



AGENDA
CITY OF CEDAR FALLS, IOWA
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, APRIL 22, 2020
5:30 PM AT CEDAR FALLS CITY HALL VIA VIDEOCONFERENCE

To protect against the spread of the COVID-19, the meeting will be held via Videoconference. The public may access/participate in the meeting in the following ways:

- a) By dialing the phone number +13126266799 or +19292056099 or +12532158782 or +13017158592 or +13462487799 or +16699006833 and when prompted, enter the meeting ID (access code) 928 1975 8988.
- b) iPhone one-tap: +13126266799,, 92819758988#or +19292056099,, 92819758988#
- c) Join via smartphone or computer using this link: <https://zoom.us/j/92819758988>.
- d) View the live stream on Channel 15 YouTube using this link: <https://youtu.be/XsGhELTZf-o> (view only).
- e) Watch on Cedar Falls Cable Channel 15 (view only).

To request to speak when allowed on the agenda, participants must click "Raise Hand" if connected by smartphone or computer, or press *9 if connected by telephone. All participants will be muted by the presiding officer when not actually speaking.

Call to Order and Roll Call

Approval of Minutes

- 1. Planning and Zoning Commission Minutes of April 8, 2020.

Public Comments

Old Business

New Business

- 2. **Preliminary Plat Amendment – The Arbors Fourth, Fifth and Sixth Additions**
Location: West of Arbors Drive within The Arbors Subdivision
Applicant: Midwest Development Co. - Developer; CGA – Civil Engineer
Previous discussion: None
Recommendation: *Recommend Approval*
P&Z Action: *Discuss and continue to the next meeting or make a recommendation to City Council*

- 3. **Street Right-of-Way Vacation – Prairie Parkway**
Location: West side of Prairie Parkway south of Prairie View Road
Applicant: Western Home Communities, Inc.
Previous discussion: None
Recommendation: *Review and Recommend Approval*
P&Z Action: *Discuss and continue to the next meeting or make a recommendation to City Council*

Commission Updates

Adjournment

Reminders:

- * May 13 and May 27 Planning & Zoning Commission Meetings
- * May 4 and May 18 City Council Meetings

**Cedar Falls Planning and Zoning Commission
Regular Meeting via Teleconference
April 8, 2020
City Hall Council Chambers
220 Clay Street, Cedar Falls, Iowa**

MINUTES

A regular meeting of the Planning & Zoning Commission was held on April 8, 2020 at 7:00 p.m. To protect against the spread of COVID-19, this meeting was held electronically in conformance with the Governor's Proclamation of Disaster Emergency dated March 19, 2020, permitting an electronic meeting where all members participate remotely when an in-person meeting is impossible or impractical.

The following Commission members were present remotely: Hartley, Holst, Larson, Leeper, Lynch and Prideaux. Saul and Adkins were absent. Karen Howard, Community Services Manager, Shane Graham, Economic Development Coordinator, and Chris Sevy, Planner I, were also present.

- 1.) Chair Holst provided information on connecting to the meeting. He then noted the Minutes from the March 11, 2020 regular meeting are presented. Mr. Hartley made a motion to approve the Minutes as presented. Ms. Prideaux seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 2.) The first item of business was a public hearing for the Industrial Park Expansion Land Use Map amendments to Low Density Residential, Industrial and public utilities. Chair Holst introduced the item and Mr. Graham provided background information. He explained that the City purchased approximately 200 acres of property at the southeast corner of Viking Road and South Union Road. Annexation for the area has been approved by the State and completed, requiring the addition of the property to the Land Use Map. Mr. Graham displayed the proposed updates to the map and noted that staff has not received any comments from surrounding property owners. Staff recommends approval of the Land Use Map Amendment.

Mr. Leeper made a motion to approve the item. Ms. Lynch seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 3.) The next item for consideration by the Commission was a public hearing for the rezoning of the Industrial Park Expansion from A-2 to R-1 and M-1, P. Chair Holst introduced the item and Mr. Graham provided background information, explaining that the property at the southeast corner of Viking Road and South Union Road will need to be rezoned now that the annexation is complete. He provided renderings of the areas to be rezoned and explained the proposed rezoning. He also discussed the roadway access and development concept plan. Staff recommends approval.

Mr. Hartley made a motion to approve the item. Mr. Larson seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 4.) It was noted that the Downtown Site Plan Review for Community Bank and Trust was withdrawn from the agenda. The Commission moved to the next item, an Easement Vacation Request for Community Bank and Trust. Chair Holst introduced the item and Ms. Howard

provided background information. She explained that the property is located at the corner of West 1st Street and Clay Street at 312 West 1st Street. The bank would like to vacate the easement located at the northeast corner of the property and then dedicate a new easement. Staff recommends approval of the easement vacation.

Ms. Prideaux made a motion to approve the item. Mr. Leeper seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 5.) The next item of business was a HWY 1 Site Plan Review for Dupaco Community Credit Union. Chair Holst introduced the item and Mr. Sevy provided background information. He explained that the location of the property is 126 Brandilynn Boulevard at the corner of Viking Road and Highway 58. The credit union will be constructed on the site of the current Doughy Joey's restaurant. He presented the site plan, showing the utility easements, dumpster enclosure, drive-through location, parking, signage and screening. He also discussed the landscape plan noting that 28% green space is proposed. He discussed the minimal parking changes, noting the requirements are fulfilled. Mr. Sevy displayed renderings of the building design and discussed the proposed façade elements, as well as signage. Staff recommends approval with compliance to any comments or direction from the Commission.

Brian Ridge, Ridge Development, spoke to the building design and location, noting that it will replace the Doughy Joey's building.

Mr. Hartley asked about the timeline for the building process. Mr. Ridge explained that there would be a late 2020 start with a one year build process. Mr. Larson asked about the shared parking area. Mr. Ridge stated that there is an agreement in place and the hours alternate well.

Mr. Leeper made a motion to approve the item. Ms. Prideaux seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 6.) The next item for consideration by the Commission was a College Hill Neighborhood Overlay Façade Review for wheat-pasting murals to celebrate UNI graduates. Chair Holst introduced the item and Ms. Howard provided background information. She stated that the project is led by the interactive digital studies professor, Bettina Fabos, and students. Remnants of previous murals will be removed and replaced with photos of graduates who will not be able to enjoy a ceremony this year due to the pandemic. She showed examples of the locations and photos that will be wheatpasted on the building facades. Staff recommends approval of the request.

Bettina Fabos addressed the Commission regarding the project, stating that they have support from the building owners and the College Hill Partnership.

