



Doc ID: 008722830021 Type: GEN
Kind: SUBDIVISION PLAT
Recorded: 10/18/2017 at 02:14:08 PM
Fee Amt: \$107.00 Page 1 of 21
Dubuque County Iowa
John Murphy Recorder

File 2017-00013004

PREPARED BY: BUESING & ASSOCIATES

ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA 52001

PHONE: (563) 556-4389

INDEX LEGEND

Location: South Pointe
SW 1/4 of Section 1 and SE 1/4 of Section 2,
188N, R2E (Table Mound TWP) of the 5th P.M.,
Dubuque County, Iowa
Requestor: Dubuque South Pointe, LLC
Proprietor: Dubuque South Pointe, LLC
PO Box 141, East Dubuque, IL 61025
Surveyor: Terry L. Koelker
Company: Buesing & Associates, Inc.
1212 Locust St., Dubuque, IA 52001
Return To: tkoelker@buesing.com (563) 556-4389

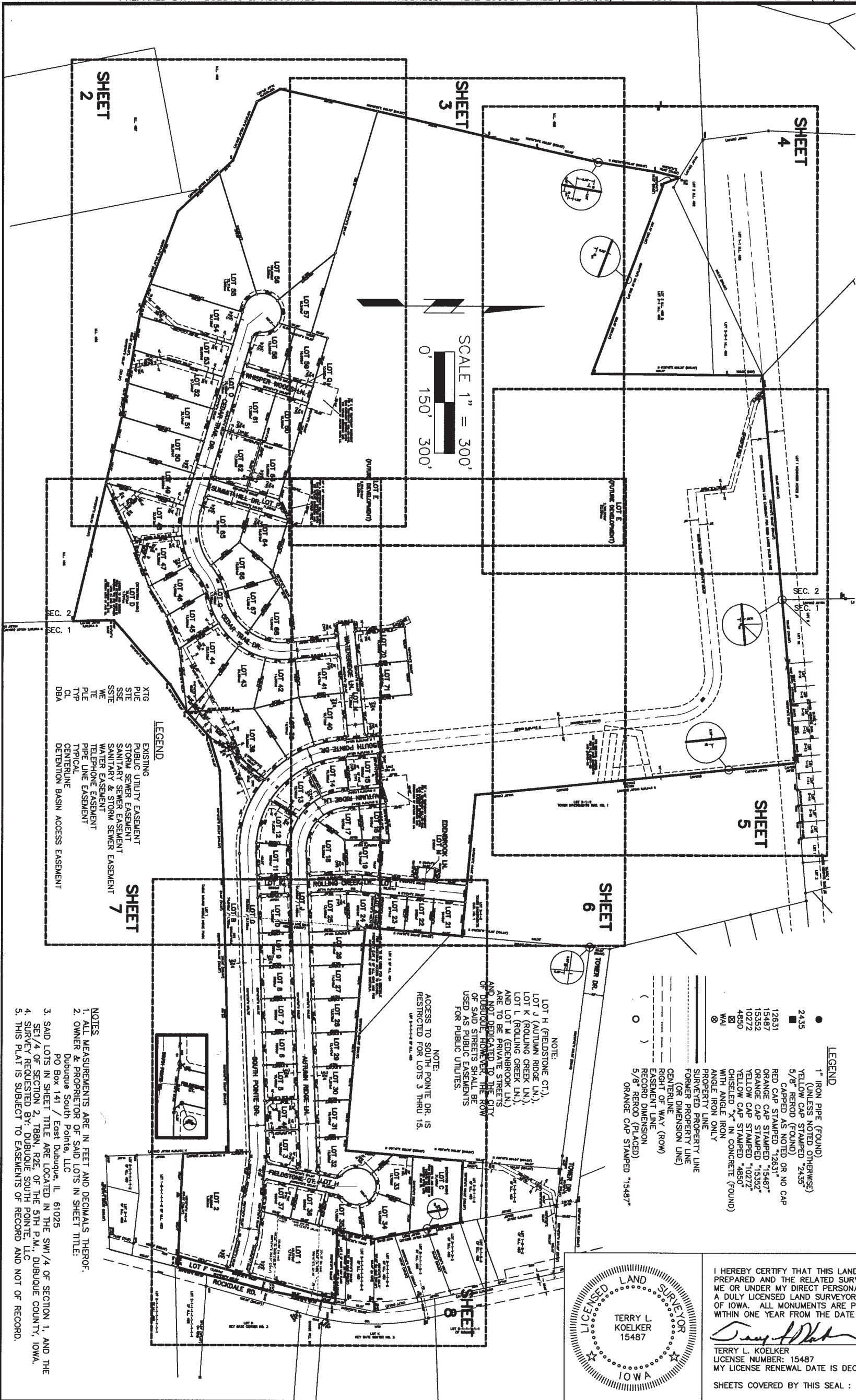
Final Plat of:
SOUTH POINTE

IN THE CITY OF DUBUQUE, DUBUQUE COUNTY, IOWA.

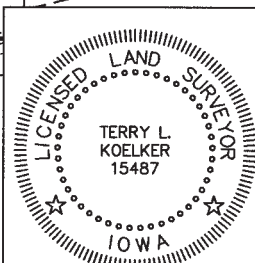
Comprised of: LOT 1 AND LOT 1-1-2, BOTH OF TOWER INVESTMENTS SUBDIVISION NO. 1,
LOT 2-1-1-1-1-2-2 OF M.L. 483, LOT 1 OF MARY LOU PLACE, AND LOT 2 OF TABLE MOUND MOBILE HOME PARK,
ALL IN THE SW 1/4 OF SECTION 1, AND THE SE 1/4 OF SECTION 2, 188N, R2E, OF THE 5TH P.M., IN THE CITY OF DUBUQUE, DUBUQUE COUNTY, IOWA.

SURVEYED PERIMETER

TOTAL AREA = 95.921 AC.



