

**REGULAR PLANNING BOARD MEETING  
AND  
JOINT PLANNING BOARD / CITY COUNCIL MEETING  
Monday, September 9, 2013 - 7:00 P.M.  
City Hall - 950 Locust St., Carter Lake, Iowa**

Roll Call

Approval of the Agenda

1. Consent Agenda
  - a. Approve Planning Board Minutes – July 8, 2013.
  - b. Review City Council Minutes – July 15, August 12 and August 19, 2013.
  - c. Review Board of Adjustments Minutes – July 22 and August 5, 2013.
  - d. Review Building Permits – July and August, 2013.
  
2. New Business
  - a. Saries Lounge – 2449 N 13<sup>th</sup> St – Outdoor Patio.
  - b. Sgt. Peffer’s Italian Café – 111 Locust St – Landscaping and Exterior Seating.
  - c. Assign Address – 1515 Cedar St.
  - d. Storm Water Committee Update.
  - e. George Stewart – request lot line adjustments
  
3. Old Business (limit discussion 5 minutes per topic)
  
4. Special Meetings
  
5. Assignments
  
6. Comments

Joint Planning Board and City Council Meeting

Roll Call

1. Review Preliminary Comprehensive Plan

Adjourn

09/06/13

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Meeting called to order by Chairman Pauly at 7:04 PM.

Roll Call: Present: Ed Palandri, Jay Gundersen, Michelle Schaffer, Ray Pauly, Karen Fisher, and Jackie Wahl.  
Absent: Tim Podraza.

Approval of the Agenda – Moved by board member Palandri seconded by board member Schaffer to approve the agenda as presented. Ayes: Unanimous.

1. Consent Agenda

Moved by board member Fisher seconded by board member Pauly to approve the consent agenda as presented. Ayes: Unanimous.

2. New Business

- a. Student Transportation of America – Temporary Trailer. David Prince was present to represent Student Transportation of America. They are applying for a temporary permit to place an 8 X 20 trailer at 1655 Locust Street. This will be a temporary site, up to 6 months, until their new site is built on Abbott Drive. The trailer will be used for dispatch and for the drivers to get out of the weather. They plan on having 3 port-a-pots to serve about 150 to 200 drivers a day. Board member Palandri stated that the portable restrooms might be a question for the City Council. Moved by board member Palandri seconded by board member Fisher to allow the temporary trailer for a six month period provided the trailer is installed and maintained according to our zoning regulations. Ayes: Board members Palandri, Schaffer, Pauly, Fisher and Wahl. Opposed: Board member Gundersen.
- b. Comprehensive Plan Update. Clint Sloss and Matt Roth with MAPA were present to give an update on the Comprehensive Plan. Clint presented the feedback results from the visioning sessions held in April. He also provided a copy of the community survey that will be included in the August newsletter. The survey will also be available on the website and can be picked up at City Hall. They plan on working with the planning board in the coming months to get their input on the update.
- c. Storm Water Committee Update – Nothing to report at this time.

3. Old Business – There was no old business for discussion at this time.

4. Special Meetings – No special meetings are scheduled at this time.

5. Assignments – Chairman Pauly will present the planning board update at the next council meeting. Board member Wahl will attend the Storm Water Committee meetings.

6. Comments:

Board member Wahl stated that she is looking forward to seeing the results of the community survey for the Comprehensive Plan.

Board member Gundersen would like the board to consider taking a harder look at transient businesses that come into our town. He is disappointed that the board approved something tonight from somebody that is giving us absolutely nothing except an eye sore. All those

City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Regular Planning Board Meeting  
Monday, July 8, 2013 – 7:00 PM

busses are going to be parked there; they're going to put up a construction trailer and port-a-potties. He believes the reason the construction trailer is not being placed on the Omaha side is because Omaha won't allow that kind of garbage. We will not receive any tax base, just ugliness.

Meeting adjourned at 7:20 PM.

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Lisa Ruehle, Deputy City Clerk

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Ray Pauly, Chairman

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, July 15, 2013  
Regular City Council Meeting – 7:00 PM

Mayor Russ Kramer called the meeting to order at 7:00 PM.

#### The Pledge of Allegiance

- I. Roll Call: Present – Mayor Russ Kramer  
Council members Ed Aldmeyer, Dave Huey, Barb Hawkins, Tim Parker and Barb Melonis  
Also present – Attorney Joe Thornton and City Clerk Doreen Mowery
- II. Approval of the Agenda – Moved by council member Aldmeyer seconded by council member Parker to remove item A 4. – George Stewart and Mike Levell – request for parcel split and to approve the agenda as amended. Ayes: Unanimous.
- III. Consent agenda – Moved by council member Parker seconded by council member Huey to approve the consent agenda with the amended claims register. Ayes: Unanimous.
- IV. New Business
  - A. Communications from the Public
    1. American Tower has requested a lease on an additional section of property so they can add to their cell tower located on Hessman Drive. They are also proposing an increase in their monthly lease fee. The council had requested that Ron Rothmeyer do a site review. His recommendation was for approval of the request. Moved by council member Aldmeyer seconded by council member Melonis to approve the changes in the lease with American Tower. Ayes: Unanimous.
    2. The Improvement Club requested permission to close off the street during their annual Dog Days event. The band will run from 8:00 PM until midnight. The street will be closed from noon until 2:00 AM. Moved by council member Hawkins seconded by council member Melonis to approve the request. Ayes: Unanimous.
    3. Student Transportation of American would like to place a temporary trailer and three port-a-pots on the property located at Locust Street and Abbott Drive in Carter Lake. David Prince indicated that the use of this location is temporary. Their permanent building should be constructed by the end of December. The planning board recommended approval of the trailer. There will be no utility hook ups for the temporary trailer. The attorney stated that if they are asking for a variance from an ordinance their request should go before the board of adjustments. Moved by council member Aldmeyer seconded by council member Parker to deny the request. Ayes: Aldmeyer, Hawkins, Parker, Melonis. Nays: Huey.
    4. Gerald Waltrip expressed concern over the condition of the seaweed in the lake. The Mayor stated that the City has hired two people to run the sea weed harvester. We have also purchased a larger harvester and the City will hire two additional employees. There have been four areas of the lake sprayed for weeds. DNR has been requested to spray some additional areas of the lake.

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, July 15, 2013

Regular City Council Meeting – 7:00 PM

Jerry doesn't believe the City has done anything in his area of the lake. The Mayor stated we have done both spraying and harvesting in that area. Jerry stated the two states have created a mess and that paying the lake coordinator is a waste of money. Jerry suggested that the solution is grass eating fish and that there should be 20,000 carp dumped back in the lake. He does not believe there were any problems with the lake before the projects were started by the States. The Mayor stated that 1/3 of the lake was supposed to be for fishing. Council member Hawkins stated that the lake is more alive now than it has ever been. She stated there is a weed problem and we are trying to deal with it. She also stated the lake will be here a long time after we are gone because of the efforts they have put into it recently.

B. Communications from the Departments

1. Fire Department Update - Moved by council member Aldmeyer seconded by council member Hawkins to approve the volunteer application. Ayes: Unanimous.
2. There was no Planning Board update at this time.
3. Mayor Kramer requested that the council consider membership in WIDA. Moved by council member Aldmeyer seconded by council member Melonis to approve joining WIDA. Ayes: Unanimous.

V. Ordinances

- A. Moved by council member Aldmeyer seconded by council member Hawkins to approve adopting an ordinance amending chapter 136 – Storm Water on the third consideration. Ayes: Unanimous.
- B. Moved by council member Melonis seconded by council member Parker to approve adopting an ordinance amending chapter 20.05 – Manner of Publications on the third consideration. Ayes: Unanimous.
- C. Moved by council member Huey seconded by council member Melonis to approve an ordinance amending chapter 69.08 – Designating No Parking on Nakoma Lane on the third consideration. Ayes: Unanimous.
- D. Moved by council member Hawkins seconded by council member Parker to approve an ordinance amending chapter 65.02 – Designating a Stop Required on Nakoma Lane on the third consideration. Ayes: Unanimous.

VI. Resolutions

- A. Moved by council member Aldmeyer seconded by council member Hawkins to adopt a resolution approving the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan. Ayes: Unanimous.
- B. Moved by council member Aldmeyer seconded by council member Parker to approve a property tax abatement for Jason Gundersen at 40 Marina Court. Ayes: Unanimous.
- C. Moved by council member Melonis seconded by council member Parker to approve a property tax abatement for Delbert & Theresa Settles at 38 Carter Lake Club. Ayes: Unanimous.

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, July 15, 2013  
Regular City Council Meeting – 7:00 PM

VII. Comments

Mayor Kramer thanked Mike Levell for donating his time and equipment to assist the City on two recent occasions.

Council member Melonis observed that it puts the council in a precarious situation when a board makes a recommendation that is contrary to our ordinances.

It has been brought to council member Melonis' attention that there have been some issues and problems at the parks. She suggested signage be placed as soon as possible stating the basics as far as expectations of proper behavior.

Council members Parker and Huey thanked everyone for attending the meeting.

