24.67'
	S12°41'48"E	22.89'
	S12°41'48"E	52.53'
	S12°41'48"E	20.73'
	S18°34'03"E	19.38'
	S18°34'03"E	40.00'
	S18°34'03"E	40.00'
	S18°34'03"E	33.62'
	S38°45'12"E	2.25'
	S38°45'12"E	35.03'
	S38°45'12"E	34.81'
	S38°45'12"E	40.00'
	S38°45'12"E	40.00'
	S38°45'12"E	40.00'
	S38°45'12"E	24.74'
	S43°13'23"E	10.69'
	S43°13'23"E	57.17'
	S43°13'23"E	59.03'
	S37°59'00"E	15.93'
	S37°59'00"E	79.26'
	S46°50'05"W	82.01'
	S46°50'05"W	123.12'
	S46°50'05"W	94.97'
	N37°59'00"W	54.85'
	N37°59'00"W	99.46'
	N37°59'00"W	55.66'
	N37°59'00"W	55.66'
	N37°59'00"W	55.67'
	N37°59'00"W	40.00'
	N37°59'00"W	36.56'
	N12°41'48"W	62.23'
	N54°34'05"E	89.84'
	S12°41'48"E	23.07'
	N69°17'56"E	83.68'
	S37°59'00"E	1.56'
	S00°00'00"E	3.56'

LOT NUMBER	AREA S.F.	LOT NUMBER	AREA S.F.
LOT 1	8638	LOT 21	6947
LOT 2	6776	LOT 22	6958
LOT 3	6520	LOT 23	5000
LOT 4	5181	LOT 24	5042
LOT 5	5159	LOT 25	5312
LOT 6	5160	LOT 26	5313
LOT 7	5446	LOT 27	5306
LOT 8	5619	LOT 28	5240
LOT 9	5712	LOT 29	5000
LOT 10	5452	LOT 30	5000
LOT 11	5474	LOT 31	5000
LOT 12	5495	LOT 32	5873
LOT 13	5540	LOT 33	7779
LOT 14	5843	LOT 34	7091
LOT 15	7851	LOT 35	7407
LOT 16	13347	LOT 36	11038
LOT 17	8452	OUTLOT A	1333
LOT 18	12780	OUTLOT B	6071
LOT 19	6552	OUTLOT C	956
LOT 20	5798		

Ⓐ UNDERGROUND ELECTRICAL EASEMENT GRANTED TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS RECORDED IN BOOK 2021, PAGE 12222 IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE.

Ⓑ 15.00' WIDE SANITARY SEWER AND WATER MAIN EASEMENT GRANTED TO THE CITY OF COUNCIL BLUFFS RECORDED IN BOOK 2017, PAGE 01280 IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE.

Ⓒ STORM SEWER, ACCESS AND DRAINAGE EASEMENT 20 FEET IN WIDTH, BEING 10.00 FEET IN WIDTH ON EACH SIDE OF THE LOT LINE.

Ⓓ STORM SEWER AND DRAINAGE EASEMENT 20 FEET IN WIDTH, BEING 10.00 FEET IN WIDTH ON EACH SIDE OF THE LOT LINE.

Ⓔ 20 FEET WIDE ACCESS EASEMENT.

LEGEND

- ● FOUND PROPERTY CORNER AS NOTED IN THE DRAWING
- ✦ FOUND REBAR W/ALUMN. CAP MARKED "HGM ASSOC. PLS 14415"
- ○ SET 5/8"x30" REBAR w/ALUMN. CAP MARKED "HGM ASSOC. PLS 25604"

NOTE:

THE CITY OF COUNCIL BLUFFS RESOLUTION NUMBER 21-66 AMENDS THE ADOPTED PLANNED RESIDENTIAL DEVELOPMENT PLAN FOR NEW HORIZON SUBDIVISION, REPLAT 3.

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hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

DEF drawn
DEF designed
DEF approved
OCT.'21 date
revision date

project NEW HORIZON SUBDIVISION, REPLAT 3
REPLAT-LOT 5, NEW HORIZON SUBDIVISION, REPLAT 2
client ROBERT P. MCCARTHY
P.O. BOX 683, AVOCA, IOWA 51521
sheet FINAL PLAT

project no. 105017
sheet 2 OF 2

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