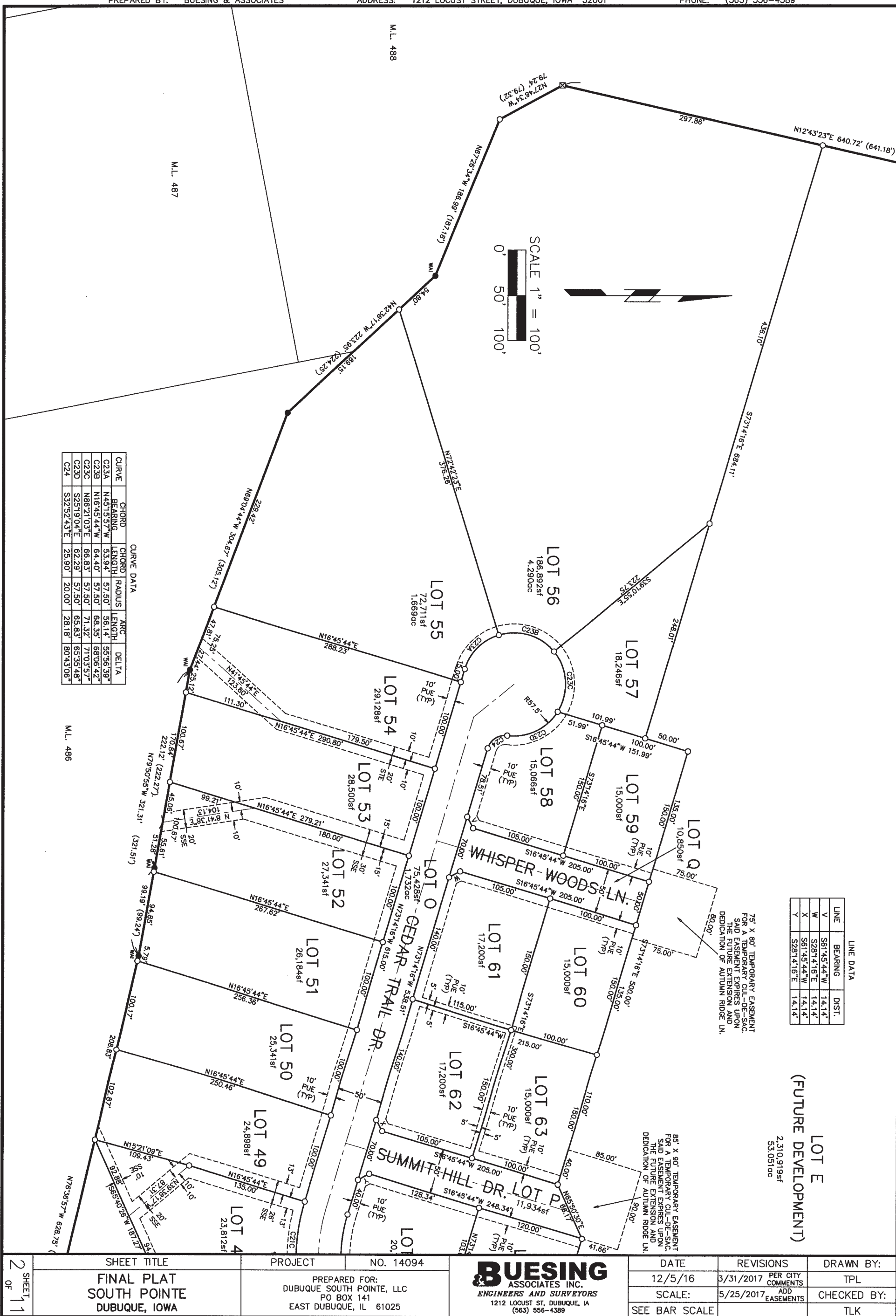
NOTES
1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. OWNER & PROPRIETOR OF SAID LOTS IN SHEET TITLE:
Dubuque South Pointe, LLC
PO Box 141 / East Dubuque, IL 61025
3. SAID LOTS IN SHEET TITLE ARE LOCATED IN THE SW 1/4 OF SECTION 1, AND THE
SE 1/4 OF SECTION 2, 188N, R2E, OF THE 5TH P.M., DUBUQUE COUNTY, IOWA.
4. SURVEY REQUESTED BY: DUBUQUE SOUTH POINTE, LLC
5. THIS PLAT IS SUBJECT TO EASEMENTS OF RECORD AND NOT OF RECORD.



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 LAND SURVEYOR UNDER THE LAWS OF THE STATE
OF IOWA. ALL MONUMENTS ARE PLACED OR SHALL BE PLACED
WITHIN ONE YEAR FROM THE DATE THIS PLAT IS RECORDED.
Terry L. Koelker 5/25/17
TERRY L. KOELKER
LICENSE NUMBER: 15487
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017
SHEETS COVERED BY THIS SEAL : SHEETS 1 THRU 9

SHEET TITLE	PROJECT	NO. 14094	DATE	REVISIONS	DRAWN BY:
FINAL PLAT SOUTH POINTE DUBUQUE, IOWA	PREPARED FOR: DUBUQUE SOUTH POINTE, LLC PO BOX 141 EAST DUBUQUE, IL 61025		12/5/16	3/31/2017 PER CITY COMMENTS	TPL
			SCALE:	5/19/2017 PER CITY COMMENTS	CHECKED BY:
			SEE BAR SCALE	5/25/2017 ADD EASEMENTS	TLK

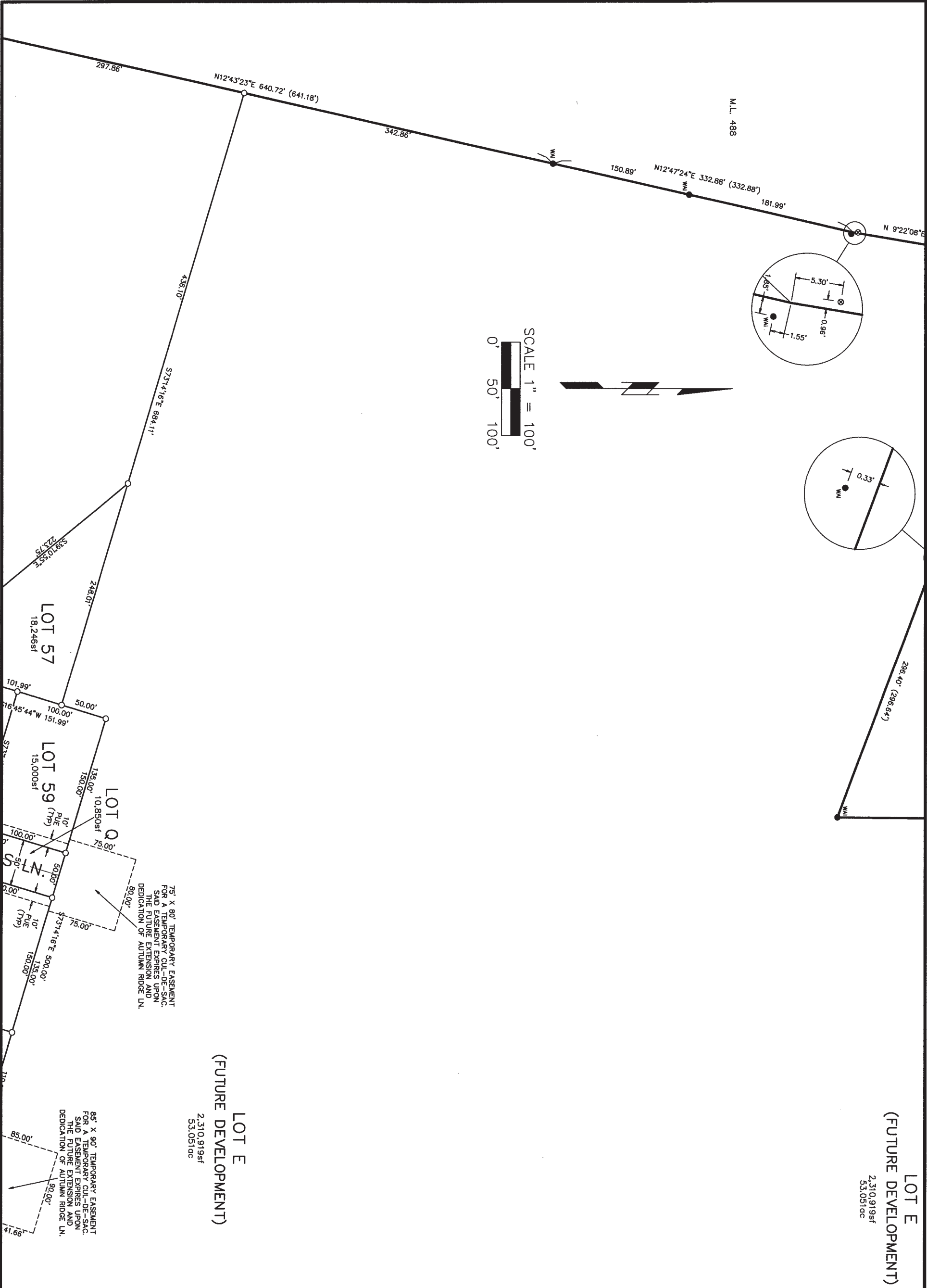
BUESING
ASSOCIATES INC.
ENGINEERS AND SURVEYORS
1212 LOCUST ST., DUBUQUE, IA
(563) 556-4389