Prayers and pancakes will be held Saturday the 20<sup>th</sup> at 9:00 AM.

Kelly Brock commented that they have been out on a boat and that there is quite a bit of seaweed on the south east leg of the lake. Her husband had been catching fish in that area. The Mayor explained that the DNR and the DEQ funded the lake projects and initially they wanted to close the entire lake to high speed boating. They have sprayed along the Mabrey Park frontage. Kelly feels that it is just an issue for the older home on the lake. Council member Hawkins stated that the people in the canal have paid to have their canal areas treated. The DNR designated the area by Mabrey Park as a fish habitat. Kelly stated that she feels it is a problem with all of the Nebraska license plates in our parks and that they are using the parks but they are not being respectful of Carter Lake property.

The Mayor reiterated that the States of Iowa and Nebraska control the lake.

Meeting adjourned at 7:40 PM.

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Doreen Mowery, City Clerk

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Russ Kramer, Mayor

## SPECIAL CITY COUNCIL MEETING

Mayor Russ Kramer called the special city council meeting to order at 3:30 PM.

Roll Call: Present – Council members Barb Melonis, Barb Hawkins, Ed Aldmeyer and Dave Huey  
Absent – Council members Tim Parker  
Also present – City Attorney Joe Thornton and City Clerk Doreen Mowery

1. The homeowners of 3715 N. 9<sup>th</sup> St. were present to request an extension of time to hook into the city sewer system. They want to move into the home prior to school starting however the plumber may not be able to install the sewer line prior to that time. Moved by council member Aldmeyer seconded by council member Huey to approve the requested extension until September 15, contingent upon a permit being issued. Aye: Unanimous.
2. The Police Union has request a meeting with the Mayor and Council to begin contract negotiations with the Carter Lake Police Union. Moved by council member Aldmeyer seconded by council member Hawkins to have them submit their request at either the regular meeting on August 19<sup>th</sup> or Sept. 16<sup>th</sup>. Ayes: Unanimous.
3. The PVS project and the proposed development agreement for TIF funding were discussed. The council would like to review the financial information, draft development agreement and TIF projections. Council input is needed as far as how much tax incentive and how long they are willing to issue rebates. Bond council will need to be consulted for additional input. The debt will be set up as an annual appropriation. Barb Hawkins and Ed Aldmeyer were the original council liaisons for the PVS project. Moved by council member Melonis seconded by council member Huey to keep council members Hawkins and Aldmeyer on the negotiating team for the PVS project and to authorize them to participate in negotiations with the attorney and mayor, with all decisions being subject to final approval by the council as a whole. Ayes: Unanimous.

This special city council meeting was adjourned at 3:50 PM

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Doreen Mowery, City Clerk

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Russell D. Kramer, Mayor

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, August 19, 2013  
Regular City Council Meeting – 7:00 PM

Mayor Pro-Tem Barb Hawkins called the meeting to order at 7:00 PM.

#### The Pledge of Allegiance

- I. Roll Call: Present – Mayor Pro-Tem Barb Hawkins  
Council members Ed Aldmeyer, Dave Huey, Tim Parker and Barb Melonis  
Absent – Mayor Russ Kramer  
Also present – Attorney Joe Thornton and City Clerk Doreen Mowery
- II. Approval of the Agenda – Council member Aldmeyer requested that we add ISWA to the agenda and remove the Planning Board updated. Moved by council member Parker seconded by council member Huey to approve the agenda with the addition and deletion. Ayes: Unanimous.
- III. Consent agenda – Moved by council member Aldmeyer seconded by council member Huey to approve the consent agenda as submitted. Ayes: Unanimous.
- IV. New Business
  - A. Communications from the Public
    1. Jake Hansen from MAPA was present and discussed a proposed grant application for RISE funds to assist with paving 9<sup>th</sup> Street from Locust to Ave. H, 5<sup>th</sup> St. from Ave. J to Ave. H, and Ave. J from 5<sup>th</sup> St. to 9<sup>th</sup> St. The total projected cost for these improvements is \$1,396,727. The grant application will be for \$689,363.95. PVS has offered to provide the remaining 50% cost of the project. The deadline for the grant application is Sept. 1<sup>st</sup>. Moved by council member Aldmeyer seconded by council member Melonis to approve the resolution endorsing the RISE application. Ayes: Unanimous.
    2. Tim Peffer and his daughter Dana were present and announced that he intends to open a Sgt. Peffer's Italian Café at 111 E. Locust St. He will be coming back in front of the planning board and council to request permits for fencing, signs, and remodeling. They would like to have an outdoor beer garden and hope to sale beer and wine. They will provide a drive thru, delivery and catering services. Sgt. Peffer's becomes a part of the neighborhood when they set up their business. Tim was thanked for coming to Carter Lake.
    3. William Dahlheimer was present to request the council consider tabling or postponing any agreement on expanding the cell tower on Hessman Dr. until they have had a chance to review the information he is providing them. He is concerned an expansion will have additional adverse effect on his adjoining property. He would like to see the property maintained in its natural state. Moved by council member Aldmeyer seconded by council member Parker to accept and place on file, the information Mr. Dahlheimer submitted. Ayes: Unanimous.
    4. Gerald Waltrip does not believe that anything has been done about the lake in the last month. Council member Aldmeyer stated that in the past month we have taken possession of the new harvester and it has been out on the lake along with the older harvester. Additionally a portion of the lake has been

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, August 19, 2013

Regular City Council Meeting – 7:00 PM

spayed for weeds. Mr. Waltrip believes the council created the seaweed problems and it is wrong. He would like the city to do something. He believes the solution is grass eating carp. Council member Aldmeyer believes the lake is healthy and is recovering to a boating condition.

5. Gary Bequette told the council that he did not receive a weed abatement notice however the city sent someone to remove the weeds from his fence. Mr. Bequette stated that he had ivy growing in the fence and it should not have been removed. The weeds on the east side of the garage were also removed. Council member Hawkins checked with the building inspector and he said he had complaints so he took pictures on June 13 and sent out a notice on June 26. The weeds were removed on July 23<sup>rd</sup>. The ordinance does not require a notice be sent for weed abatement. Jim Hawkins maintained the ivy on the east side of the fence. Mr. Bequette was charged \$275 for weed removal and he believes the largest portion of that cost was to remove the ivy. He requested that notices be sent certified mail. Kay Bequette stated that there is a neighbor who complains about numerous issues. Moved by council member Melonis seconded by council member Parker that the collection of the fees be held until the pictures can be reviewed regarding the vines, and if necessary some sort of an adjustment can be made to the bill. This item will be placed on the next agenda for council action. Ayes: Aldmeyer, Hawkins, Parker, Melonis. Abstain: Huey.
  6. Moved by council member Melonis seconded by council member Huey to approve the liquor licenses for the VFW and Shoreline Golf, LLC. Ayes: Unanimous.
  7. There are two applications for commercial vehicle parking permits that have not been submitted in a timely fashion. Moved by council member Aldmeyer seconded by council member Parker to approve renewal of the permits that have been submitted. Ayes: Unanimous.
- B. Communications from the Departments
1. Fire Department Update – Council member Huey commented that currently there are 24 members and 3 new applicants in the Fire Department. There is a call out to any citizens that are willing to help. They are in need of new members. Applications are available at City Hall and/or the Fire Department.
  2. There was no Planning Board update at this time.
  3. Mayor Kramer would like to appoint Michelle Salerno to the Urban Revitalization Commission. Moved by council member Aldmeyer seconded by council member Parker to approve the appointment. Ayes: Unanimous.
  4. Maintenance Supervisor Ron Rothmeyer reviewed the traffic at the school as requested by the council. He recommends that the council consider implementing a no parking zone of 50 to 75 feet from the intersections at 13<sup>th</sup> and 9<sup>th</sup> on Willow Drive. Council member Melonis offered to talk with the residents that would be affected by the proposed changes. She will encourage them to voluntarily not park in those areas between 8 and 5 for the next 30 days to see if that will fix the problems.
  5. Council member Aldmeyer requested that we place membership to ISWAP on the next agenda. The membership would assist us with our storm water needs.

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, August 19, 2013  
Regular City Council Meeting – 7:00 PM

Council member Melonis requested that the cost and other information be provided to the council prior to the next meeting. This item will be placed on the Sept. agenda.

#### V. Resolutions

- A. Moved by council member Parker seconded by council member Aldmeyer to adopt a resolution placing liens for unpaid water bills. Ayes: Unanimous.
- B. Moved by council member Melonis seconded by council member Huey to adopt a resolution placing liens for unpaid weed abatements. Ayes: Unanimous.
- C. Moved by council member Parker seconded by council member Aldmeyer to approve a resolution to place a lien for fence repairs. Ayes: Aldmeyer, Hawkins, Parker. Nays: Melonis, Huey

#### VI. Comments

Council members thanked the public for attending the meeting.

Council member Melonis explained that the city and police are aware of the traffic flow issues with the busses on Locust St. She stated we should be grateful that we have so many people in our town and hopefully they will use our businesses. She requested that we try to tolerate some of the inconvenience.

