AMENDMENT

COUNCIL BLUFFS MANAGEMENT & TITLE TRANSFER AGREEMENT

AMENDMENT NUMBER: 001

AMENDMENT EFFECTIVE DATE: March 1, 2023 thru the life of the agreement

This amendment (Amendment) to the above-referenced Council Bluffs Management & Title Transfer Agreement (Management Agreement) is made by and between the Iowa Department of Natural Resources (DNR) and the City of Council Bluffs (City).

WHEREAS, Subsection 7 of the Management Agreement reads "The City and DNR mutually agree that the city's development of the River's Edge Park shall be in substantial compliance with the Master Plan (Exhibit 7) and the other attached Exhibits and that any changes to the Master Plan or construction of elements illustrated by the attached Exhibits shall not be contrary to the conditions specified in Article III of this agreement.";

WHEREAS, the City has updated the Master Plan;

WHEREAS, The DNR approves of the updated Master Plan;

NOW THEREFORE, The DNR and City mutually agree that the exhibits of the Master Plan are hereby amended to include the exhibits included with this Amendment.

ALL OTHER TERMS AND CONDITIONS OF THE MANAGEMENT AGREEMENT REMAIN IN FULL FORCE AND EFFECT EXCEPT TO THE EXTENT MODIFIED HEREIN.

IN WITNESS WHEREOF, the DNR and the City have signed this Amendment and by their signatures warrant they have the authority to do such.

- SPACE INTENTIONALLY LEFT BLANK -

This Amendment is entered into under the authority of a resolution adopted at the regular meeting of the Council Bluffs City council on _____ as shown in the minutes thereof.

CITY OF COUNCIL BLUFFS

By: _____
Mayor

By: _____
City Clerk

STATE OF IOWA, _____ COUNTY;
This instrument was acknowledged before me on _____ by _____ and _____ as Mayor and City Clerk, respectively, of the city of Council Bluffs, Iowa

_____
NOTARY PUBLIC FOR THE STATE OF IOWA

This agreement is entered into under the authority of a resolution adopted at the regular meeting of the Natural Resource Commission on _____, as shown in the minutes thereof.

IOWA DEPARTMENT OF NATURAL RESOURCES

_____
Kayla Lyons, Director

STATE OF IOWA, POLK COUNTY
This instrument was acknowledged before me on _____, by Kayla Lyon as Director of the Iowa Department of Natural Resources.

_____
NOTARY PUBLIC FOR THE STATE OF IOWA

Exhibit 1

CITY OF COUNCIL BLUFFS PARKS AND RECREATION DEPARTMENT
RIVER'S EDGE RIVERFRONT DEVELOPMENT
UPDATED DEVELOPMENT PLAN 2023

River's Edge Master Plan



The River's Edge Master Plan was prepared in 2010 and outlines future development along the riverfront. The plan envisioned park and recreation amenities north of Bob Kerrey Bridge and south of Interstate 480, west of the River Side Golf Course. Also included in the plan is a mixed use development, which includes, commercial and residential development.

The River's Edge Riverfront Development has five phases:

1. Tom Hanafan Park – Completed 2011-2012
2. Pavilion – Completed 2017-2018
3. River's Edge Mixed Use Development – ongoing
4. Adventure Tower, Tree Top Walk, Pier – 95% design, submission to United States Army Corps of Engineers for Section 404 and 408 review pending.
5. Dog Park and Playground – Design and engineering began January 2023





PHASES

Phase I - Tom Hanafan



Tom Hanafan park is located just south of the where the Bob Kerrey Bridge lands on the Iowa side of the Missouri River and consists of a five-acre great lawn, parking, and amphitheater.

Phase II - Pavilion



Phase II – Pavilion, located east of Tom Hanafan Park. The pavilion consists of approximately 1,000 square feet of interior space, an outside deck, and upper deck level. This space is rented for minor events and is managed by the Parks and Recreation Department. The area around the pavilion consists of a water feature, which includes a water wall, spray jets, and bubbler system. Proximate to the Pavilion is an art sculpture called the "Looking Up Man" and Belle's Play Garden (which was installed in 2022). This phase was completed in 2017-2018.

Phase III - River's Edge Mixed Use Development



The third phase of development is the mixed use development consisting of apartments, condominiums, and commercial development. This is an ongoing phase.

In 2017-2018, the planning for the fourth phase of development commenced. The fourth phase of development will occur north of the Bob Kerrey Bridge and south of Interstate 480. The fourth phase of development includes:

Adventure Tower



- The Adventure Tower will be located north of the Bob Kerrey Bridge and have a height of 130-feet. The tower will consist of an outdoor climbing wall, interior caving space, and a two-track roll glide. The tower is built so only the service elevator shaft will be at ground level. The structure will be built on a series of footings. The entry to the tower will be at or above levee height.

Tree Top Walk



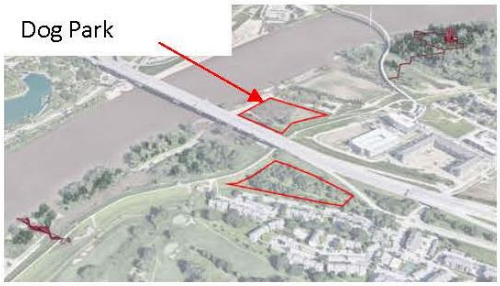
- The Tree Top Walk is an elevated walk, eight feet wide, that provides approximately one-quarter mile of walkable space elevated 15'- 18' above the ground. The walk will intersect the Bob Kerrey Bridge and extend to the Adventure Tower. The structure of the tree top walk will be at or above levee height.