PREPARED BY: BUESING & ASSOCIATES

ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA 52001

PHONE: (563) 556-4389

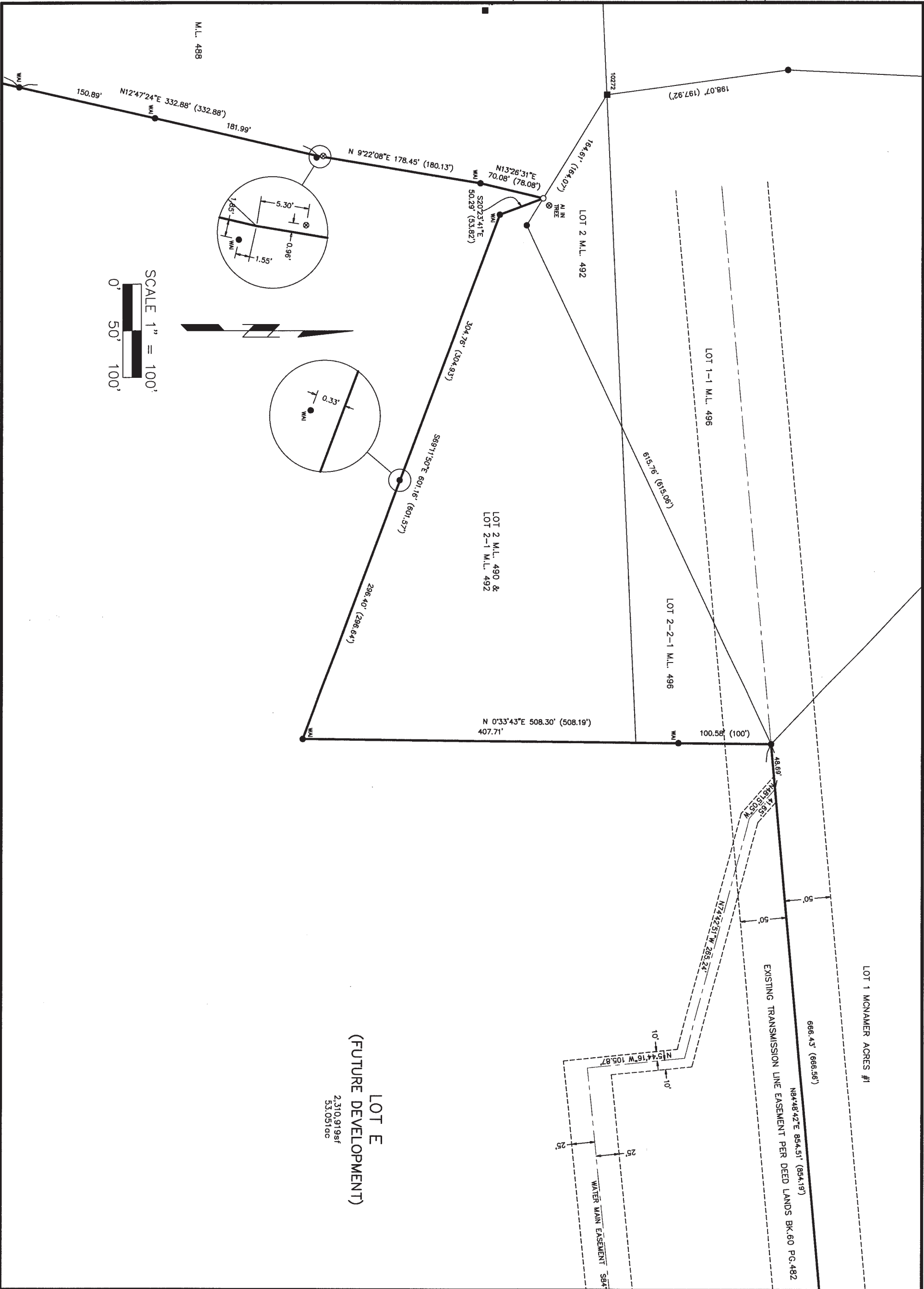


3 OF 11	SHEET TITLE		PROJECT	NO. 14094	BUESING ASSOCIATES INC. ENGINEERS AND SURVEYORS 1212 LOCUST ST, DUBUQUE, IA (563) 556-4389	DATE	REVISIONS	DRAWN BY:
	FINAL PLAT SOUTH POINTE DUBUQUE, IOWA		PREPARED FOR: DUBUQUE SOUTH POINTE, LLC PO BOX 141 EAST DUBUQUE, IL 61025			12/5/16	3/31/2017 PER CITY COMMENTS	TPL
						SCALE:		CHECKED BY:
						SEE BAR SCALE		TLK