The City Wide Garage Sale will be Saturday, Sept. 14<sup>th</sup>. The City Wide Clean Up will be Saturday, Sept. 21<sup>st</sup>. There will be a shredding event and a RX Take Back event on Oct. 26<sup>th</sup>.

Gary Bequette expressed concern that some property owners may be getting liens for bills that are generated by the renter.

R J Brown stated that he believes the July increase in the utilities circumvents the Iowa Public Service Commission. Mr. Brown also stated that the red light on Redick is not blinking like it is supposed to be.

Kelli Brock wanted to know where the seaweed is getting disposed. Omaha is allowing us to use the dump at 11<sup>th</sup> and Locust. She has seen dead fish on the shoreline.

Ron Cumberledge wanted to know why the City has created a storm water fee. He presented the council with a City of Council Bluffs water bill. He feels the burden of the storm water fee is wrong. He doesn't believe we will ever put a storm sewer in the community. He would like to allocate the sanitary sewer fee to cover storm sewer and drop the sanitary sewer fee.

Laura Picus and Sandra Waltrip asked if there is a plan to clean up the lake to make it for water recreation. Council member Hawkins stated that it has always been the plan to clean up the lake for water recreation however it is not the City of Carter Lake's project. Sandra would like an estimated time of when the lake project will be completed. Council member Huey stated there are about 12 entities involved in the lake projects.

John Patterson requested an organizational chart to determine who is responsible for the lake and a list of entities involved. He feels that sterile grass carp might be the solution to the sea weed. He was referred to Brad Richardson to obtain whatever lake information he is requesting.

Kelli Brock thinks the mandate is that all public waters are swimmable and fishable.

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, August 19, 2013  
Regular City Council Meeting – 7:00 PM

William Dahlheimer would like to know the process and the turn-around time for weed abatements. He has been listening to the discussion on the lake. He had a conversation with a man that lives on Ginger Cove regarding the issues we have with the lake. Mr. Dahlheimer discussed the process that happens on with an oxbow lake. Clarity in the lake is because of the alum that was applied. He would like the council to require Brad Richardson to be in attendance at all council meetings. Attorney Thornton suggested that maybe we should invite some of the representative of the other entities to come before the council to address the questions.

Gerald Waltrip believes grass eating carp are the solution to the seaweed issue. Sharon Patterson wanted to know why the harvester is only working for part of the day. The machine is dropping seaweed and they do not come back and pick it up.

Meeting adjourned at 8:40 PM.

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Doreen Mowery, City Clerk

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Barbara Hawkins, Mayor Pro-Tem

Proceedings: Board of Adjustments Meeting  
Monday, July 22, 2013 - 7:00 PM

Hardy Brown called the meeting to order at 7:04 P.M.

Roll Call: Present: Hardy Brown, Paul Christensen, Michelle McWilliams, Kitty Buchanan, and Bill Blankenship

Also present: Doreen Mowery, City Clerk

1. Moved by board member Christensen seconded by board member McWilliams to approve the agenda as presented. Ayes: Unanimous.
2. Moved by board member Christensen seconded by board member Buchanan to appoint Hardy Brown as Chairman. Ayes: Unanimous.  
Moved by board member Brown seconded by board member McWilliams to appoint Paul Christensen as Vice Chairman. Ayes: Unanimous.
3. Board member Christensen requested that the June 3, 2013 minutes be amended to read that board members Christensen and McWilliams voted "Nay" on the request submitted by Puentes. Moved by board member Brown, seconded by board member Christensen to approve the consent agenda with the change in the June 3, 2013 minutes: Ayes: Unanimous.
4. Bill Schewe at 4307 N. 7<sup>th</sup> St. was present and requested a variance to build an addition to his garage that would make it over the size requirements for a garage. Moved by board member Christensen seconded by board member McWilliams to approve the requested variance. Ayes: Unanimous.

The board of adjustments meeting was adjourned at 7:23 PM.

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Hardy Brown, Chairman

Proceedings: Board of Adjustments Meeting  
Monday, Aug. 5, 2013 - 7:00 PM

Hardy Brown called the meeting to order at 7:02 P.M.

Roll Call: Present: Hardy Brown, Paul Christensen, and Kitty Buchanan  
Absent – Michelle McWilliams, Bill Blankenship  
Also present: Doreen Mowery, City Clerk

1. Moved by board member Christensen seconded by board member Buchanan to approve the agenda as presented. Ayes: Unanimous.
2. Aaron and Tiffani Grell requested a variance to build a 30 by 40 foot garage that would exceed size limits for a garage. Moved by board member Christensen seconded by board member Brown to approve the garage size as requested with the condition that the owners meet all of the set back requirements on the side and back yards. Ayes: Unanimous.

The board of adjustments meeting was adjourned at 7:15 PM.

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Hardy Brown, Chairman

2013 July

**Residential Building Permits**

Permit #	Date	Applicant	Address	Description	Permit Amount	Date Paid	Recpt. #	Value of Permit	Permit Exp. Date
R76-13	07/01/13	Schmidt Constructiion	1317 Lynnwood	Replace Drive, Sidewalk, Patio	\$ 20.00	7/1/13	10775	\$ 4,500.00	08/01/13
R77-13	07/02/13	Katrina Flanagan (Quality Fencing)	1214 Redick	Fence	\$ 15.00	7/2/13	10773	\$ 1,341.00	09/02/13
R78-13	07/02/13	Alspach Roofing Inc	4425 N 7th	Reroof house & garage	\$ 18.50	7/3/13	10779	\$ 650.00	09/02/13
R79-13	07/10/13	Coziahr	102 Shoreline Dr	Replace outdoor sec. heat pur	\$ 42.00	7/10/13	10802	\$ 3,500.00	08/10/13
R80-13	07/11/13	Aksarben Heating & A/C	1333 Janbrook	replace firnace & A/C	\$ 43.50	7/12/13	10805	\$ 6,700.00	08/11/13
R81-13	07/11/13	****Tiffani / Aaron Grell	924 Redick Blvd	New Garage	\$ 307.00	7/11/13	10803	\$ 28,000.00	01/11/14
R82-13	07/12/13	Scott Lindhorst	1541 1/2 Walker	Fence	\$ 15.00	7/12/13	10804	\$ 2,000.00	10/12/13
R83-13	07/15/13	Mikel USA	1333 Dorene Blvd	Replace driveway	\$ 20.00	7/17/13	10873	\$ 2,000.00	09/15/13
R84-13	07/17/13	Rich Patton	1013 Shoal Pt Dr	Remodel/Repair Patio & Deck	\$ 73.50	7/17/13	10872	\$ 3,000.00	10/17/13
R85-13	07/17/13	Tammy Womochil	1214 Janbrook	Privacy Fence	\$ 15.00	7/19/13	10879	\$ 2,000.00	10/17/13
R86-13	07/18/13	Done Right Home Improvement	913 Hiatt	Replace Siding	\$ 13.50	7/19/13	10880	\$ 8,000.00	09/18/13
R87-13	07/22/13	Tim Chullino	1902 Lagoon Dr	Replace Patio & Driveway	\$ 20.00	7/22/13	10887	\$ 4,000.00	09/22/13
R88-13	07/22/13	ODD Properties / Owen Dashner	1007 Ave P	Replace Roof, Siding, Window:	\$ 45.50	7/24/13	10917	\$ 6,000.00	10/22/13
R89-13	07/24/13	Drew Evers	1113 Willow Dr	Gas Line Preasure Test / BHE F	\$ 25.00	7/26/13	10926	\$ 200.00	08/24/13
R90-13	07/24/13	Nostar LLC/Roger Anderson	134 CLC	Concrete/Gas Line Preasure Tr	\$ 45.00	7/26/13	10927	\$ 1,600.00	08/25/13
R91-13	07/31/13	Sandy Guss	1516 Hiatt	Siding, Gasline Preas. Test/BHI	\$ 38.50	8/2/13	10944	\$ 5,000.00	10/31/13
R92-13	07/31/13	Bill Schewe	4307 N 7th	Garage Addition	\$ 269.00	8/2/13	10943	\$ 26,000.00	01/31/13

\*\*\*\*New Permit Issued 8/6/13 R96-13 Board of Adjustments allowed larger garage to 30 X 40 w/maintaing required setbacks

**Commercial Building Permits**

C9-13	07/31/13	Controlled Comfort	1201 Ave H	Replace w/New A/C & Elwctric	\$ 225.00	8/7/13	10963	\$ 5,900.00	9/31/13
Total					\$ 1,251.00			\$110,391.00	