Kathryn Sogard of the College Hill Partnership noted that it is a great way to celebrate the seniors who will be missing their graduation ceremony at this difficult time.

Mr. Leeper stated his appreciation for the project. Mr. Holst noted that he feels it is a great idea as well.

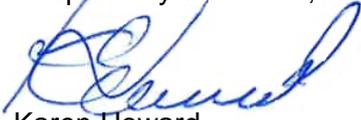
Ms. Prideaux made a motion to approve the item. Mr. Hartley seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Holst, Larson, Leeper, Lynch and Prideaux), and 0 nays.

- 7.) As there were no further comments, Mr. Hartley made a motion to adjourn. Ms. Lynch

seconded the motion. The motion was approved unanimously with 6 ayes (Hartley, Ho
Larson, Leeper, Lynch and Prideaux), and 0 nays.

The meeting adjourned at 6:15 p.m.

Respectfully submitted,



Karen Howard
Community Services Manager



Joanne Goodrich
Administrative Clerk



DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Cedar Falls
220 Clay Street
Cedar Falls, Iowa 50613
Phone: 319-273-8600
Fax: 319-273-8610
www.cedarfalls.com

MEMORANDUM

Planning & Community Services Division

TO: Planning & Zoning Commission
FROM: Shane Graham, Economic Development Coordinator
DATE: April 2, 2020
SUBJECT: The Arbors Preliminary Plat Amendment

REQUEST: Request to approve an amendment to The Arbors Preliminary Plat
PETITIONER: Midwest Development Co., Owner; CGA Engineering, Engineer
LOCATION: The property is located north of Viking Road and west of Arbors Drive

PROPOSAL

The Arbors subdivision has been active in single family residential development for the past few years. In total, there are six (6) phases of development. The first three phases have been approved and are located on the east half of the subdivision. The remaining three phases will continue at the northwest corner and proceed to the southwest corner of the plat.

The developer has decided to increase the density of this subdivision by adding 39 additional lots to accommodate two-unit dwellings along the western and southern edge of the subdivision. Another important change included in this plat is a second street connection to the west that is planned in the Arbors Sixth Addition. Therefore, a change in the RP zoning plan for the Arbors to increase the overall number of lots from 204 to 243 with new street alignments are being considered by the Planning and Zoning Commission.

BACKGROUND

In April 2014 the City Council approved rezoning this property from A-1 Agricultural to RP Planned Residential District, as well as approving a Preliminary Plat for this subdivision (82.5 total acres). The RP District plan and Preliminary Plat showed a future build-out for up to 204 one- and two-family dwellings in six "phases". Arbors First Addition was approved by the City Council in April 2015 and included 30 residential lots. The Arbors Second Addition was approved by the City Council in September 2016 included 30 residential lots. The third addition was approved by the City Council in November 2017 includes 33 residential lots. The first three phases of this subdivision occupy the eastern one-half of the 82 acres. These three phases are developed according to the approved preliminary plat.

After the first three phases of development was underway, the developer submitted a revised plat to the Planning and Zoning Commission in the spring of 2018. The phasing plan for the Fourth, Fifth and Sixth was adjusted to continue with the development in the northwest corner and proceed to the southwest corner of the subdivision. This phasing plan was shifted to accommodate the change in the street connections to the adjacent property. According to the original preliminary plat, a street connection (Woodbury Drive) was identified to access the property to the north of this plat. At that time, the Planning and Zoning Commission and City Council determined that a street connection was no longer needed due to the future development of a playground along the north side of the Fourth Addition. Additionally, the western street connection was shifted to the south from Maple Grove Drive to Autumn Woods Drive. This provides one street connection to the western edge of the subdivision.

STAFF ANALYSIS

Midwest Development Co. continues with the development of the Fourth, Fifth and Sixth addition of The Arbors subdivision. The development will continue in a counterclockwise direction with the Fourth addition at the northwest corner of the subdivision. The developer’s engineer submitted construction plans for the Fourth Addition and will present the final plat to the Planning and Zoning Commission in the coming months.

Recently, the developer requested a change in the number of lots that were originally approved in the preliminary plat. They intend to construct several duplex units along the western and southern edge of the subdivision. This increased the original number of lots from 204 to 239 or 39 lots. The following table shows the number of lots in the final three phases of this subdivision.

Phase	No. of Single Unit Lots	No. of Duplex lots	Total Lots	Original No. of Lots
Fourth	43	10	53	28
Fifth	32	16	48	36
Sixth	23	26	49	44
Total	98	52	150	108

The creation of these additional lots formalizes the ownership of the land under each duplex dwelling. From the start of the original preliminary plat, the developer intended to construct one- and two-family dwellings. During the first three phases of this subdivision, there were only single-family dwellings constructed. Now the developer has identified where they intend to construct the two-family dwellings along the western and southern edge of the subdivision. The proposed density of this subdivision with the additional duplex dwellings will increase from 2.48 dwellings per acre to 2.96 dwellings per acre. This is a modest increase that is still considered low density residential.

Along with this density change a new street layout is proposed for the Sixth Addition. The original preliminary plat showed Timber Cove Drive curving to the north with a short cul-de-sac in the southwest corner of the subdivision. This essentially cut off the access for a future street to the west. City staff has been working with the developer to come up with an alternate plan that will allow additional lots as well as a street connection to the west. The developer reviewed this option and presented the revised plat with a new street layout by eliminating the curve and cul-de-sac by extending Timber Cove Drive to the westerly edge of the subdivision. This will create two street connections to the western edge of the plat for future development.

Additionally, a pedestrian connection in the Fourth Addition is identified between Lots 1 to accommodate a sidewalk connection from Arbor Ridge Road to the future playground on the north side of the subdivision.

Staff has reviewed these changes and supports the RP district and plat amendment in the Arbors Subdivision for the Fourth, Fifth and Sixth Addition.

TECHNICAL COMMENTS

City technical staff, including Cedar Falls Utilities (CFU) personnel, noted that the water, gas and communication services are available to the site. The developer will be responsible for extending the utility services to the proposed development.

The developer will need to make the necessary accommodations for temporary a turnaround at the west end of Autumn Woods Drive in the Fifth Addition and Timber Cove Drive and Timber Creek Circle in the Sixth Addition. This subdivision includes a four-foot public sidewalk across all lot frontages.