PREPARED BY: BUESING & ASSOCIATES

ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA 52001

PHONE: (563) 556-4389

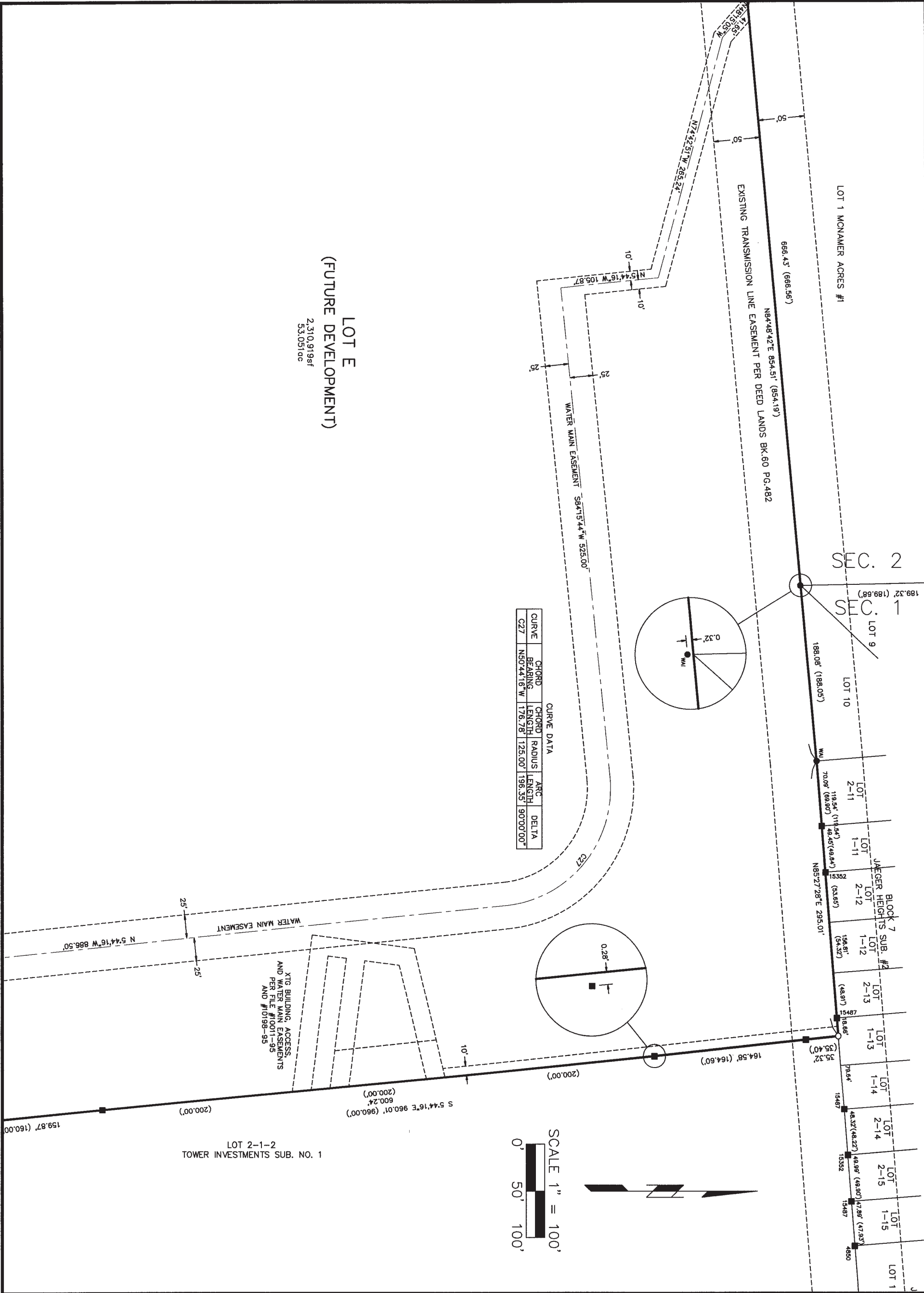


4 OF 11 SHEET	SHEET TITLE		PROJECT	NO. 14094	BUESING & ASSOCIATES INC. ENGINEERS AND SURVEYORS 1212 LOCUST ST, DUBUQUE, IA (563) 556-4389	DATE	REVISIONS	DRAWN BY:
	FINAL PLAT SOUTH POINTE DUBUQUE, IOWA		PREPARED FOR: DUBUQUE SOUTH POINTE, LLC PO BOX 141 EAST DUBUQUE, IL 61025			12/5/16	3/31/2017 PER CITY COMMENTS	TPL
						SCALE:	5/25/2017 ADD EASEMENTS	CHECKED BY:
						SEE BAR SCALE		TLK

PREPARED BY: BUESING & ASSOCIATES

ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA 52001

PHONE: (563) 556-4389



5 OF 11 SHEET	SHEET TITLE		PROJECT	NO. 14094	BUESING & ASSOCIATES INC. ENGINEERS AND SURVEYORS 1212 LOCUST ST, DUBUQUE, IA (563) 556-4389	DATE	REVISIONS	DRAWN BY:
	FINAL PLAT SOUTH POINTE DUBUQUE, IOWA		PREPARED FOR: DUBUQUE SOUTH POINTE, LLC PO BOX 141 EAST DUBUQUE, IL 61025	12/5/16		3/31/2017 PER CITY COMMENTS	TPL	
				SCALE:		5/25/2017 ADD EASEMENTS	CHECKED BY:	
				SEE BAR SCALE			TLK	

LOT E
(FUTURE DEVELOPMENT)

2,310.919sf
53.051ac

PHONE: (563) 556-4389

ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA 52001

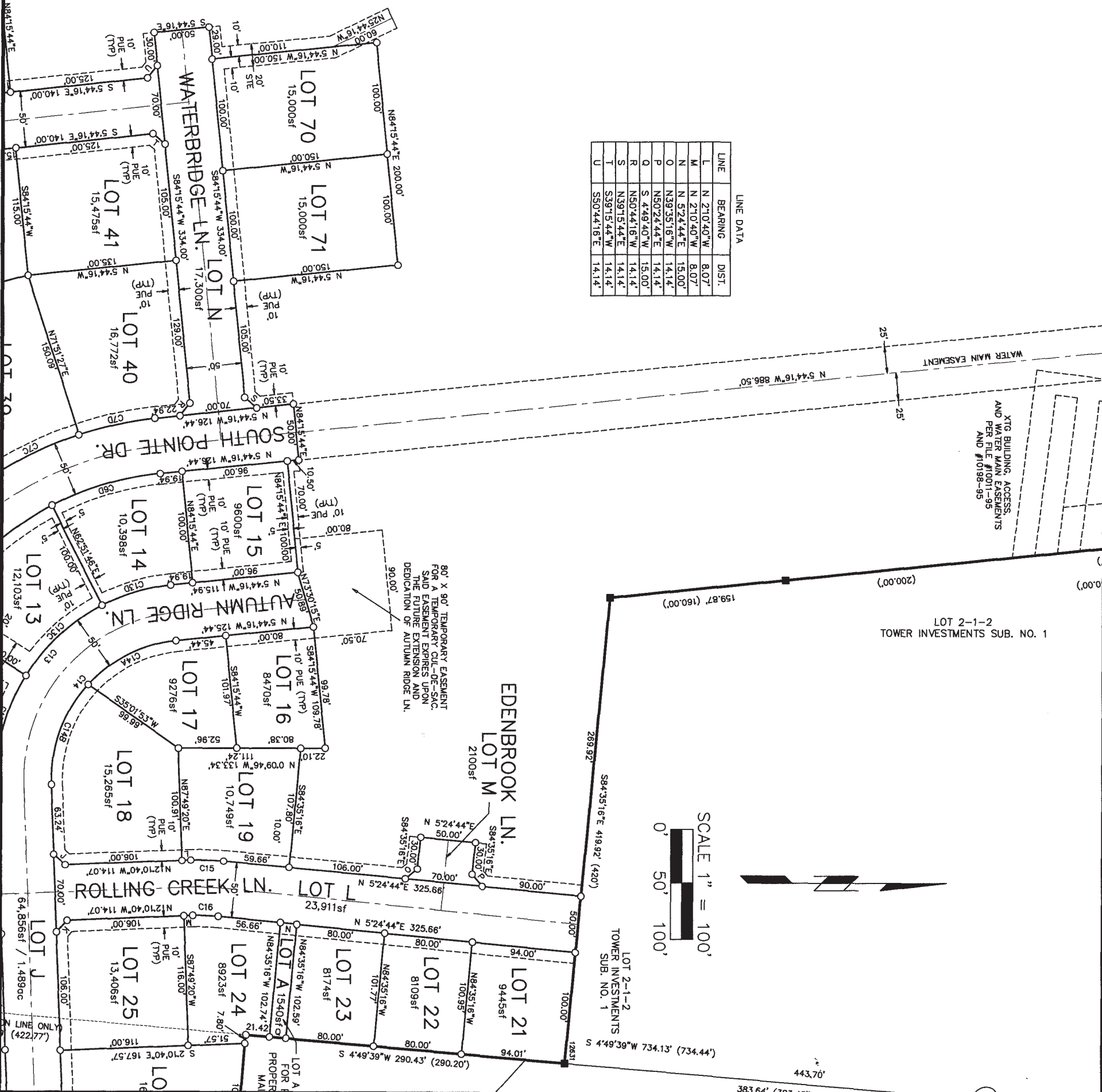
PREPARED BY: BUESING & ASSOCIATES

LOT E
(FUTURE DEVELOPMENT)