2013 August

Residential Building Permits

Permit #	Date	Applicant	Address	Description	Permit Amount	Date Paid	Recpt. #	Value of Permit	Permit Exp. Date
R93-13	08/01/13	Fred's HVAC Services Co.	1406 Redick	Replace A/C and Coil	\$ 28.50	08/02/13	10945	\$ 1,400.00	10/01/13
R94-13	08/01/13	Michelle McWilliams	195CLC	Parcel Split	\$ 200.00	08/02/13	10942	\$ 200.00	
R95-13	08/01/13	Michelle McWilliams	195CLC	Property Line Adjustment	\$ 100.00	08/02/13	10941	\$ 100.00	
R96-13	08/06/13	Tiffani / Aaron Grell	924 Redick Blvd	Garage SEE Permit #R81-13 Size Adj. 30X40	\$ 100.50				02/06/14
R97-13	08/08/13	Backlund Plumbing	3715 N 9th	Sewer Line connection	\$ 624.25	08/14/13	11000	\$ 5,000.00	
R98-13	08/13/13	Scott Nuggutz	4325 N 14th St	Garage Addition	\$ 70.50	08/13/13	10999	\$ 1,000.00	12/13/13
R99-13	08/15/13	Edward Jackson	806 Redick	Elect. Inspect. / OPPD Fax	\$ 25.00	08/20/13	11018		
R100-13	08/20/13	Mikel USA	901 Redick Blvd	Replace Siding	\$ 13.50	08/23/13	11038	\$ 5,000.00	12/19/13
R101-13	08/22/13	Greg & Cyn Ohara	1002 Ave O	Privacy Fence West	\$ 15.00	08/22/13	11027	\$ 1,000.00	11/22/13

Commercial Building Permits

C10-13	08/13/13	Site Acquisitions LLC	1301 E Locust	Add antenni Dish/Elec. Hardware	\$ 240.50	08/13/13	10998	\$ 22,000.00	02/13/14
C11-13	08/22/13	Jay Gunderson	111 E Locust	Remodel / Roof	\$ 175.00	08/23/13	11039	\$ 10,000.00	12/22/13

Total \$ 1,592.75 \$ 45,700.00

FOR OFFICE USE: CASE# \_\_\_\_\_  
Z.B.A. Public Hearing: \_\_\_\_\_  
Signs Issued: \_\_\_\_\_/\_\_\_\_\_/by\_\_\_\_\_

Receipt # \_\_\_\_\_  
Amount \$ \_\_\_\_\_  
By \_\_\_\_\_ Date \_\_\_\_\_

APPLICATION FOR PLANNING BOARD AGENDA

1. APPLICANT: SARIES Lounge LLC Phone: 712-847-0179  
Address: 2449 N. 13th STREET \*Status: \_\_\_\_\_

2. REPRESENTED BY: JAMES MORAN Phone: 909-942-7113  
Address: 1875 Tandem Way Norco CA

3. STREET ADDRESS/LOCATION: 2449 N. 13th STREET  
CARTER LAKE IA 51510

4. LEGAL DISCRPTION: OUTDOOR PATIO

5. OWNERS NAME: SPEARMINT RHINO

6. OWNERS ADDRESS: 1875 Tandem Way Norco CA

7. REASONS FOR REQUEST AND INTENDED USES: OUTDOOR Seating / smoking AREA

8. ZONING DISTRICT: C-A

9. PRESENT USE: \_\_\_\_\_

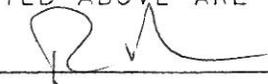
10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE.

11. ADMINISTRATIVE DECISION ISSUED: \_\_\_\_\_

FOR OFFICE USE

- 12. ATTACHED TO THE APPLICATION ARE:
  - a. Denied "Building Permit Application" form..... \_\_\_\_\_
  - b. Approves..... \_\_\_\_\_
  - c. Restrictions..... \_\_\_\_\_

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE:  Date: 8/12/13

TYPED OR PRINTED NAME: Rhett Amo \*Status: \_\_\_\_\_

\*NOTE: P.O. = Property Owner C.P. = Contract Purchaser  
O.H. = Legal Optionholder A. = Owner's authorized agent



# Commercial Building Permit Application

City of Carter Lake

950 Locust Street  
Carter Lake, IA 51510

Office (712) 847-0535 Fax (712) 547-5454

### Address of Project

Legal Description	Lot	Block	Subdivision	Zoned

Property Size:  Platted  Unplatted  
 Structure: Yes  No  Length \_\_\_\_\_ Square Ft 29,502  
 Proposed Use: Same Current Use: Bars + Lounges

Property Owner: WINGS FLYAWAY BAR & LODGE Phone: 951 371-3788  
 Address: 2449 N. 13th St Carter Lake, IA

General Contractor: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_

Occupant / Tenant: SALES LOUNGE LLC Phone: (712) 847-0179

Contact Name: Rhett Aho / Cliff Carlson / DAUREE HELIERSKOS  
 Type of Construction / Description of Work: \_\_\_\_\_

TOTAL: Value of Finished Product \$ 20,000<sup>000</sup> Required Field

The property shall comply with all applicable City of Carter Lake zoning ordinances. All covenants and easements are the responsibility of the builder or property owner.

All property owners, HOA and others having interest in this project been contacted Yes  No

I hereby state that the information submitted on this application is accurate and correct. I recognize that the issuance of this building permit shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law, and that this permit shall not prevent the building official from requiring construction to be in compliance with all applicable code provisions during field inspections. The building permit is issued for the express purpose of work stated on this application and shown on the approved plans. Any changes to the construction plans that effect area or scope of work shall be approved by the building official's prior to construction and may require another permit application. No building shall be occupied until a certificate of occupancy has been issued by the Building Official.

Applicant Name: James Moran (Print Clearly) | [Signature] (Signature) Date 6/7/13

Please Note that this application must be approved by the following:

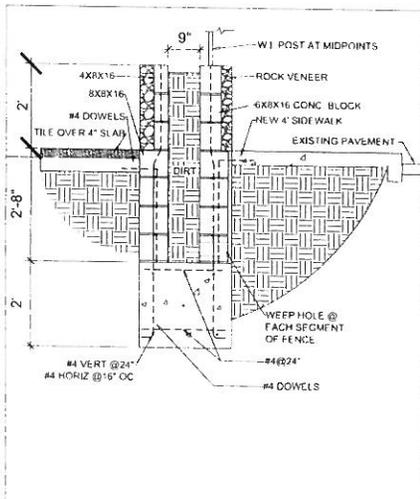
Planning Board: \_\_\_\_\_ Date: \_\_\_\_\_  
 Fire Department: \_\_\_\_\_ Date: \_\_\_\_\_  
 Building Official: \_\_\_\_\_ Date: \_\_\_\_\_

### Documents Needed for Construction

- Three sets of Engineered plans and specifications (1/4" Scale)
- A certified certificate of survey of the property.
- A plot plan drawn to scale showing building location on the lot
- A Copy of SWPPP (Storm Water Pollution Prevention Plan)

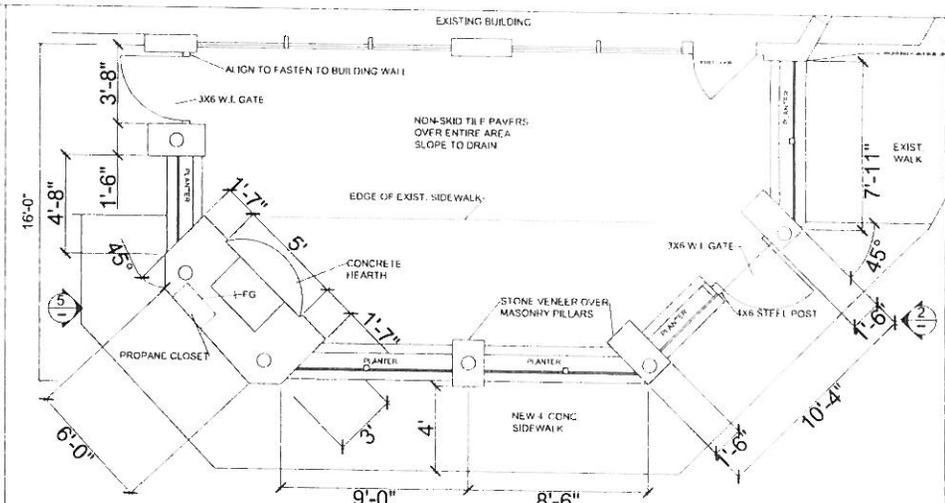
### Impervious Coverage

Total (sq ft) of Property: \_\_\_\_\_  
 Total (sq ft) of All Structures: \_\_\_\_\_  
 Total (sq ft) of Impervious Paving: \_\_\_\_\_  
 Impervious Coverage Percentage: \_\_\_\_\_

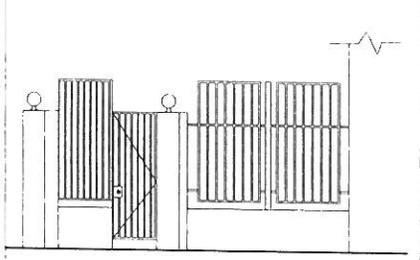


1 FOUNDATION - SECTION  
SCALE: 3/4" = 1'-0"

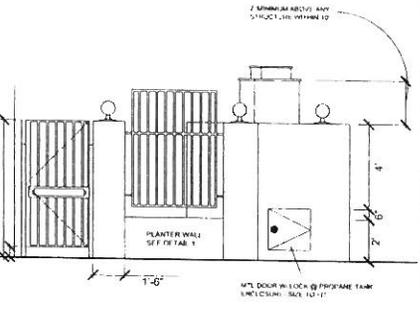
1. Contractor to verify wind and frost line resisting systems.
2. Construction shall conform with local current building code.
3. Footings to be deep enough to satisfy local frost line requirements.
4. Stone veneer to match existing rock finish on walls of existing building.
5. Provide approved panic hardware on gates. Verify with owner on level of security needed.
6. Owner to select type of pavers to be used.
7. Rework existing planter as required to accommodate new sidewalk. Includes relocating existing boulder(s) and existing sprinkler system.
8. fireplace construction to be by experienced contractor. Top of chimney to be minimum 24" above any roof closer than 10' from chimney. Provide propane log lighter @ firebox from recessed supply point.
9. Gates to have panic hardware.
10. Electrical service to lights to be connected to closest existing circuit within building. Lights to be selected by owner and to be exterior type.