The subdivision will route the stormwater through the back of the lots to the northwest corner of the Fourth Addition the empty into Tract A, a stormwater management area. This Tract is the fourth detention basin for the entire Arbors development. The plan is to convey the stormwater through a series of easements and storm sewers. The Fourth Addition will be graded to flow the storm water to the northwest corner of the subdivision and the Fifth and Sixth Additions will be graded to flow to the east into the existing basins found in the First and Second Addition. A stormwater maintenance and repair agreement has been submitted to the City for the management of these areawide stormwater basins.

STAFF RECOMMENDATION

The Community Development Department recommends approval of The Arbors Preliminary Plat amendment.

PLANNING & ZONING COMMISSION

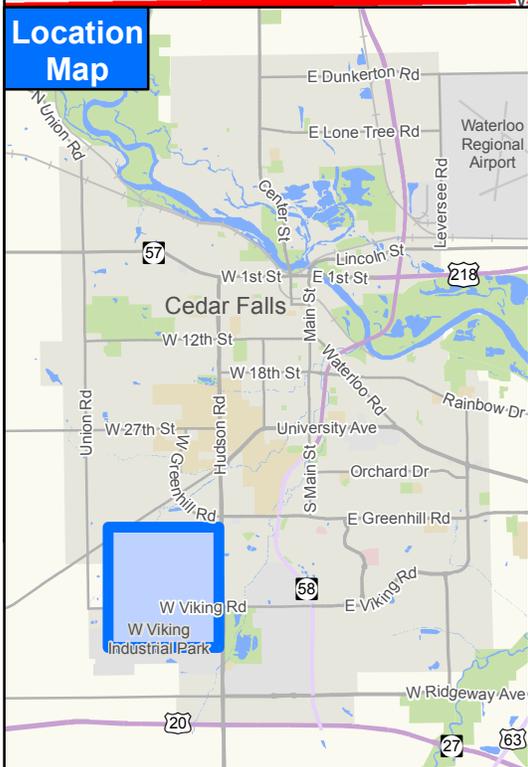
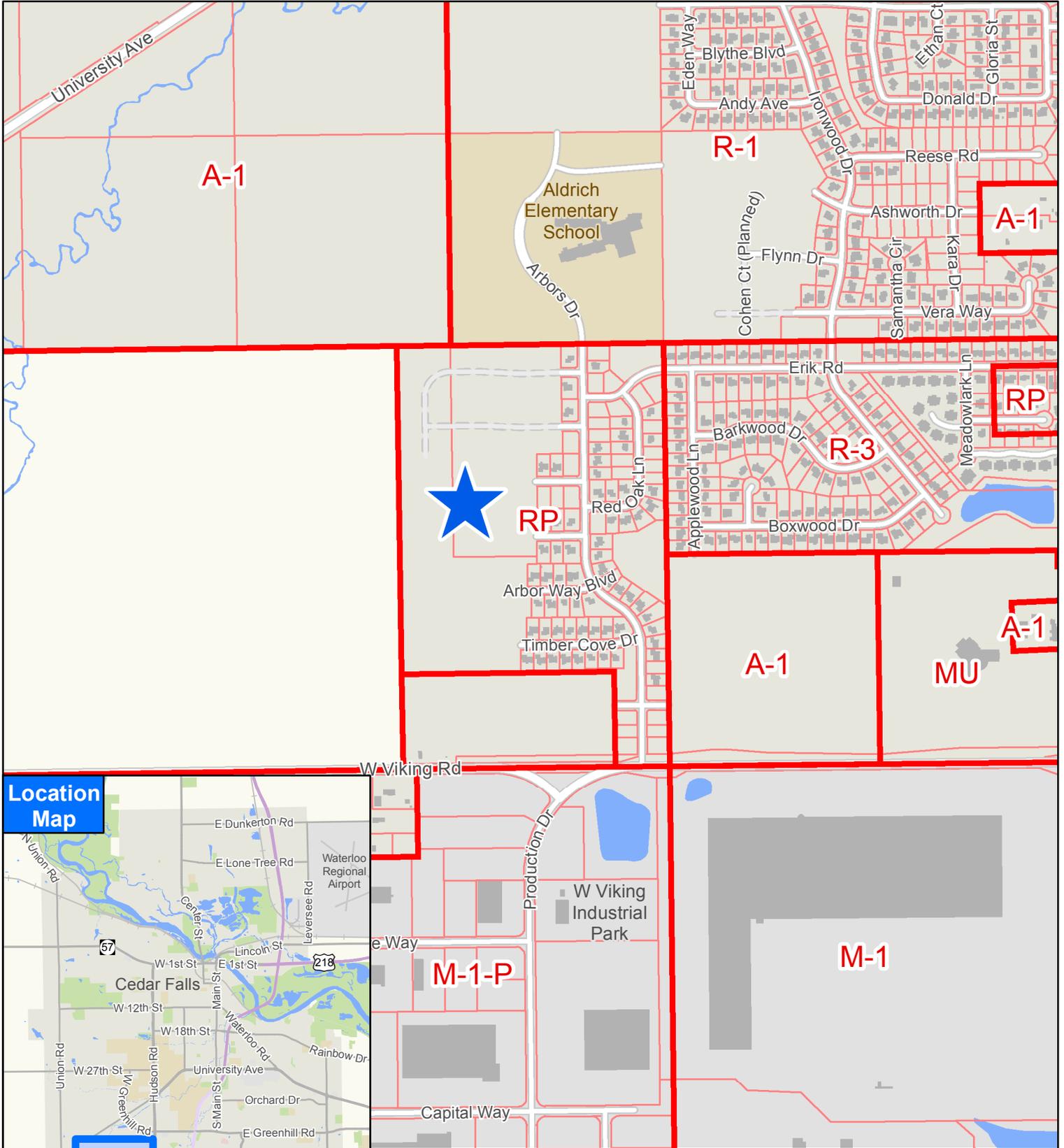
Vote

04/22/2020

Cedar Falls Planning & Zoning Commission

April 22, 2020

Item No. 2.