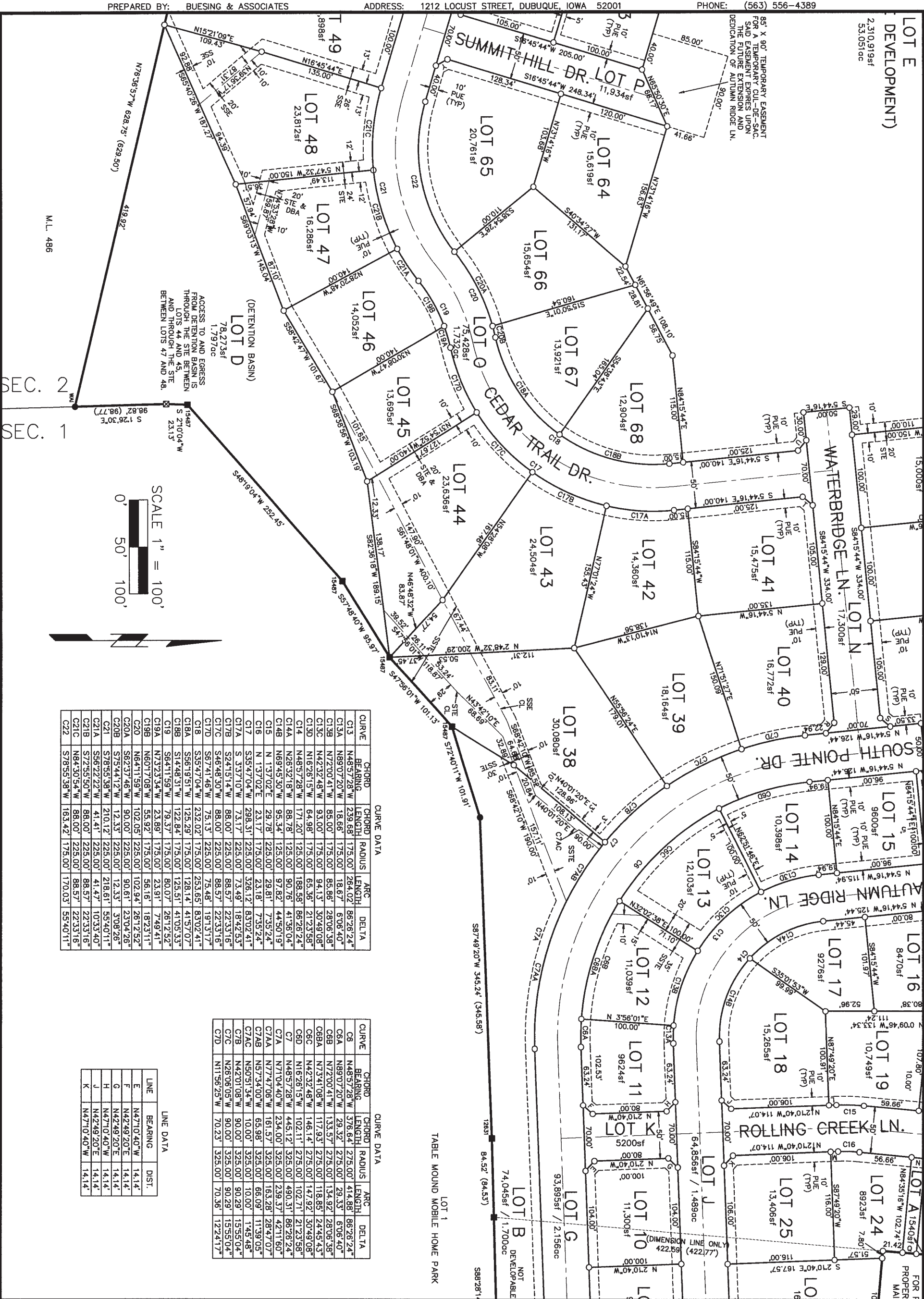
2,310.919sf
53.051ac

85' X 90' TEMPORARY EASEMENT
FOR A TEMPORARY CUL-DE-SAC.
SAID EASEMENT EXPIRES UPON
THE FUTURE EXTENSION AND
DEDICATION OF AUTUMN RIDGE LN.

LINE	BEARING	DIST.
L	N 2°10'40"W	8.07'
M	N 2°10'40"W	8.07'
N	N 5°24'44"E	15.00'
O	N 39°35'16"W	14.14'
P	N 50°24'44"E	14.14'
Q	S 4°49'40"W	15.00'
R	N 50°44'16"W	14.14'
S	N 39°15'44"E	14.14'
T	S 39°15'44"W	14.14'
U	S 50°44'16"E	14.14'



SHEET 1 OF 1	SHEET TITLE		PROJECT	NO. 14094	BUESING ASSOCIATES INC. ENGINEERS AND SURVEYORS 1212 LOCUST ST, DUBUQUE, IA (563) 556-4389	DATE	REVISIONS	DRAWN BY:
	FINAL PLAT SOUTH POINTE DUBUQUE, IOWA		PREPARED FOR: DUBUQUE SOUTH POINTE, LLC PO BOX 141 EAST DUBUQUE, IL 61025			12/5/16	3/31/2017 PER CITY COMMENTS	TPL
						SCALE:	5/25/2017 ADD EASEMENTS	CHECKED BY:
						SEE BAR SCALE		TLK



CURVE DATA				
CURVE	BEARING	CHORD LENGTH	RADIUS	DELTA
C13	N48°57'28"W	239.68'	175.00'	264.02'
C13A	N89°07'20"W	18.66'	175.00'	18.67'
C13B	N72°00'41"W	85.00'	175.00'	85.86'
C13C	N42°32'48"W	93.00'	175.00'	94.13'
C13D	N16°26'15"W	64.96'	175.00'	65.36'
C14	N48°57'28"W	171.20'	125.00'	188.58'
C14A	N26°32'18"W	95.34'	125.00'	97.82'
C14B	N69°45'30"W	29.78'	125.00'	29.81'
C15	N 1°37'02"E	29.78'	125.00'	29.81'
C16	N 1°37'02"E	23.17'	175.00'	23.18'
C17A	S 3°37'10"W	73.17'	225.00'	73.49'
C17B	S24°15'14"W	88.00'	225.00'	88.57'
C17C	S46°48'30"W	88.00'	225.00'	88.57'
C17D	S67°41'46"W	75.13'	225.00'	75.48'
C18	S35°47'04"W	232.02'	175.00'	253.65'
C18A	S61°19'51"W	125.29'	175.00'	126.14'
C18B	S14°48'31"W	122.84'	175.00'	125.51'
C19	S84°11'59"W	79.37'	175.00'	80.07'
C19A	N73°23'34"W	23.89'	175.00'	23.91'
C19B	N60°17'08"W	55.92'	175.00'	56.16'
C20	N64°11'59"W	102.05'	225.00'	102.94'
C20A	S62°37'46"W	90.00'	225.00'	90.61'
C20B	S75°44'12"W	12.33'	225.00'	12.33'
C21	S78°55'38"W	210.12'	225.00'	218.61'
C21A	S56°22'22"W	41.41'	225.00'	41.47'
C21B	S72°55'50"W	88.00'	225.00'	88.57'
C21C	N84°30'54"W	88.00'	225.00'	88.57'
C22	S78°55'38"W	163.42'	175.00'	170.03'

CURVE DATA				
CURVE	BEARING	CHORD LENGTH	RADIUS	DELTA
C6	N48°57'28"W	376.64'	275.00'	414.88'
C6A	N89°07'20"W	29.32'	275.00'	29.33'
C6B	N72°00'41"W	133.57'	275.00'	134.92'
C6B A	N73°41'08"W	117.93'	275.00'	118.85'
C6B B	N42°32'48"W	146.14'	275.00'	147.92'
C6D	N16°26'15"W	102.11'	275.00'	102.71'
C7	N48°57'28"W	445.12'	325.00'	490.31'
C7A	N71°04'40"W	234.00'	325.00'	239.37'
C7A B	N77°47'06"W	161.57'	325.00'	163.28'
C7A B	N57°34'00"W	65.96'	325.00'	66.09'
C7A C	N50°51'34"W	10.00'	325.00'	10.00'
C7B	N42°01'08"W	90.00'	325.00'	90.29'
C7C	N26°06'05"W	90.00'	325.00'	90.29'
C7D	N11°56'25"W	70.23'	325.00'	70.36'

LINE DATA		
LINE	BEARING	DIST.
E	N47°10'40"W	14.14'
F	N42°49'20"E	14.14'
G	N42°49'20"E	14.14'
H	N47°10'40"W	14.14'
J	N42°49'20"E	14.14'
K	N47°10'40"W	14.14'

Surveyor's Certificate

I, Terry L. Koelker, a Duly Licensed Land Surveyor in the State of Iowa, do hereby certify that the following real estate was surveyed and platted by me or under my direct personal supervision, To Wit:

Lot 1 and Lot 1-1-2, both of Tower Investments Subdivision No. 1, Lot 2-1-1-1-1-2-2 of M.L. 483, Lot 1 of Mary Lou Place, and Lot 2 of Table Mound Mobile Home Park, all in the SW1/4 of Section 1, and the SE1/4 of Section 2, T88N, R2E of the 5th P.M., in the City of Dubuque, Dubuque County, Iowa.