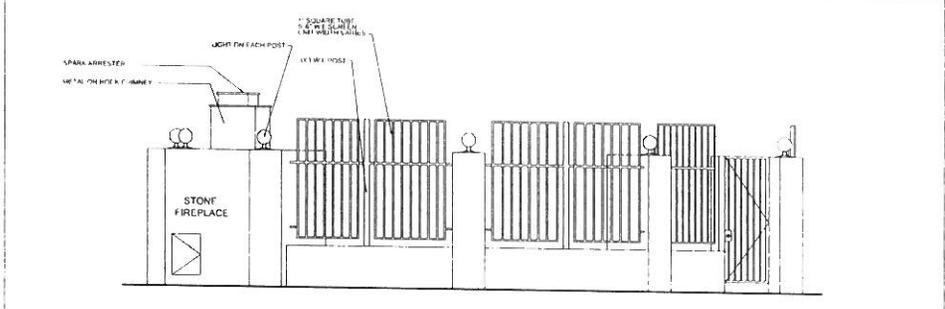
7 FLOOR PLAN  
SCALE: 3/8" = 1'-0"



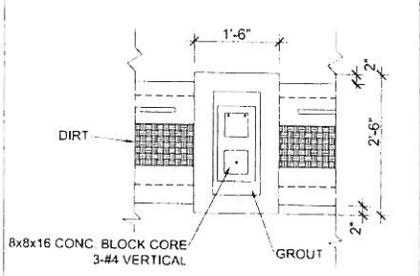
2 RIGHT ELEVATION  
SCALE: 3/8" = 1'-0"



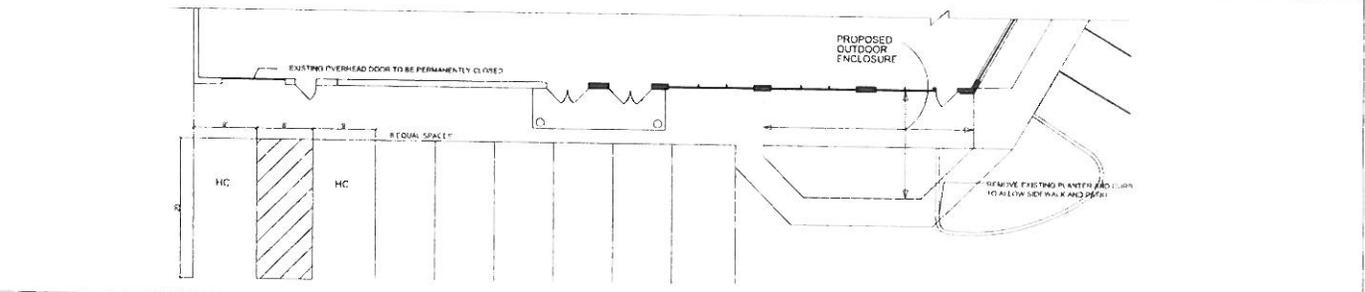
5 LEFT ELEVATION  
SCALE: 3/8" = 1'-0"



8 FRONT ELEVATION  
SCALE: 3/8" = 1'-0"



3 STONE PILLAR - PLAN  
SCALE: 1" = 1'-0"



6 PARTIAL SITE PLAN/ SHOWING PATIO LOCATION AND RELOCATED PARKING  
SCALE: 1/8" = 1'-0"

McClellan & Associates  
 ARCHITECTS  
 150 N. UNIVERSITY  
 SUITE 200  
 IOWA CITY, IOWA 52242

OUTDOOR SMOKING PATIO  
 SPEARMINT RHINO GENTLEMEN CLUB  
 2449 N. 13th St. CARTER LAKE, IOWA

Date: 06.10.15  
 Title: AS NOTED  
 Drawn: JLS  
 Title:  
 Scale:

A-1

## **PROPERTY DESCRIPTION**

**\* Please note I included these for reference of the property**

Tax / Tax / Search /

<b>Parcel Number 754421327002</b>			
		<b>Deed Holder</b>	
<b>Name</b>	WINGS FLYWAY BAR-GRILL LLC		
<b>Mailing Address</b>	1875 TANDEM WAY NORCO, CA 92860		
<b>Parcel Information</b>			
<b>Location</b>	2449 N 13TH ST	<b>District</b>	005 - CARTER LAKE CITY/CB SCH
<b>Sec / Twp / Range</b>	--	<b>Property Class</b>	C - COMMERCIAL PROPERTY
<b>Legal Description</b>	CARTER LAKE-WINGATE PLAZA LT 6	<b>Deed Book</b>	2011
<b>Acreage</b>	0.000	<b>Deed Page</b>	16552
		<b>Deed Date</b>	12/19/2011

<b>Valuation and Tax Information</b>				
	<b>2011 (This Year)</b>		<b>2010 (Last Year)</b>	
	<b>Assessed</b>	<b>Taxable</b>	<b>Assessed</b>	<b>Taxable</b>
<b>Land Value</b>	\$92,000.00	\$92,000.00	\$92,000.00	\$92,000.00
<b>Building Value</b>	\$1,543,013.00	\$1,543,013.00	\$1,543,013.00	\$1,543,013.00
<b>Net Value</b>	<b>\$1,635,013.00</b>	<b>\$1,635,013.00</b>	<b>\$1,635,013.00</b>	<b>\$1,635,013.00</b>
<b>Levy Rate</b>		39.64264000000000		40.89888000000000
<b>Gross Tax</b>		\$64,816.23		\$66,870.20
<b>Net Annual Taxes</b>		<b>\$64,816.00</b>		<b>\$66,870.00</b>

Pay Taxes Online

Assessor
GIS
Recorder

<b>Tax History</b>						
<b>Tax Year</b>	<b>Type</b>	<b>First Half</b>	<b>Second Half</b>	<b>First Interest</b>	<b>Second Interest</b>	<b>Total</b>
2015	Special Tax	\$203.00	\$0.00	\$0.00	\$0.00	\$203.00
2014	Special Tax	\$203.00	\$0.00	\$0.00	\$0.00	\$203.00
2013	Special Administration	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
2013	Special Tax	\$203.00	\$0.00	\$55.00	\$0.00	\$258.00
2012	Special Administration	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
	Payment 9/14/2012	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
<b>Total Due</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2012	Special Tax	\$203.00	\$0.00	\$73.00	\$0.00	\$276.00
	Payment 9/14/2012	\$203.00	\$0.00	\$73.00	\$0.00	\$276.00

EXHIBIT "A"

Lot 6, Wingate Plaza, an Official Plat, now included and in forming a part of the City of Carter Lake, Pottawattamie County, Iowa.

Find Property   Res Sales   Comm/Ind Sales

7544 21 327 002

--- Permanent Property Address ---

----- Mailing Address -----

WINGS FLYWAY BAR-GRILL LLC  
2449 N 13TH ST  
CARTER LAKE, IA

WINGS FLYWAY BAR-GRILL LLC  
1875 TANDEM WAY  
NORCO, CA 92860

District: 005

=====  
REAL ESTATE TAX  
Click [here](#) for treasurer real estate tax information.  
=====

LEGAL DESCRIPTION

CARTER LAKE-WINGATE PLAZA LT 6

=====  
ASSESSED VALUE

land: \$92000	dwelling: \$0	building: \$1543013	total: \$1635013	year/class: 2011/C
land: \$92000	dwelling: \$0	building: \$1543013	total: \$1635013	year/class: 2012/C
land: \$92000	dwelling: \$0	building: \$1432700	total: \$1524700	year/class: 2013/C

=====  
OWNERS

1 D WINGS FLYWAY BAR-GRILL LLC    book/page: 2011/16552 D

=====  
EXEMPTIONS & CREDITS

=====  
ASSESSMENT DATA

PDF: 9    MAP: CARTER LAKE COMM-9

Sale Date	Amount	Code	Book/Page
11/21/2011	0	D7	2011/16552
09/27/2007	0	D001	2007/15807
10/20/2000	80000	E034	101/19526

Interior Listing: Inspected    Date Listed: 12/27/2012 JC    Date Reviewed: 12/27/2012 JC

LAND.....29502 sqFt    .68 acres

Commercial Building 1 of 1 -- Bars and Lounges (303)

DBA: SPEARMINT RHINO

STRUCTURE....1 story    12925 base SF    0 bsmt SF    12925 gross SF

Year Built: 2000    Eff Year: 2000    Condition: Very Good

VERTICALS....Foundation: Concrete

Ext Wall: Stucco - Frm  
Decorative Block - Rock Face

Int Wall: Drywall or Equiv.