THE ARBORS FOURTH, FIFTH, AND SIXTH ADDITION PRELIMINARY PLAT

CEDAR FALLS, IA
MARCH 2020

LEGEND

EXISTING	PROPOSED	
		EVERGREEN TREE
		DECIDUOUS TREE
		SHRUBS (BUSHES)
		TREE LINE
		SIGN (TYPE AS NOTED)
		FENCE
		SILT FENCE
		CONTOUR LINE
		WATERLINE
		WATER VALVE
		FIRE HYDRANT
		SANITARY SEWER LINE
		STORM SEWER LINE
		MANHOLE
		CLEANOUT
		INTAKE
		BEEHIVE INTAKE
		GAS LINE
		GAS VALVE
		OVERHEAD ELECTRICAL LINE
		BURIED ELECTRICAL LINE
		POWER POLE
		STREET LIGHT
		ELECTRICAL BOX/TRANSFORMER
		TELEPHONE LINE
		TELEPHONE PEDESTAL

LEGAL DESCRIPTION

THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND PARCEL "B" ALL IN SECTION 27, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M., CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 89 NORTH, RANGE 14 WEST OF THE 5TH P.M. AND PARCEL "B" RECORDED IN INSTRUMENT #2014-13132 IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA, EXCEPT THE ARBORS FIRST ADDITION RECORDED IN INSTRUMENT #2015-19403, THE ARBORS SECOND ADDITION RECORDED IN INSTRUMENT #2017-6104, AND THE ARBORS THIRD ADDITION RECORDED IN INSTRUMENT #2018-10409 ALL RECORDED IN THE OFFICE OF THE RECORDER, BLACK HAWK COUNTY, IOWA, CONTAINING 41.84 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

OWNERS OF RECORD

MIDWEST DEVELOPMENT CO.
411 FIRST AVENUE SE
CEDAR RAPIDS, IA

FLOOD ZONE

(ZONE X)
PANEL # 19013C0276F
EFFECTIVE DATE: JULY 18, 2011

SETBACK DATA

FRONT YARD = 25 FT
REAR YARD = 30 FT
SIDE YARD* = 5 FT. (*EXCEPT AS NOTED)

*LOTS MAY BE SPLIT OR DIVIDED TO PROVIDE FOR MORE LOT AREA BY BEING ADDED TO AN ADJOINING LOT. SIDE YARD SETBACKS SHALL BE BASED ON OWNERSHIP/PROPERTY LINES RATHER THAN PLATTED LOT LINES.

SURVEY LEGEND

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET
- 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #22634
- PARCEL OR LOT CORNER MONUMENT FOUND AS NOTED ON PLAN
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #22634
- () RECORDED AS

SURVEYOR AND ENGINEER

MARC C. HOODJER, P.L.S.
DARYL ALBERSTON, P.E.
CLAPSADDLE-GARBER ASSOCIATES
P.O. BOX 754 - 16 E. MAIN STREET
MARSHALLTOWN, IOWA 50158
(641)752-6701

ZONING INFORMATION:

RP (UNLESS NOTED OTHERWISE)

SURVEY REQUESTED BY:

MIDWEST DEVELOPMENT CO.
411 FIRST AVENUE SE
CEDAR RAPIDS, IA

RESTRICTIONS

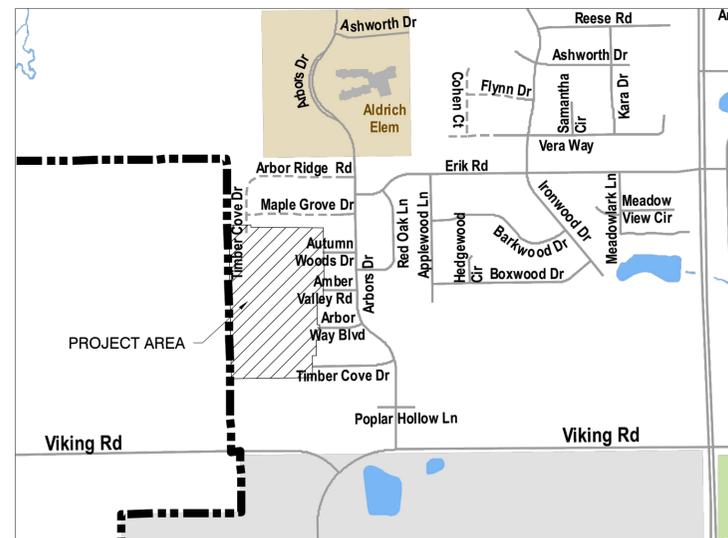
(SEE DEED OF DEDICATION)

CLOSURE:

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.

NOTE:

ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS USING NAD83 IOWA STATE PLAN NORTH ZONE

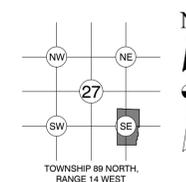


VICINITY MAP
NOT TO SCALE

TRACTS

- A. - STORM WATER MANAGEMENT
- B. - STREET RIGHT OF WAY

PHASE	LOTS	TRACT
4	53	"A" & "B"
5	48	"A" & "B"
6	49	"B"
TOTAL	150	



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Signature _____ Date _____

Daryl D. Albertson, PE
Iowa License Number 20477
My license renewal date is December 31, 2020

Pages or sheets covered by this seal: _____

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature _____ Date _____

Marc C. Hoodjer, PLS
Iowa License Number 22634
My License Renewal Date is December 31, 2018

Pages or sheets covered by this seal: _____

NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

Clapsaddle-Garber Associates, Inc.
5106 Nordic Drive
Cedar Falls, Iowa 50613
Ph 319-266-0258
www.cgaconsultants.com