This survey was performed for the purpose of subdividing and platting said real estate henceforth to be known as **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa. Total area of **SOUTH POINTE** is 95.921 acres. All Lot areas are more or less and all Lots are subject to easements, reservations, restrictions, and rights-of-way of record and not of record, the plat of which is attached hereto and made a part of this certificate. All monuments are placed or shall be placed within one year from the date this plat is recorded.

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 Land Surveyor under the laws of the State of Iowa.

BY: 
Terry L. Koelker
Licensed Land Surveyor
License No. 15487

5/25/17
Date
License Renewal Date: 12/31/17

Owner's Consent

Dubuque, Iowa

5.25.17, 2017

The foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, is made with the free consent and in accordance with the desires of the undersigned owners and proprietors of said real estate. We hereby dedicate Lot C and Lot D for Storm Water Detention Basin purposes, and Lot F (Rockdale Rd.), Lot G (South Pointe Dr.), Lot N (Waterbridge Ln.), Lot O (Cedar Trail Dr.), Lot P (Summit Hill Dr.), and Lot Q (Whisper Woods Ln.) for street and utility purposes, and all easements as stated and as shown to the public.

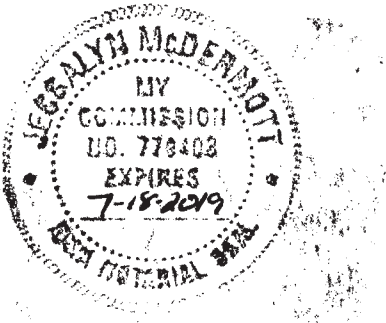
Dubuque South Pointe, LLC


James Trausch, Partner

State of Iowa)
County of Dubuque) ss:

On this 25th day of May, AD 2017, before me the undersigned, A Notary Public in and for the State of Iowa, personally appeared James Trausch, to me personally known, who, being duly sworn did say that he is a Partner of Dubuque South Pointe, LLC and that the seal affixed to the above instrument was signed and sealed on behalf of said limited liability company by authority of its Board of Directors, and that said James Trausch, acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Witness my hand and Notarial Seal on the date above written.




Notary Public in and for the State of Iowa
My Commission Expires 7-18-2019

Attorney's Certificate

Dubuque, Iowa _____, 2017

TO WHOM IT MAY CONCERN:

This will certify that I have examined the abstract of title covering Lot 1 and Lot 1-1-2, both of Tower Investments Subdivision No. 1, Lot 2-1-1-1-1-2-2 of M.L. 483, Lot 1 of Mary Lou Place, and Lot 2 of Table Mound Mobile Home Park, all in the SW1/4 of Section 1, and the SE1/4 of Section 2, T88N, R2E of the 5th P.M., in the City of Dubuque, Dubuque County, Iowa., according to plats thereof covering the period from government entry to _____ certified on that date by _____ and find that said abstract shows good and merchantable title to said real estate in _____ free and clear of all liens and encumbrances and shows taxes paid including taxes for the year _____.

Attorney-at-Law

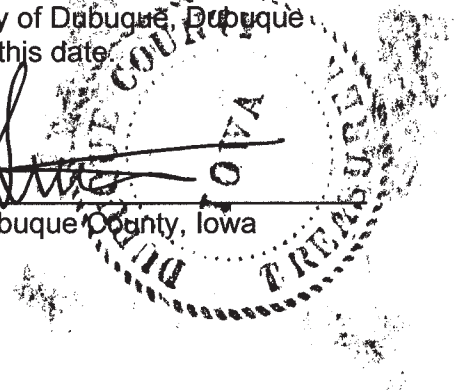
County Treasurer's Certificate

Dubuque, Iowa _____ 10-18, 2017

I, the undersigned, Eric Stierman, Treasurer of Dubuque County, Iowa, do hereby certify that all taxes levied against Lot 1 and Lot 1-1-2, both of Tower Investments Subdivision No. 1, Lot 2-1-1-1-1-2-2 of M.L. 483, Lot 1 of Mary Lou Place, and Lot 2 of Table Mound Mobile Home Park, all in the SW1/4 of Section 1, and the SE1/4 of Section 2, T88N, R2E of the 5th P.M., in the City of Dubuque, Dubuque County, Iowa., have been paid and said real estate is free from taxes as of this date.



Treasurer of Dubuque County, Iowa



City of Dubuque Planning Services

Dubuque, Iowa _____, 2017

The foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, is hereby approved by City Planner of the City of Dubuque, Iowa, and approval of said plat by the City Council of the City of Dubuque is hereby recommended.

Planning Services Department

By: 

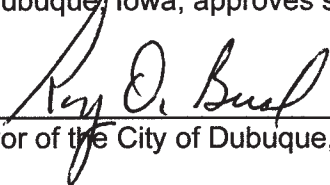
City Planner of the City of Dubuque, IA

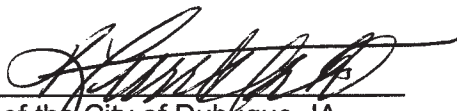
City of Dubuque, Iowa

Dubuque, Iowa

June 5, 2017

The undersigned, Roy D. Buol, Mayor and Kevin Firnstahl, Clerk of the City of Dubuque, Iowa, do hereby certify that the foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, and the dedication of Lot C and Lot D for Storm Water Detention Basin purposes, and Lot F (Rockdale Rd.), Lot G (South Pointe Dr.), Lot N (Waterbridge Ln.), Lot O (Cedar Trail Dr.), Lot P (Summit Hill Dr.), and Lot Q (Whisper Woods Ln.) for street and utility purposes, and all easements as stated and as shown to the public, as appears heretofore has been filed on 5th day of June, 2017 as resolution # 211-17 in the office of the City Clerk of Dubuque, Iowa and that the City Council of the City of Dubuque, Iowa, approves said plat.


Mayor of the City of Dubuque, IA


Clerk of the City of Dubuque, IA

City Assessor's Certificate

Dubuque, Iowa

10/18/17, 2017

The foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, was entered of record in the Office of the City Assessor of the City of Dubuque, Iowa, on the date first written above.


Richard A. Engelken, City Assessor
City of Dubuque, IA

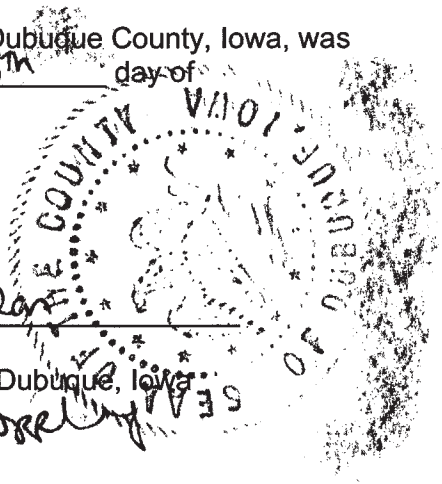
County Auditor

Dubuque, Iowa

10-18-, 2017

The foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, was entered of record in the office of the Dubuque County Auditor this 18th day of October, 2017.

We approve of the subdivision name or title to be recorded.