Windows: Aluminum Casement

HORIZONTALS..Roof: Asph. Shingle/ Wood Dk

Ceiling: Suspended Blk-M'Ral

Struc Floor: R'Concrete

Floor Cover: Carpet

Terrazzo

Framing: Wood - Average

HVAC: Combination FHA - AC

Lighting: Bars/Lounges

PLUMBING....Water Closet (8)

Urinal - Wall (3)

Toilet Room (5)

Sink-Kitchen (3)

Lavatory (8)

Sink-Kitchen (2)

Stainless Stl Triple Sinks - 6' (1)

BLDG EXTRAS..1 Door: O.H. Door - Manual, 8 Ft Wide, 10 Ft High

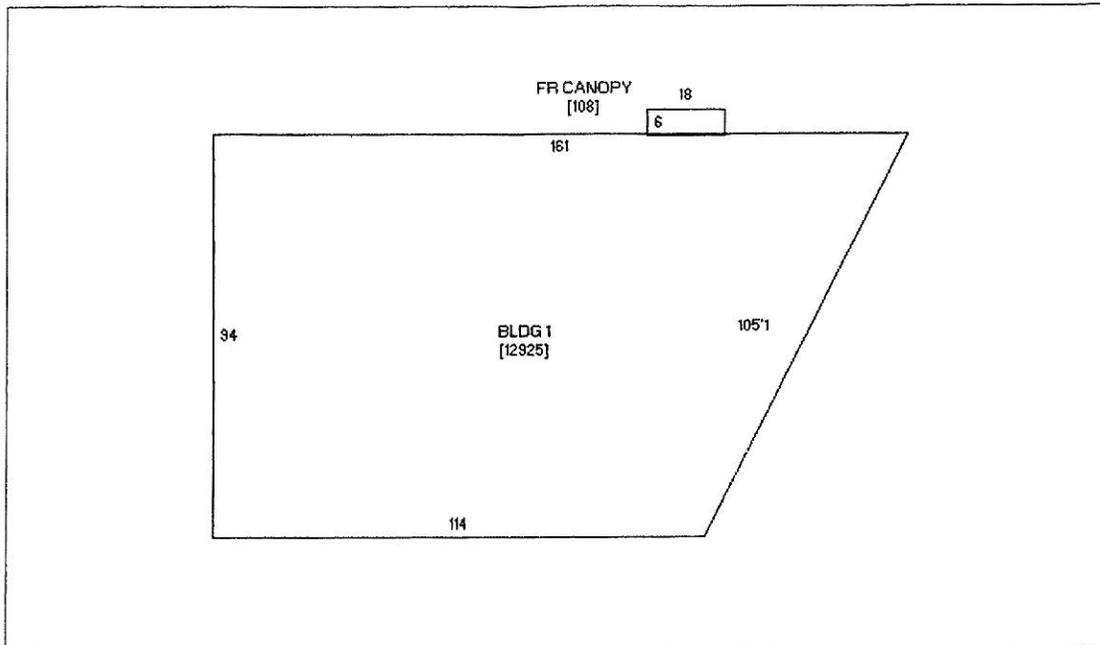
1 Canopy: 108 SF, Frame, Average Pricing

1 Cold Storage: 60 SF, Cooler, 0 SFSA Door, No Door

1 Cold Storage: 72 SF, Cooler, 0 SFSA Door, No Door

1 Cold Storage: 60 SF, Freezer, 0 SFSA Door, No Door

YARD EXTRAS..Paving 21,520 SF, Asphalt w/Curbs, Average Pricing, Lighting: No



2449 N 13TH ST, WINGS FLYWAY BAR-GRILL LLC, 9-1 11/24/2010



2449 N 13TH ST, WINGS FLYWAY BAR-GRILL LLC, 1 12/27/2012



2449 N 13TH ST, WINGS FLYWAY BAR-GRILL LLC, 4 09/04/2009



Zoom Out Zoom In



600ft x 600ft

Click any parcel to go to its web page  
See [more maps](#) at the [County GIS Department](#).

As of:  On Web  Get Card

[Find Property](#) [Res Sales](#) [Com DOVs](#)

FOR OFFICE USE: CASE# \_\_\_\_\_  
Z.B.A. Public Hearing: \_\_\_\_\_  
Signs Issued: \_\_\_\_\_/\_\_\_\_\_/by \_\_\_\_\_

Receipt # \_\_\_\_\_  
Amount \$ \_\_\_\_\_  
By \_\_\_\_\_ Date \_\_\_\_\_

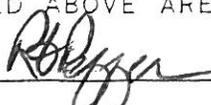
APPLICATION FOR PLANNING BOARD AGENDA

1. APPLICANT: Sgt. Pepper's Italian Cafe Phone: <sup>402</sup> 553 7174  
Address: 111 E. LOCUST ST. \*Status: \_\_\_\_\_
2. REPRESENTED BY: R. Tim Pepper Phone: 630 2938  
Address: 4845 Seward St. Omaha, NE 68104
3. STREET ADDRESS/LOCATION: \_\_\_\_\_  
111 E. LOCUST ST.
4. LEGAL DISCRPTION: \_\_\_\_\_
5. OWNERS NAME: Jay Gunderson
6. OWNERS ADDRESS: 111 Carolina Drive
7. REASONS FOR REQUEST AND INTENDED USES: \_\_\_\_\_  
Aesthetic purposes, sidewalk, exterior seating.
8. ZONING DISTRICT: \_\_\_\_\_
9. PRESENT USE: vacant retail food service
10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE.
11. ADMINISTRATIVE DECISION ISSUED: \_\_\_\_\_

FOR OFFICE USE

12. ATTACHED TO THE APPLICATION ARE:
  - a. Denied "Building Permit Application" form..... \_\_\_\_\_
  - b. Approves..... \_\_\_\_\_
  - c. Restrictions..... \_\_\_\_\_

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE:  Date: 9/6/13  
TYPED OR PRINTED NAME: R. Tim Pepper \*Status: \_\_\_\_\_

\*NOTE: P.O. = Property Owner C.P. = Contract Purchaser  
O.H. = Legal Optionholder A. = Owner's authorized agent



# CITY OF CARTER LAKE

Building Inspector's Office

950 Locust Street

Carter Lake, Iowa 51510

Office (712) 847-0535 Fax (712) 347-5454

Date: 9/6/13

To: Planning Board

Re: Richard Jr.-Erica Steinspring New Residence

New residence being constructed on Neptune Place Lots 2 & 3 Blk A has the front of the residence facing north towards Cedar Street, the Monty Meyer residence across the street facing south towards Cedar St has an address of 1514 Cedar St. Recommend Steinspring residence be assigned as 1515 Cedar St.

Old address on Neptune Place Lots 2 & 3 Blk A appears to have been 3710 Neptune Dr. That structure has since been removed from the property and the address taken off the Pottawattamie County Assessor registry.

Barry Palmer  
Building Inspector



FOR OFFICE USE: CASE# \_\_\_\_\_  
Z.B.A. Public Hearing: \_\_\_\_\_  
Signs Issued: \_\_\_\_\_/\_\_\_\_\_/by \_\_\_\_\_

Receipt # \_\_\_\_\_  
Amount \$ \_\_\_\_\_  
By \_\_\_\_\_ Date \_\_\_\_\_

APPLICATION FOR PLANNING BOARD AGENDA

1. APPLICANT: George Stewart Phone: 402-427-9699  
Address: 2307 Delmar Ridge Ln \*Status: Single
2. REPRESENTED BY: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: 2525 N 5th
3. STREET ADDRESS/LOCATION: 2525 N 5th
4. LEGAL DISCRPTION: Plat See attached
5. OWNERS NAME: George Stewart
6. OWNERS ADDRESS: 2525 N 5th
7. REASONS FOR REQUEST AND INTENDED USES: See attached
8. ZONING DISTRICT: See attached
9. PRESENT USE: \_\_\_\_\_
10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE.
11. ADMINISTRATIVE DECISION ISSUED: \_\_\_\_\_

FOR OFFICE USE

12. ATTACHED TO THE APPLICATION ARE:  
a. Denied "Building Permit Application" form..... \_\_\_\_\_  
b. Approves..... \_\_\_\_\_  
c. Restrictions..... \_\_\_\_\_

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE: [Signature] Date: 7-23-13  
TYPED OR PRINTED NAME: George Stewart \*Status: Single

\*NOTE: P.O. = Property Owner C.P. = Contract Purchaser  
O.H. = Legal Optionholder A. = Owner's authorized agent

Return Document To: City of Carter Lake, 950 Locust Street, Carter Lake, IA 51510  
Preparer Information: \_\_\_\_\_  
Address Tax Statement: \_\_\_\_\_

**CITY OF CARTER LAKE, IOWA**

**PARCEL SPLIT**

**PROPERTY LINE ADJUSTMENT**

PROPERTY OWNER #1 GEORGE STEWART Telephone 402-672-9699  
Address 2307 DELMAR RIDGE LANE  
COUNCIL BLUFFS, IOWA 51503  
PROPERTY OWNER #2 \_\_\_\_\_ Telephone \_\_\_\_\_  
Address \_\_\_\_\_

Current legal description(s) or attachment(s):

Parcel # SEE ATTACHMENT MARKED EXHIBIT "A"  
PROPOSED LEGAL DESCRIPTION(S) OR ATTACHMENT(S):  
Parcel # SEE ATTACHMENT MARKED EXHIBIT "B"

I certify that the information presented with this application is true and correct to the best of my knowledge.