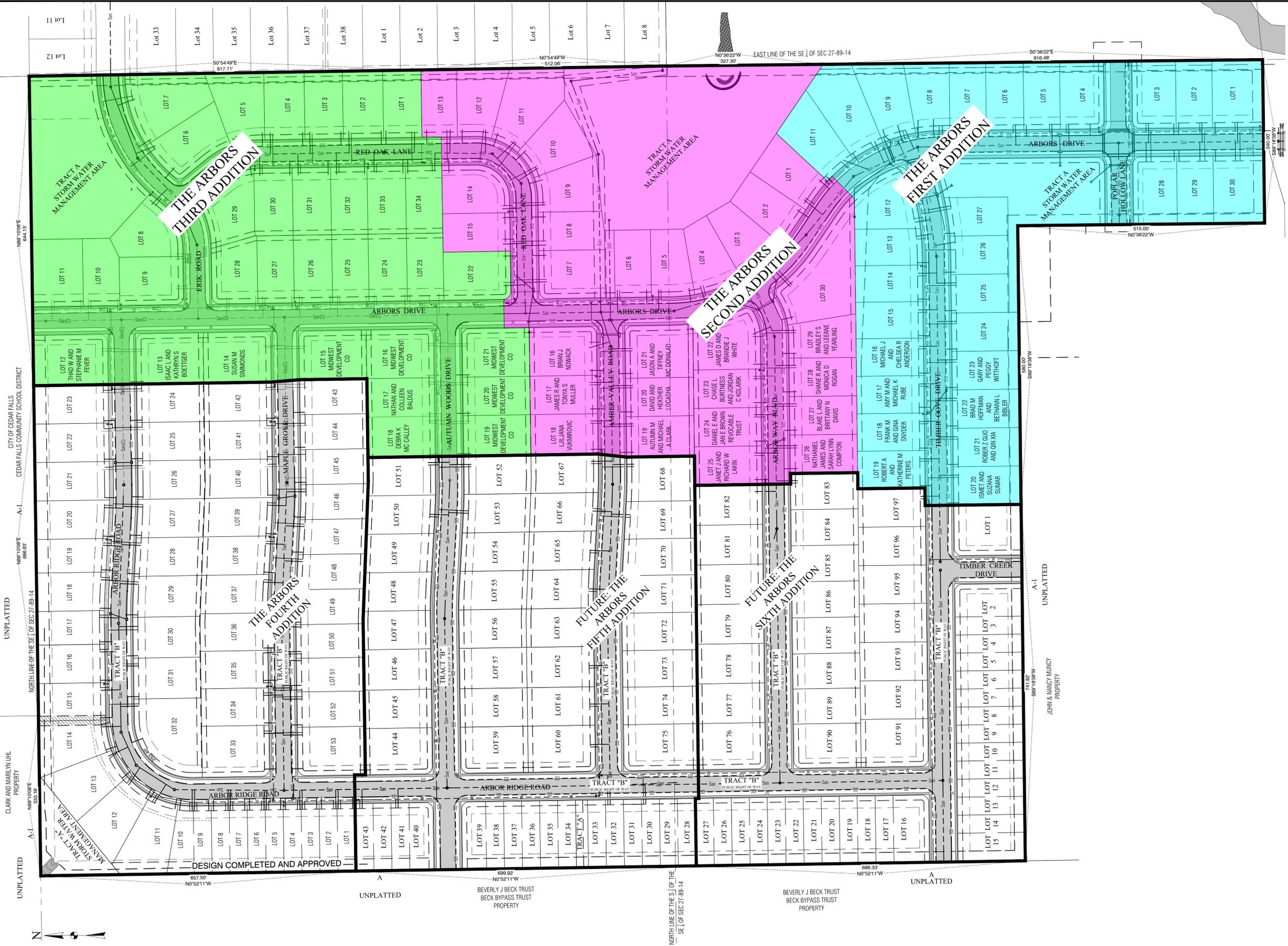
DESIGNED: NCB	DATE: 11-26-2019
DRAWN: SJC	DATE: 03-04-2020
CHECKED: MCH	DATE: 03-09-2020
APPROVED: _____	DATE: _____

THE ARBORS ADDITION CEDAR FALLS, IOWA

PRELIMINARY PLAT

PROJECT NO. 5622
SHEET NO. 1 OF 5

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NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA Clapsaddle-Garber Associates, Inc.
5106 Nordic Drive
Cedar Falls, Iowa 50613
Ph 319-399-0250
www.cgaconsultants.com

DESIGNED: NCB DATE: 03-09-2019
DRAWN: SJC DATE: 03-04-2020
CHECKED: MCH DATE: 01-16-2020
APPROVED: DATE:

THE ARBORS ADDITION

CEDAR FALLS, IOWA

PRELIMINARY PLAT

PROJECT NO. 5622
SHEET NO. 2 OF 5

LOT FRONTAGE AT BUILDING SETBACK FOR IRREGULAR SHAPED LOTS

LOT NUMBER	CHORD DISTANCE (FT.) AT 30' SETBACK
4TH ADDITION - LOT 9	37.50
4TH ADDITION - LOT 10	37.50
4TH ADDITION - LOT 11	72.69
4TH ADDITION - LOT 12	72.99
4TH ADDITION - LOT 13	75.99
4TH ADDITION - LOT 14	76.00



SEE SHEET 4 OF 5

FUTURE: THE ARBORS SIXTH ADDITION

FUTURE: THE ARBORS FIFTH ADDITION



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA Clapsaddle-Garber Associates, Inc.
 5106 Nordic Drive
 Cedar Falls, Iowa 50613
 Ph 319-266-6258
 www.cgarcs.com

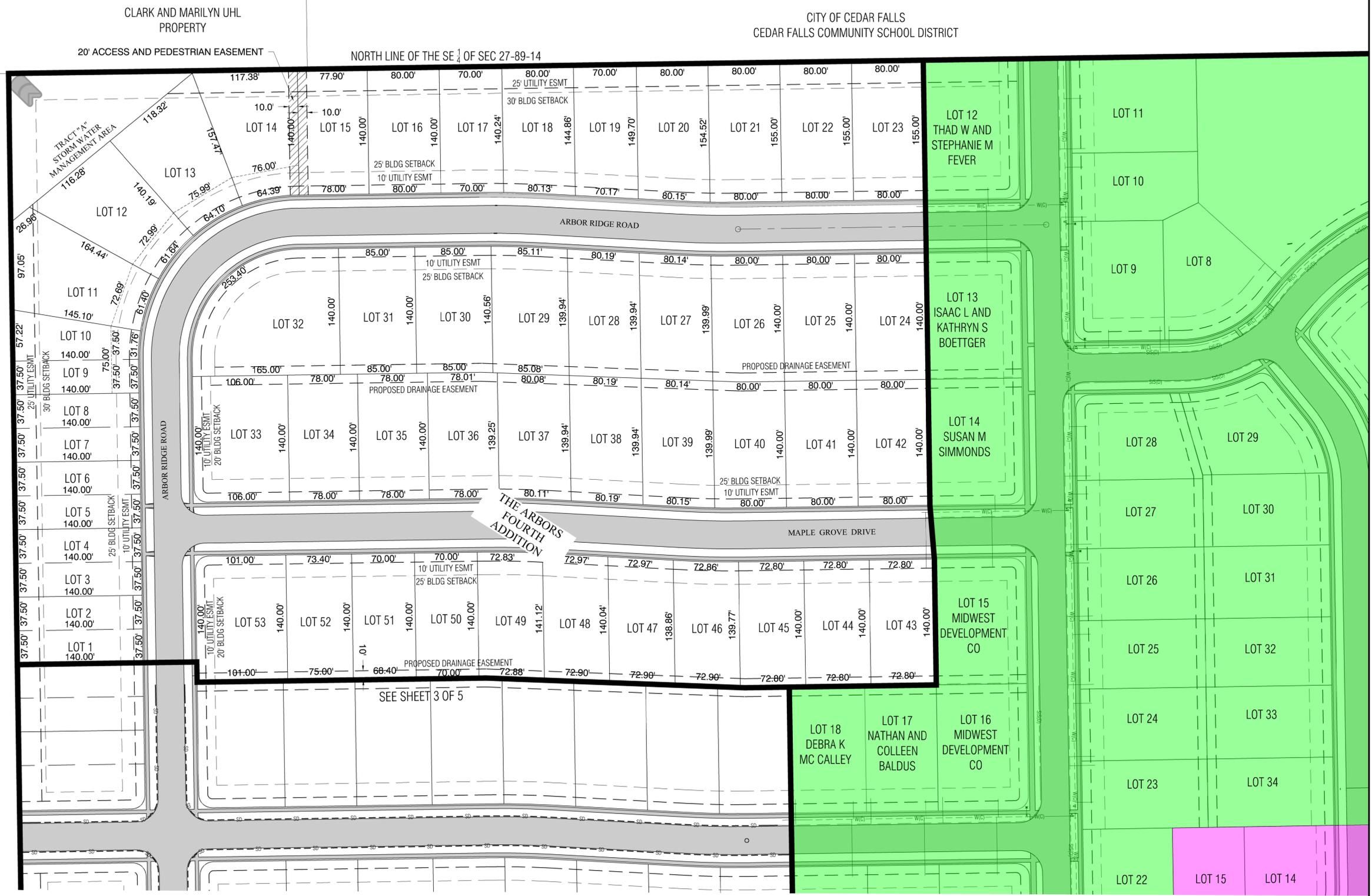
DESIGNED: NCB DATE: 11-26-2019
 DRAWN: SJC DATE: 03-04-2020
 CHECKED: MCH DATE: 03-09-2020
 APPROVED: _____ DATE: _____