Pier

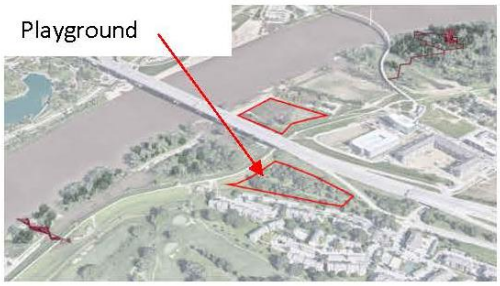


- The pier is located south of Interstate 480 and will extend from the levee to the riverfront. It is anticipated the pier will extend beyond the shoreline by 15'-20'. The pier will be constructed on footing with the structure at or above the top of the levee.

In 2023, the City initiated phase five of the development and the Dog Park and playground are currently being designed. It is anticipated the work will be completed by 2025.



The Dog Park will be located north of Interstate 480, south of Tom Hanafan Park. The dog park will be approximately four acres in size and included a perimeter fencing, one or two slabs of concrete to accommodate site furnishings, and water. Access into the park will occur from the north and south perimeter. The east – west oriented perimeter fence will either consist of removable panels that will be taken down in advance of any flood or the fence will be installed to pivot and be turned from an east-west orientation to a north-south orientation when the area floods.



The Playground will be south of Interstate 480 and will be approximately three acres in size. Access from the levee will be provided. The playground will consisted of an ages 2-5 play structure and an ages 5-12 playstructure or play elements for each age cohort.

The City is anticipating all phases will be completed by the end of 2025.

RIVER'S EDGE DEVELOPMENT

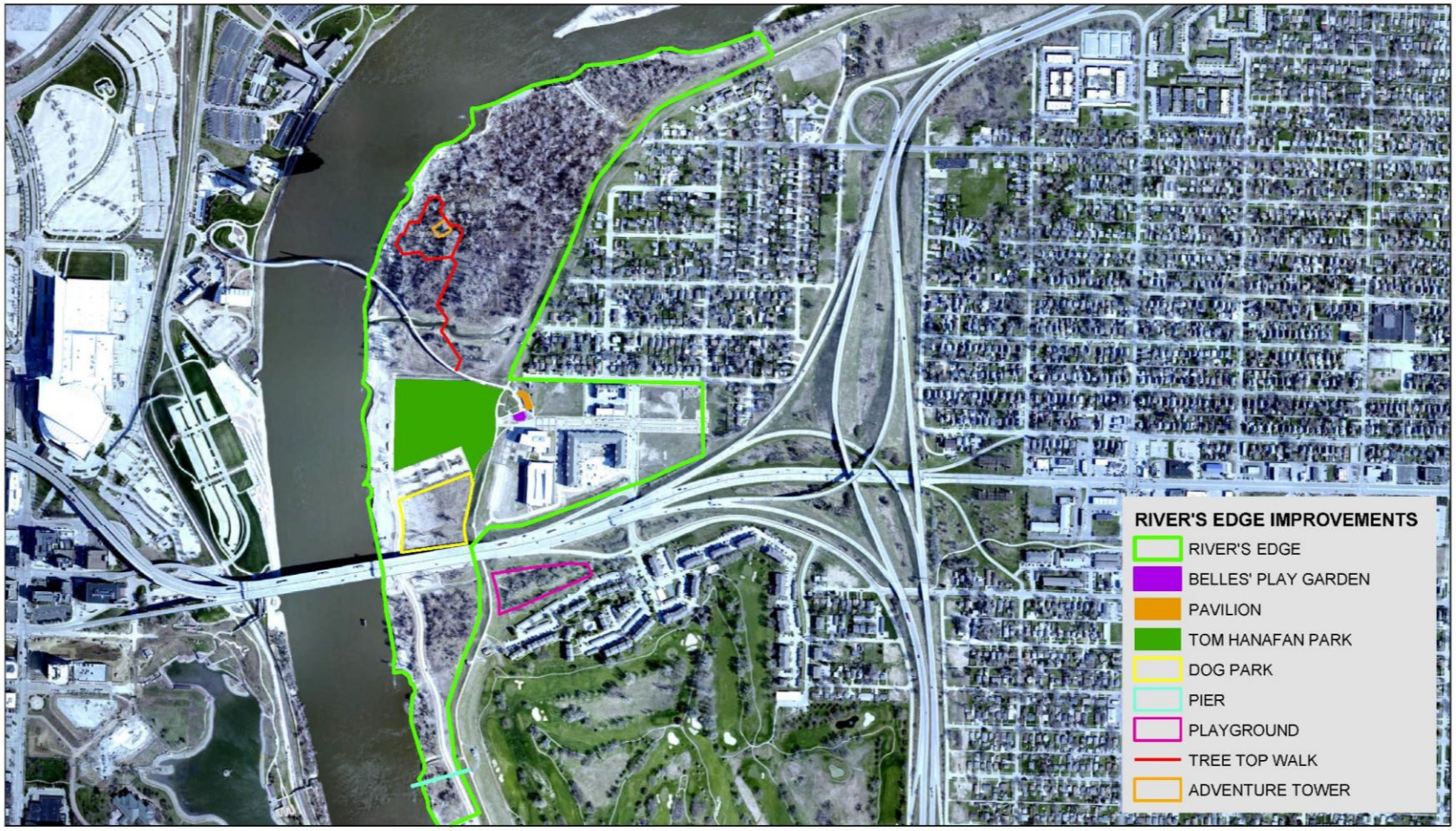


Exhibit 2

1 inch = 600 feet