Name GEORGE STEWART Name \_\_\_\_\_  
(please print) (please print)  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Address 2307 DELMAR RIDGE LANE Address \_\_\_\_\_  
Telephone 402-672-9699 Telephone \_\_\_\_\_

FILING FEE Parcel Split - \$200.00 Property Line Adjustment \$100.00  
Nonrefundable - Make checks payable to Carter Lake City Clerk

**DECISION**

This application has been reviewed and it has been determined that said request is for a: Parcel Split Property Line Adjustment

This application is **APPROVED** **DENIED**  
consistent with the appropriate Chapter of \_\_\_\_\_ Subdivision Ordinance of the Municipal Code of the City of Carter Lake, Iowa.

\_\_\_\_\_  
Director Community Development Department Date \_\_\_\_\_

Notary Signature \_\_\_\_\_ Seal \_\_\_\_\_  
Fee # \_\_\_\_\_ Date \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Michael J. Winter

**WARRANTY DEED**

For the consideration of one Dollar(s) and other valuable consideration, George H. Stewart, Jr., a single person do hereby Convey to Mikel USA, Inc., an Iowa corporation the following described real estate in Pottawattamie County, Iowa:

A parcel of land located in part of Lot 13 of an Auditor's Subdivision of Section 20, Township 75 North, Range 44 west of the Fifth Principal Meridian, in the City of Carter Lake, Pottawattamie County, Iowa, more particularly described as follows: Commencing at the Northeast corner of said Lot 13; thence South 0°19'59" East along the East line of said Lot 13, a distance of 340.01 feet; thence South 88°24'08" West a distance of 71.59 feet; thence South 1°25'16" East a distance of 25.77 feet; thence North 89°54'54" West a distance of 256.63 feet to the point of beginning; thence continuing North 89°54'54" West a distance of 102.37 feet; thence South 49°04'33" West a distance of 82.69 feet; thence North 0°25'09" West a distance of 283.85 feet; thence South 88°33'25" East a distance of 169.26 feet; thence South 1°03'44" West a distance of 137.20 feet; thence south 87°26'37" West a distance of 0.91 feet; thence South 0°02'34" West a distance of 60.27 feet; thence North 81°41'53" East a distance of 1.22 feet; thence South 0°00'57" East a distance of 28.24 feet to the point of beginning. Said parcel contains 0.908 of an acre, more or less.

Note: The east line of said Lot 13 is assumed to bear South 0°19'59" East for this description

plus any existing easements

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and Convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: \_\_\_\_\_

\_\_\_\_\_  
GEORGE H. STEWART, JR. (Grantor)

STATE OF **IOWA**, COUNTY OF **POTTAWATTAMIE**

This instrument was acknowledged before me on \_\_\_\_\_, by George H. Stewart, Jr., a single person.

\_\_\_\_\_  
, Notary Public

Michael J. Winter

**WARRANTY DEED**

For the consideration of one Dollar(s) and other valuable consideration, George H. Stewart, Jr., a single person do hereby Convey to George H. Stewart, Jr. a single person the following described real estate in Pottawattamie County, Iowa:

The East 99.00 feet of the West 299.00 feet of Lot Thirteen (13), Auditor's Subdivision of Section 20, Township 75, Range 44 in the Incorporated Town of Carter Lake, together with the South 10.00 feet of vacated Locust Street, in Pottawattamie County, Iowa, being more particularly described as the East 99 feet in width of West 299 feet in width of Lot 13 of Auditor's Subdivision of Section 20, Township 75, Range 44 in the incorporated Town of Carter Lake, in Pottawattamie County, Iowa; also a strip of ground 10 feet wide north and south by 99 feet long east and west adjoining the same on the north and being a part of Locust Street vacated, all more particularly bounded and described as follows: Commencing at a point on the present South line of Locust Street 592 feet west of present southwest corner of Fifth and Locust Streets (said point of beginning being 10 feet north and 200 feet east of northwest corner of a tract of land conveyed to Lars P. Nielsen by deed recorded May 21, 1919 in Book 582 of Deeds at Page 390 of the records of said county); and running thence east along the present south line of Locust Street 99 feet, thence south parallel with the west line of Fifth Street 590 feet, more or less, to the North line of Avenue "J", thence west along the north line of Avenue "J" 99 feet, and thence north 590 feet, more or less, to the place of beginning.

AND

A parcel of land located in part of Lot 13 of an Auditor's Subdivision of Section 20, Township 75 North, Range 44 west of the Fifth Principal Meridian, and also, part of vacated Locust Street all in the City of Carter Lake, Pottawattamie County, Iowa, more particularly described as follows: Commencing at the northeast corner of said Lot 13; thence South  $0^{\circ} 19' 59''$  East, along the East line of said Lot 13, a distance of 90.00 feet to the point of beginning; thence continuing South  $0^{\circ} 19' 59''$  East, along the east line of said Lot 13, a distance of 250.01 feet; thence South  $88^{\circ} 24' 08''$  West a distance of 71.59 feet; thence South  $1^{\circ} 25' 16''$  East a distance of 25.77 feet; thence North  $89^{\circ} 54' 54''$  West a distance of 256.63 feet; thence North  $0^{\circ} 00' 57''$  West a distance of 28.24 feet; thence South  $81^{\circ} 41' 53''$  West a distance of 1.22 feet; thence North  $0^{\circ} 02' 34''$  East a distance of 60.27 feet; thence North  $87^{\circ} 26' 37''$  East a distance of 0.91 feet; thence North  $1^{\circ} 03' 44''$  East a distance of 137.20 feet; thence South  $88^{\circ} 33' 25''$  East a distance of 29.13 feet; thence North  $0^{\circ} 19' 59''$  West a distance of 160.00 feet to a point on the south right of way line of Locust Street; thence South  $88^{\circ} 33' 25''$  East, along the South right of way line of said Locust Street, a distance of 174.11 feet; thence South  $1^{\circ} 28' 19''$  West a distance of 100.06 feet; thence South  $88^{\circ} 36' 24''$  East a distance of 124.18

feet to the point of beginning. Said parcel contains 2.422 acres, more or less. Said parcel is entitled to an easement agreement recorded in Book 88, Page 28045 in the Office of the Pottawattamie County Recorder. Said parcel is also entitled to an easement over part of vacated Locust Street at the Southwest corner of 5th Street and Locust Street. Said easement recorded in Book 105, Page 1112 in the Office of the Pottawattamie County Recorder.

Note: The east line of said Lot 13 is assumed to bear South 0°19'59" East for this description.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and Convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: \_\_\_\_\_

\_\_\_\_\_  
GEORGE H. STEWART, JR. (Grantor)

STATE OF IOWA, COUNTY OF POTTAWATTAMIE

This instrument was acknowledged before me on \_\_\_\_\_, by George H. Stewart, Jr., a single person.

\_\_\_\_\_  
, Notary Public

**PLAT OF SURVEY**

OF TWO PARCELS OF LAND LOCATED IN PART OF LOT 13 OF AN AUDITOR'S SUBDIVISION OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND ALSO, PART OF VACATED LOCUST STREET ALL IN THE CITY OF CARTER LAKE, POTTAWATTAMIE COUNTY, IOWA.

PREPARED BY: CARL H. ROGERS, JR. PHONE: (712) 366-9009  
1688 ROLLING HILLS LOOP, COUNCIL BLUFFS, IOWA 51503

**LEGAL DESCRIPTION: PARCEL "B"**

A PARCEL OF LAND LOCATED IN PART OF LOT 13 OF AN AUDITOR'S SUBDIVISION OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND ALSO, PART OF VACATED LOCUST STREET ALL IN THE CITY OF CARTER LAKE, POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 0°19'59" EAST, ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°19'59" EAST, ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 250.01 FEET; THENCE SOUTH 88°24'08" WEST A DISTANCE OF 71.59 FEET; THENCE SOUTH 1°25'16" EAST A DISTANCE OF 25.77 FEET; THENCE NORTH 89°54'54" WEST A DISTANCE OF 256.63 FEET; THENCE NORTH 0°00'57" WEST A DISTANCE OF 28.24 FEET; THENCE SOUTH 81°41'53" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 0°02'34" EAST A DISTANCE OF 60.27 FEET; THENCE NORTH 87°26'37" EAST A DISTANCE OF 0.91 FEET; THENCE NORTH 1°03'44" EAST A DISTANCE OF 137.20 FEET; THENCE SOUTH 88°33'25" EAST A DISTANCE OF 29.13 FEET; THENCE NORTH 0°19'59" WEST A DISTANCE OF 160.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LOCUST STREET; THENCE SOUTH 88°33'25" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LOCUST STREET, A DISTANCE OF 174.11 FEET; THENCE SOUTH 1°28'19" WEST A DISTANCE OF 100.06 FEET; THENCE SOUTH 88°36'24" EAST A DISTANCE OF 124.18 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.422 ACRES, MORE OR LESS. SAID PARCEL IS ENTITLED TO AN EASEMENT AGREEMENT RECORDED IN BOOK 88, PAGE 28045 IN THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER. SAID PARCEL IS ALSO, ENTITLED TO AN EASEMENT OVER PART OF VACATED LOCUST STREET AT THE SOUTHWEST CORNER OF 5TH STREET AND LOCUST STREET. SAID EASEMENT RECORDED IN BOOK 105, PAGE 1112 IN THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER.