THE ARBORS ADDITION
 CEDAR FALLS, IOWA

PRELIMINARY PLAT

PROJECT NO. 5622
 SHEET NO. 3 of 5

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NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA Clapsaddle-Garber Associates, Inc.
 5106 Nordic Drive
 Cedar Falls, Iowa 50613
 Ph 319-266-0258
 www.cgaia.com/suillants.com

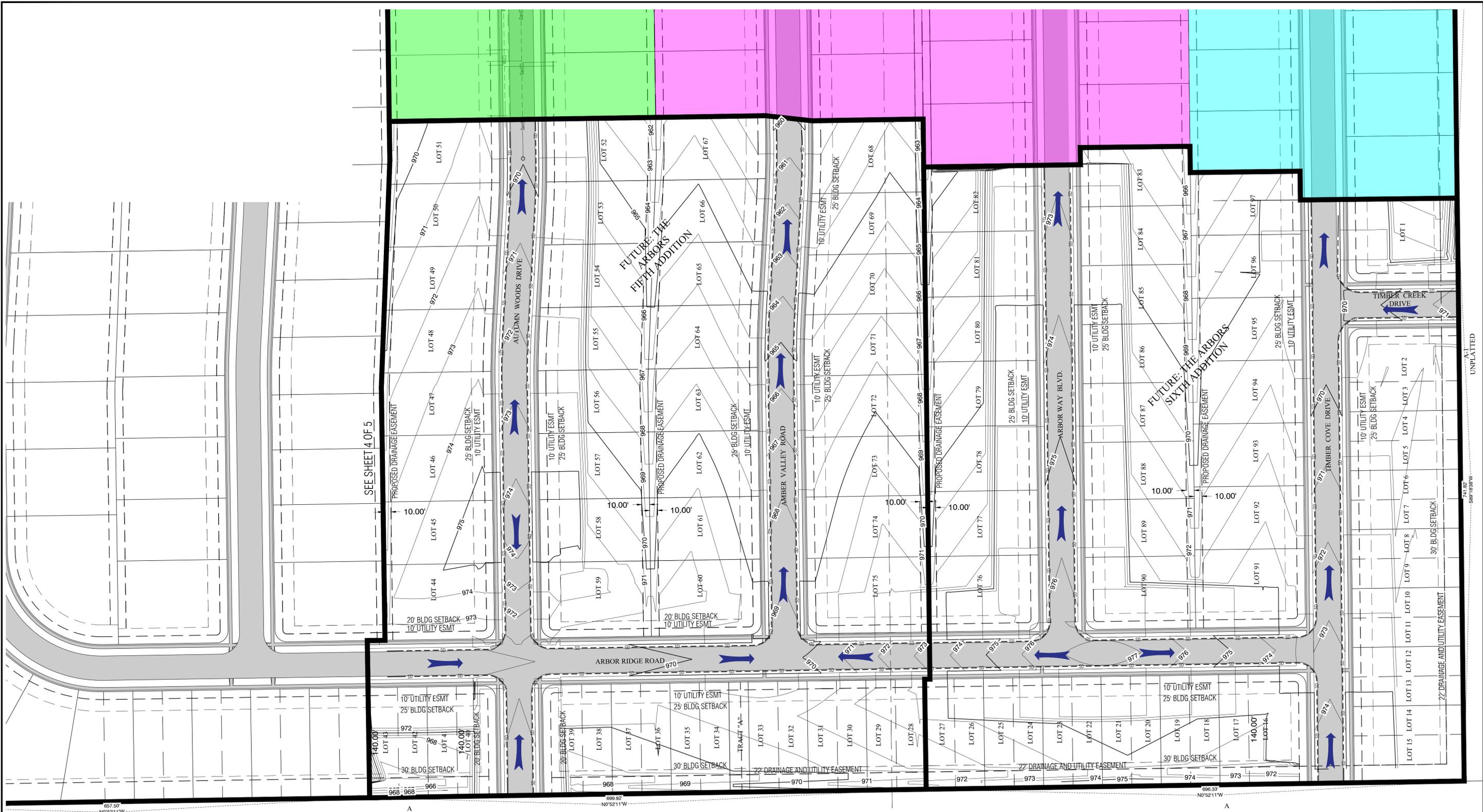
DESIGNED: NCB DATE: 11-26-2019
 DRAWN: SJC DATE: 03-04-2020
 CHECKED: MCH DATE: 03-09-2020
 APPROVED: _____ DATE: _____

THE ARBORS ADDITION
 CEDAR FALLS, IOWA

PRELIMINARY PLAT

PROJECT NO. 5622
 SHEET NO. 4 of 5

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NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA
Clapsaddle-Garber Associates, Inc.
5106 Nordic Drive
Cedar Falls, Iowa 50613
Ph 319-266-0256
www.cgaiconsultants.com

DESIGNED: NCB DATE: 11-26-2019
DRAWN: SJC DATE: 03-04-2020
CHECKED: MCH DATE: 03-09-2020
APPROVED: DATE:

THE ARBORS ADDITION

CEDAR FALLS, IOWA

PRELIMINARY PLAT

PROJECT NO. 5622
SHEET NO. 5 of 5

GRADING NOTES
THE EXTENT OF TOPOGRAPHIC CHANGES SHALL CONSIST OF TRACT "A" STORMWATER MANAGEMENT, TRACT "B" ROADWAY GRADING, LOT GRADING, AND SWALE GRADING THROUGHOUT LOTS.