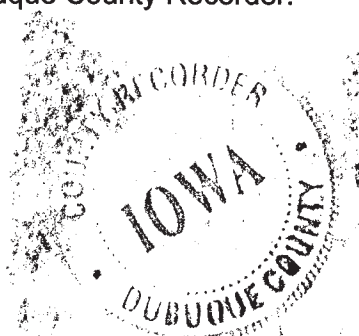

Denise M. Dolan
County Auditor of Dubuque, Iowa

by Jill Klossing

Recorder's Certificate

Dubuque, Iowa

Oct. 18th, 2017

The foregoing Final Plat of: **SOUTH POINTE** in the City of Dubuque, Dubuque County, Iowa, has been reviewed by the Dubuque County Recorder.


John Murphy
Dubuque County Recorder

by Karl A. Kennedy

ATTORNEY'S CERTIFICATE

May 24, 2017

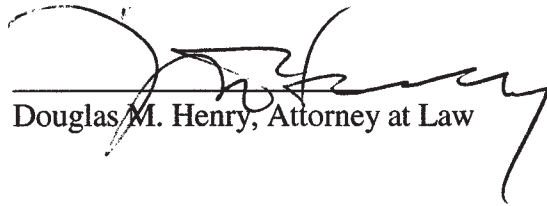
Dubuque, Iowa

TO WHOM IT MAY CONCERN:

This will certify that I have examined the abstract of title covering

Lot 2 of Lot 1 of Lot 1 of Lot 1 of Lot 1 of Lot 2 of Lot 2 of Mineral Lot 483,
and Lot 1 of "Mary Lou Place," in the City of Dubuque, Iowa, according to the recorded
Plats thereof

covering the period from Government Entry to May 17, 2017, certified on that date by Abeln
Abstract & Title Company and find that said abstract shows good and merchantable title to said
real estate in Dubuque South Pointe, LLC, an Iowa limited liability company, free and clear of all
liens and encumbrances except a mortgage held by American Trust & Savings Bank dated
December 29, 2015, recorded December 29, 2015, as Instrument # 2015-16397, amended by
Amendment to Mortgage dated August 26, 2016, recorded August 29, 2016, Instrument # 2016-
11238, both in records of the Dubuque County Recorder, and shows taxes paid including taxes
for the year 2015 – 2016 and all prior years.



Douglas M. Henry, Attorney at Law

ATTORNEY'S CERTIFICATE

May 25, 2017

Dubuque, Iowa

TO WHOM IT MAY CONCERN:

This will certify that I have examined the abstract of title covering

Lot 1, and Lot 1 of Lot 1 of Lot 2, both of "Tower Investments Subdivision No. 1" in the City of Dubuque, Iowa, according to the recorded Plats thereof,

covering the period from Government Entry to May 17, 2017, certified on that date by Abeln Abstract & Title Company and find that said abstract shows good and merchantable title to said real estate in Dubuque South Pointe, LLC, an Iowa limited liability company, free and clear of all liens and encumbrances except a mortgage held by American Trust & Savings Bank dated December 29, 2015, recorded December 29, 2015, as Instrument # 2015-16397, amended by Amendment to Mortgage dated August 26, 2016, recorded August 29, 2016, Instrument # 2016-11238, both in records of the Dubuque County Recorder, and shows taxes paid including taxes for the year 2015 – 2016 and all prior years.



Douglas M. Henry, Attorney at Law

ATTORNEY'S CERTIFICATE

May 25, 2017

Dubuque, Iowa

TO WHOM IT MAY CONCERN:

This will certify that I have examined the abstract of title covering

Lot 2 of Table Mound Mobile Home Park, in the City of Dubuque, Iowa, according to the recorded Plat thereof,

covering the period from Government Entry to May 17, 2017, certified on that date by Abeln Abstract & Title Company and find that said abstract shows good and merchantable title to said real estate in Dubuque South Pointe, LLC, free and clear of all liens and encumbrances except a mortgage held by American Trust & Savings Bank dated December 29, 2015, recorded December 29, 2015, as Instrument # 2015-16397, amended by Amendment to Mortgage dated August 26, 2016, recorded August 29, 2016, Instrument # 2016-11238, both in records of the Dubuque County Recorder, and shows taxes paid including taxes for the year 2015 – 2016 and all prior years.



Douglas M. Henry, Attorney at Law

Mortgage Holder's Consent to Plat

May 25, 2017

The undersigned for American Trust & Savings Bank does hereby certify that the plat attached hereto of

Lot 2 of Lot 1 of Lot 1 of Lot 1 of Lot 1 of Lot 2 of Lot 2 of Mineral Lot 483, and Lot 1 of "Mary Lou Place," in the City of Dubuque, Iowa, according to the recorded Plats thereof;

Lot 1, and Lot 1 of Lot 1 of Lot 2, both of "Tower Investments Subdivision No. 1" in the City of Dubuque, Iowa, according to the recorded Plats thereof; and

Lot 2 of Table Mound Mobile Home Park, in the City of Dubuque, Iowa, according to the recorded Plat thereof,

is made with the free consent of American Trust & Savings Bank, as mortgagee.

American Trust & Savings Bank

by: [Signature]
Daniel E. Walsh
Senior Vice-President

And by: [Signature]
Scott J. Steiner
Vice-President

State of Iowa)
) SS:
Dubuque County)

On this 25th day of May, 2017, before me, the undersigned, a notary public in and for said state, personally appeared Daniel E. Walsh and Scott J. Steiner, each to me personally known, who being by me personally sworn, did say that they are, respectively, the Senior Vice-President and Vice-President, of American Trust & Savings Bank executing the foregoing instrument, and acknowledged the foregoing instrument to be the voluntary act and deed of American Trust & Savings Bank, by it and by each of them voluntarily executed.



[Signature]
Notary Public in and for said State

Prepared by: Laura Carstens, City Planner Address: City Hall, 50 W. 13th St Telephone: 589-4210
Return to: Kevin Firnstahl, City Clerk Address: City Hall, 50 W. 13th St Telephone: 589-4121

RESOLUTION NO. 211-17

A RESOLUTION AUTHORIZING APPROVAL OF THE FINAL PLAT OF SOUTH POINTE SUBDIVISION IN THE CITY OF DUBUQUE, IOWA

Whereas, there has been filed with the City Clerk a Final Plat of South Pointe Subdivision in the City of Dubuque, Iowa; and

Whereas, upon said final plat appear public streets to be known as Rockdale Road (Lot F), South Pointe Drive (Lot G), Waterbridge Lane (Lot N), Cedar Trail Drive (Lot O), Summit Hill Drive (Lot P), and Whisper Woods Lane (Lot Q) together with certain public utility, storm sewer, sanitary sewer, detention basin access, cul-de-sac (temporary), and water main easements, which the owner by said final plat has dedicated to the public forever; and

Whereas, upon said Final Plat appear private streets to be known as Fieldstone Court (Lot H), Autumn Ridge Lane (Lot J), Rolling Creek Lane (Lots K & L) and Edenbrook Lane (Lot M), which the owner by said Final Plat has agreed to own, construct and maintain forever; and

Whereas, the preliminary plat has been examined by the Zoning Advisory Commission and its approval has been endorsed thereon; and

Whereas, said final plat has been reviewed by the City Planner and her approval has been endorsed thereon, subject to the owner's agreeing to the conditions specified herein; and

Whereas, said final plat has been examined by the City Council and the City Council find the final plat conforms to the applicable statutes and ordinances, except that streets and public utilities have not yet been completely constructed or installed.