NOTE: THE EAST LINE OF SAID LOT 13 IS ASSUMED TO BEAR SOUTH 0°19'59" EAST FOR THIS DESCRIPTION.

**LEGAL DESCRIPTION: PARCEL "C"**

A PARCEL OF LAND LOCATED IN PART OF LOT 13 OF AN AUDITOR'S SUBDIVISION OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF CARTER LAKE, POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 0°19'59" EAST, ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 340.01 FEET; THENCE SOUTH 88°24'08" WEST A DISTANCE OF 71.59 FEET; THENCE SOUTH 1°25'16" EAST A DISTANCE OF 25.77 FEET; THENCE NORTH 89°54'54" WEST A DISTANCE OF 256.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°54'54" WEST A DISTANCE OF 102.37 FEET; THENCE SOUTH 49°04'33" WEST A DISTANCE OF 82.69 FEET; THENCE NORTH 0°25'09" WEST A DISTANCE OF 283.85 FEET; THENCE SOUTH 88°33'25" EAST A DISTANCE OF 169.26 FEET; THENCE SOUTH 1°03'44" WEST A DISTANCE OF 137.20 FEET; THENCE SOUTH 87°26'37" WEST A DISTANCE OF 0.91 FEET; THENCE SOUTH 0°02'34" WEST A DISTANCE OF 60.27 FEET; THENCE NORTH 81°41'53" EAST A DISTANCE OF 1.22 FEET; THENCE SOUTH 0°00'57" EAST A DISTANCE OF 28.24 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.908 OF AN ACRE, MORE OR LESS.

NOTE: THE EAST LINE OF SAID LOT 13 IS ASSUMED TO BEAR SOUTH 0°19'59" EAST FOR THIS DESCRIPTION.

THE PARCEL DESIGNATIONS SHOWN ON THIS PLAT OF SURVEY WERE REVIEWED AND ACCEPTED BY THE POTTAWATTAMIE COUNTY GIS DEPARTMENT ON BEHALF OF THE POTTAWATTAMIE COUNTY, IOWA, AUDITOR'S OFFICE.

*Andy Kinross* \_\_\_\_\_ 8/12/13  
DATE

	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.
	<p><i>Carl H. Rogers, Jr.</i> _____ AUGUST 12, 2013 CARL H. ROGERS, JR. DATE</p> <p>LICENSE NUMBER: 7717</p> <p>MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014.</p> <p>NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 2 AND SHEET 2 OF 2</p>

NOTE: THIS DOCUMENT HAS BEEN REDUCED.

<b>ROGERS SURVEYING</b> 1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA		
PHONE:	DRAWN BY: J.A.T.	
DATE: 8-12-2013	(712) 366-9009	REVISED
TITLE: PLAT OF SURVEY OF TWO PARCELS OF LAND LOCATED IN PART OF LOT 13 OF AN AUDITOR'S SUBDIVISION OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND ALSO, PART OF VACATED LOCUST STREET ALL IN THE CITY OF CARTER LAKE, POTTAWATTAMIE COUNTY, IOWA.		
CLIENT: GEORGE STEWART 2307 DELMAR RIDGE LANE COUNCIL BLUFFS, IOWA 51503	SHEET 1 OF 2	

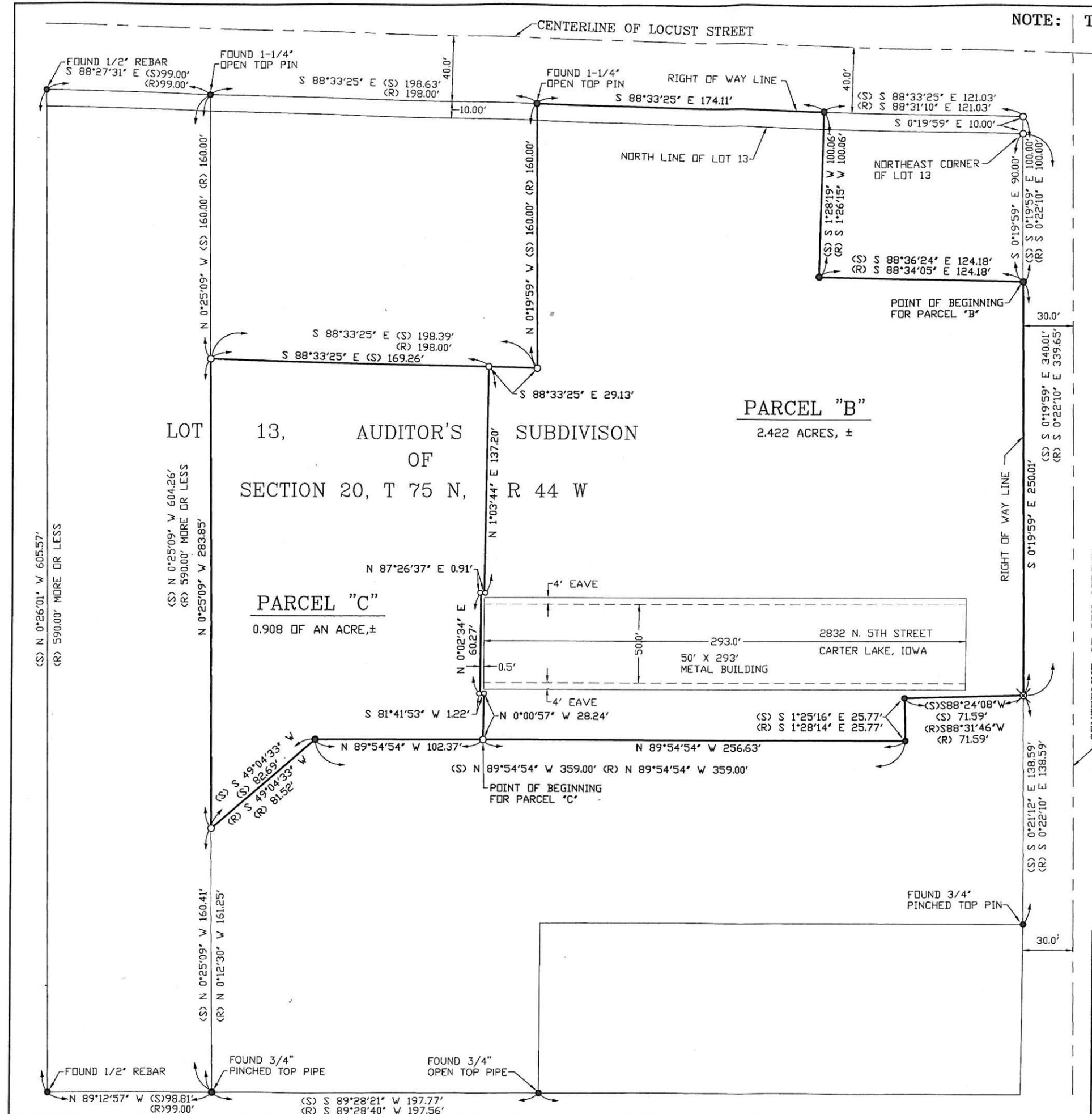
NOTE: THIS DOCUMENT HAS BEEN REDUCED.

**LEGEND:**

- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED L.L.S. #7717
- ⊗ - MADE CHISELED "X" IN CONCRETE
- - FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED #5414, UNLESS OTHERWISE DESCRIBED ON DRAWING

(S) - SURVEYED AS  
(R) - RECORDED AS

SCALE: 1" = 40'



ROGERS SURVEYING		
1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA		
SCALE: 1" = 40'	PHONE:	DRAWN BY: J.A.T.
DATE: 8-12-2013	(712) 366-9009	REVISED
TITLE: PLAT OF SURVEY OF TWO PARCELS OF LAND LOCATED IN PART OF LOT 13 OF AN AUDITOR'S SUBDIVISION OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND ALSO, PART OF VACATED LOCUST STREET ALL IN THE CITY OF CARTER LAKE, POTTAWATTAMIE COUNTY, IOWA.		
CLIENT: GEORGE STEWART 2307 DELMAR RIDGE LANE COUNCIL BLUFFS, IOWA 51503	SHEET 2 OF 2	