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

Section 1. That the dedication of Rockdale Road (Lot F), South Pointe Drive (Lot G), Waterbridge Lane (Lot N), Cedar Trail Drive (Lot O), Summit Hill Drive (Lot P), and Whisper Woods Lane (Lot Q) together with certain public utility, storm sewer, sanitary sewer, detention basin access, cul-de-sac (temporary), and water main easements, as they appear on said final plat, be and the same are hereby accepted; and

Section 2. That the private streets of Field Stone Court (Lot H), Autumn Ridge Lane (Lot J), Rolling Creek Lane (Lots K & L), and Edenbrook Lane (Lot M), as they appear on said Final Plat, be and the same are hereby approved; and that the dedication of the public utility easements in Field Stone Court (Lot H), Autumn Ridge Lane (Lot J), Rolling Creek Lane (Lots K & L), and Edenbrook Lane (Lot M), as they appear on said Final Plat, be and the same are hereby accepted; and

Section 3. That the Final Plat of South Pointe Subdivision is hereby approved and the Mayor and City Clerk are hereby authorized and directed to endorse the approval of the City of Dubuque, Iowa, upon said final plat, provided the owners of said property herein named, execute their written acceptance of the attached conditions and further agree:

- (a) To reduce South Pointe Drive (Lot G), Waterbridge Lane (Lot N), Cedar Trail Drive (Lot O), Summit Hill Drive (Lot P), and Whisper Woods Lane (Lot Q) to grade and to construct longitudinal sub-drain, concrete curb and gutter with asphaltic concrete pavement or with Portland Cement concrete pavement with integral curb, and temporary cul-de-sacs, all in accordance with the City of Dubuque standard specifications in a manner acceptable to the City Engineer, in conformance with construction improvement plans approved by the City Engineer, and inspected and approved by the City Engineer.
- (b) To reduce the private streets of Fieldstone Court (Lot H), autumn Ridge Lane (Lot J), Rolling Creek Lane (Lots K & L), and Edenbrook Lane (Lot M) to grade and to construct longitudinal sub-drain, concrete curb and gutter with asphaltic concrete pavement or with Portland Cement concrete pavement with integral curb, and temporary cul-de-sacs, all in accordance with the City of Dubuque standard specifications in a manner acceptable to the City Engineer, in conformance with construction improvement plans approved by the City Engineer, and inspected and approved by the City Engineer.
- (c) To install sanitary sewer mains and sewer service laterals into each individual lot, water mains and water service laterals into each individual lot, storm water detention basins, storm sewers and catch basins, boulevard street lighting, fiber optic conduit and vaults, and erosion control devices all in accordance with the City of Dubuque standard specifications in a manner acceptable to the City Engineer, and in accordance with construction improvement plans approved by the City Engineer, and inspected and approved by the City Engineer.

- (d) To construct accessible sidewalk ramps at each intersection and street crossings in accordance with City of Dubuque Standards and Specifications, all in a manner acceptable to the City Engineer, and in accordance with the construction improvement plans approved by the City Engineer, and inspected and approved by the City Engineer.
- (e) To construct concrete sidewalk across Lot A in accordance with City of Dubuque Standards and Specifications, all in a manner acceptable to the City Engineer, and in accordance with the construction improvement plans approved by the City Engineer, and inspected and approved by the City Engineer.
- (f) To construct the improvements outlined in (a), (b), (c), (d), and (e) above within two years from the date of acceptance of this resolution, at the sole expense of the owners, or future owner.
- (g) To maintain the improvements outlined in (a), (c), (d) and (e) above for a period of two (2) years from the date of the acceptance of those improvements by the City Council of the City of Dubuque, Iowa, at the sole final expense of the owners, or future owner.
- (h) To maintain the private street improvements outlined in (b) above forever.
- (i) To provide security for the performance of the foregoing conditions specified in this Section in such form and with such sureties as may be acceptable to the City Manager of the City of Dubuque, Iowa.

Section 4. That sidewalk installation shall be the responsibility of each lot owner for each lot abutting the public rights-of-way, including lots with multiple frontages, as required by City Code Chapter 10-1-2 (Sidewalk Installation and Repair).

Section 5. That the owner must construct and maintain erosion control devices in South Pointe Subdivision which control erosion and prevent sediment from leaving the site. The owner shall also be responsible for maintenance of the detention facility located on Lots C and D of South Pointe Subdivision until 80% of the lots (Lots C, 1-6 inclusive, and Lots 33-37 inclusive for Lot D detention facility) (Lots 7-26 inclusive, Lot A, Lot 27, Lots 38-47 inclusive, and Lots 62-68 inclusive for Lot C detention facility) shown on the Preliminary Plat/Conceptual Plan for South Pointe Subdivision, which drain into said detention facility, have been fully developed and adequate erosion control measures, as approved by the City Engineer, have been installed on the remaining 20% of said lots. Until the above 80% of lots are developed, maintenance of the detention facilities in Lots C and D of South Pointe Subdivision shall include the removal of sediment and other debris caused by construction activities in South Pointe Subdivision and reshaping and reseedling of the disturbed areas. After said 80% lots are developed, inspection, administration, and

maintenance expenses incurred by the City of Dubuque for the storm water detention facility on Lots C and D of South Pointe Subdivision shall be assessed against the property owners, except the City of Dubuque, in South Pointe Subdivision, as indicated on the preliminary plats thereof, in equal amounts. The City Manager shall certify such costs to the City Clerk, who in turn shall promptly certify such costs to the Dubuque County Treasurer, and such costs shall then be collected with and in the same manner as general property taxes in accordance with provisions of law.

Section 6. That the owner must maintain the temporary cul-de-sacs on Whisper Woods Lane and on Summit Hill Drive, except for snow removal and deicing, until such time as the construction of Phase 2 of the subdivision begins or owner designs and constructs permanent cul-de-sac improvements to current City Standards and dedicates said improvements and an appropriate right of way to the City.

Section 7. That the planting of street trees shall be coordinated with the City Forester. Any trees planted within the street right-of-way must be chosen and planted by the City of Dubuque Leisure Services Department at the developer's expense.

Section 8. That the final acceptance of the public improvements shall only occur upon certification of the City Engineer to the City Council that the public improvements have been completed in accordance with the approved improvement plans and City standards and specifications and accepted by City Council Resolution.

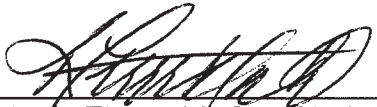
Section 9. That in the event South Pointe, LLC fails to execute the acceptance and furnish the guarantees provided hereof within 180 days after the date of this Resolution, the provisions hereof shall be null and void and the acceptance of the dedication and approval the plat shall not be effective.

Passed, approved and adopted this 5th day of June, 2017.



Roy D. Buol, Mayor

Attest:



Kevin S. Firnstahl, City Clerk

CERTIFICATE *of the* CITY CLERK

STATE OF IOWA)
) SS:
COUNTY OF DUBUQUE)

I, Kevin S. Firnstahl, do hereby certify that I am the duly appointed, qualified, City Clerk of the City of Dubuque, Iowa, in the County aforesaid, and as such City Clerk, I have in my possession or have access to the records of the proceedings of the City Council. I do further state that the hereto attached **Resolution No. 211-17** is a true and correct copy of the original.

In Testimony Whereof, I hereunto set my hand and official seal of the City of Dubuque, Iowa.

Dated at Dubuque, Iowa, on this 6th day of June, 2017.



Kevin S. Firnstahl, CMC, City Clerk



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Dated in Dubuque, Iowa this 18th day of October 2017.

Michael J. Klauer
Dubuque South Pointe, LLC

State of Iowa)
County of Dubuque) ss:

On this 18 day of October 2017, before me, a Notary Public in and for said state, personally appeared Michael J. Klauer, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in the State of Iowa

My Commission expires: 7/1/10