SEE SHEET 4 OF 5

UNPLATTED

UNPLATTED

UNPLATTED

Prepared by: Richard R. Morris, 620 Lafayette Street, Ste. 300, PO Box 178, Waterloo, IA 50704 (319) 234-1766

DEED OF DEDICATION
OF
THE ARBORS FOURTH ADDITION
IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That Midwest Development Co., an Iowa corporation, with its principal office in Cedar Rapids, Iowa, being desirous of setting out and platting into lots and streets the land described in the attached Certificate of Survey by _____, a professional land surveyor, dated the ____ day of _____, 20__, do by these presents designate and set apart the aforesaid premises as a subdivision of the City of Cedar Falls, Iowa, the same to be known as:

THE ARBORS FOURTH ADDITION
IN THE CITY OF CEDAR FALLS, BLACK HAWK COUNTY, IOWA,

all of which is with the free consent and the desire of the undersigned and the undersigned do hereby designate and set apart for public use the streets and avenues as shown upon the attached plat.

EASEMENTS

The undersigned do hereby grant and convey to the City of Cedar Falls, its successors and assigns, and to any private corporation, firm or person furnishing utilities for the transmission and/or distribution of water, sanitary sewer, storm sewer, drain tile, surface drainage, gas, electricity, communication service or cable television, perpetual easements for the erection, laying, building, and maintenance of said services over, across, on and/or under the property as shown on the attached plat. No building structures, landscaping structures, private gardens or any other possible obstruction can be placed in the easements.

Any and all drainage easements will be required to follow the "Stormwater Management Plan" and no building structures, fence structures, landscaping structures, private gardens or any other possible obstruction can be built in or over said drainage easements. Owner and/or contractors working on the real estate will be responsible to maintain said easements to be free and clear of any physical obstruction(s) thus allowing the conveyance of overland storm water runoff as intended per "Stormwater Management Plan" on record with the City of Cedar Falls Engineer's Office.

RESTRICTIONS

Be it also known that the undersigned do hereby covenant and agree for themselves and their successors and assigns that each and all of the residential lots in said subdivision be and the same are hereby made subject to the following restrictions upon their use and occupancy as fully and effectively to all intents and purposes as if the same were contained and set forth in each deed of conveyance or mortgage that the undersigned or their successors in interest may hereinafter make for any of said lots and that such restrictions shall run with the land and with each individual lot thereof for the length of time and in all particulars hereinafter stated, to-wit:

1. Any dwelling that shall be erected on any lot, other than a corner lot, shall have a minimum setback from the front of the lot line of 25 feet as indicated on the plat. For any dwelling that shall be erected on a corner lot, the short lot frontage length shall be considered the lot frontage and have a setback of 25 feet, while the long lot frontage length shall be considered the side frontage and have a setback of 20 feet. No building shall be erected nearer to an interior sideline than 5 feet nor shall the combined interior sideyard distances for each lot be less than 10 feet.

2. Although lots in said Addition may be split or divided in any fashion to provide for more lot area when added to an adjoining lot, no dwelling shall be built or maintained on any partial lot unless said partial lot is combined with an adjoining lot or partial lot so that the resulting lot has no less frontage than the smallest lot as indicated on the plat.

3. No buildings or structure not attached to the original structure shall be constructed upon any lot or combination of lots in this subdivision, with the exception of a gazebo which has been approved in accordance with Paragraph 21 hereof. Sheds may be permitted but only if size, design, and materials are approved in writing by the developer. After completion of all houses in the plat, approval for a shed not previously approved by the developer shall be approved by the Association.

4. No trailer, basement, tent, shack, garage or barn erected in said Addition shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted on any lot in said Addition.

5. Midwest Development Co. shall construct only one-and two-family dwellings on the lots in this subdivision. One-unit bi-attached dwellings (two-family dwellings) may be constructed on Lots 1 through 10 in this subdivision. One-family dwellings shall be constructed on Lots 11 through 53.

6. No single family dwelling shall be constructed, permitted or occupied on any lot herein having square footage floor space, designed, intended and constructed for living quarters, which space shall not include cellars, attics, garages, breezeways, porches, stoops, and other such non-living areas, of less than the following requirements:

- A. 1,200 square feet for single story houses.
- B. 1,200 square feet for split level houses.
- C. 1,300 square feet for two-story houses.

- D. Each single family residence shall have a minimum of a two-car attached garage with a minimum of 400 square feet.

7. No one-unit bi-attached dwellings (two-family condominiums) shall be constructed, permitted or occupied on any lot herein having square footage floor space, designed, intended and constructed for living quarters, which space shall not include cellars, attics, garages, breeze ways, porches, stoops, and other such non-living areas, of less than 1,300 square feet per side; two-car attached garages with minimum of 400 square feet. The center line and the dividing wall of the one-unit bi-attached dwelling built on a lot as set forth herein shall be built on the center line of the lot in question. Each owner of a bi-attached dwelling in one-unit bi-attached dwellings (two-family condominiums) property shall be bound and governed by the following requirements:

- A. Each owner shall be solely responsible for the maintenance, repair of the center or common wall (hereinafter "dividing wall") constructed between the two units, including fireproof sheetrock, and adjacent structure on the property owned by that owner, including the roof, foundation and sidewalls, on that owner's side of the dead air space in the dividing wall in accordance with the accepted construction methods and in compliance with all applicable building codes and ordinances, including but not limited to the fire code requirements of the City of Cedar Falls. Each owner shall be responsible for one-half of any required maintenance or repair of the common foundation wall, common area of the dividing wall and common area of the roof, and all such maintenance and repair shall be done in a workmanlike fashion. Neither owner shall make any modification to or allow deterioration of, the walls, foundations, roof or building on that owner's side of the dividing wall, which would create a fire hazard or diminish the fireproofing or structural integrity of the one-unit bi-attached dwelling as a whole.
- B. If either owner fails or refuses to perform its duties as set forth in this Paragraph 7 of the Deed of Dedication, the other party, may, upon thirty (30) days' written notice, undertake to perform that maintenance or repair at that owner's own expense and shall have a right of reimbursement from the other owner for the reasonable cost of that maintenance or repair which may be enforced by the owner in incurring the expense as allowed under Iowa law, through legal action, in which event the defaulting owner shall be liable for all related reasonable attorney's fees and court costs.
- C. Any dispute concerning the interpretation or enforcement of this Paragraph 7 in the Deed of Dedication concerning the enforcement of the provisions of one-unit bi-attached dwellings shall be submitted for mediation upon the written request of either owner. If the owners cannot otherwise agree on a mediator, each owner shall nominate one mediator and the name of the mediator to conduct the mediation shall be drawn by lot. The cost of mediation shall be assessed one-half to each owner.
- D. In the event of damages to the one-unit bi-attached dwelling, each party shall be required to repair, rebuild his or her half of the one-unit bi-attached dwelling within a reasonable period of time, unless within thirty (30) days of the occurrence of the damages, both owners agree in writing not to repair or rebuild.

The provisions of this paragraph of the Deed of Dedication shall run with the land upon which the one-unit bi-attached dwelling is located and shall be binding on all subsequent owners of the individual one-unit bi-attached dwelling on said lots.

8. The owner of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris. Further, the owner and/or occupant of each lot shall jointly and severally be responsible to keep in good order or to maintain the area between the curblines and the property lines abutting his property including keeping said area free of holes, pitfalls, stumps of trees, fences, brick, stone, cement or other monument-type mail boxes, stakes, post or rods to which a metal, plastic or similar receptacle designed to hold newspapers are affixed, private irrigation or sprinkler systems, retaining walls, landscaping brick, block, stone, timber or other similar material, or any other similar obstructions. Owner shall comply with all requirements of the US Post Office for mail receptacles. All mailboxes shall be clustered or grouped for the units, and shall be placed between the curb line and the property line abutting the lots. The area around said mailboxes shall be kept free and clear by the owner of the lots on which said mailboxes are located. Location of the clustered mailboxes shall be reviewed and approved by the City of Cedar Falls, Iowa.

9. No obnoxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

10. All approaches and driveways in said Addition shall be paved with concrete.

11. No dwelling on any lot in said Addition shall be occupied until the exterior is completed and finished and the interior substantially completed and finished.

12. No old or used buildings shall be moved upon any of the lots in said Addition for any purpose.

13. All electrical distribution lines and service entrances, all telephone lines and services therefor, all cable TV/fiber optic cable and service therefor, and all other utilities of whatever kind or nature shall be installed underground on all lots in said Addition.

14. No dog compound, enclosure, shelter, storage outbuilding, playhouse, or wood pile for firewood shall be constructed, used or maintained within ten feet of any lot line nor shall they exceed eight feet in height on any of said lots. All outbuilding exteriors shall be approved by the developer in writing prior to start of construction.

15. A perpetual easement is reserved along the lot lines of said lots as shown by the recorded plat for storm water drainage and utility installation and maintenance. There shall be no fences, buildings, large plantings or other obstructions upon or under the property covered by these easements, so that access is available for any equipment and/or persons necessary for the construction, reconstruction or maintenance of said utilities and/or drainage ways.

16. No radio station or short-wave operators of any kind shall operate from any lot which shall cause interference with audio or visual reception upon any other lot. Antennas are permitted if attached to the structure and do not extend more than eight feet above the peak of the home. All other antennas, satellite TV dishes in excess of 24 inches in diameter, poles for radios, and windmills are prohibited.

17. No motor home or recreational vehicle, trailer of any kind, whether camping, boat, house, utility or otherwise, shall be parked or kept for more than a 48 hour period on any street, driveway or on the lot in said Addition. Any such vehicle must be stored inside the garage.

18. No bus, semi-tractor, trailer or truck of any kind, except what is commonly described as a "pickup truck", shall be kept or parked on any lot or street in said Addition; provided, however, that this prohibition shall not apply to such vehicles driven in said Addition in pursuit of and in conducting their usual business.

19. No shrubs or trees shall be planted so as to infringe upon adjoining property lines based on maximum expected growth and shall be maintained so as not to infringe.

20. Each person or entity who is a record owner of a fee or undivided fee interest in any lot shall be a member of the Association to be known as The Arbors Neighborhood Association. This shall not be construed to include persons or entities who hold an interest merely as security for the performance of an obligation. There shall be one vote per lot and each lot owner shall be a member of the Neighborhood Association. Membership shall be appurtenant to and may not be separated from ownership of any lot; ownership of such lot shall be the sole qualification of membership.

The purpose of The Arbors Neighborhood Association shall be to maintain the common areas and green spaces of the entire development, including but not limited to the multiple Tract A's marked as storm water management areas and signage to be developed, and such other activities as set forth in the Articles of Incorporation and Bylaws of the Association. Such ownership and maintenance shall include, but not be limited to, mowing, watering, including upkeep of any underground sprinkler system, and maintenance of common areas. Initially, the developer, Midwest Development Co. shall perform the actual construction duties to establish the common areas, green spaces, entrance and surrounding access area as to their lots. The homeowner's responsibility for these areas shall begin when the developer, Midwest Development Co. notifies the Neighborhood Association that they are turning over the responsibility of those areas to the Neighborhood Association.

Developers hereby grant to the City of Cedar Falls, Iowa, a twenty (20) foot access easement to the multiple Tract A's for the purpose of inspection and enforcement of any city code or ordinance provisions governing the maintenance of the storm water management areas designated as Tract A. No fences, detached buildings, equipment, parking, vegetation (scrubs, trees and bushes) or any other form of obstruction shall be allowed in said access easement.

Developers and Cedar Falls Community School District have entered in an agreement governing the management and maintenance of Tract A Storm Water Management Area 1.42 acres as set forth in the Plat of this subdivision. That agreement shall govern the responsibilities of the Developer and when transferred, The Arbors Neighborhood Association, as well as the Cedar Falls Community School District, with respect to the management and maintenance of Tract A Storm Water Management Area 1.42 Acres.

The annual dues for the Association shall initially be set at \$100.00 per lot per year beginning January 1, 2020. The Association shall have the ability and authority to adjust annual dues as it deems appropriate to carry out the maintenance duties described above. The developer, Midwest Development Co. shall have no responsibility for annual association dues.

21. No building or structure shall be erected or placed on any lot in this subdivision until the building plans, and plot plan, showing all buildings, fences, patios, and pools, and showing the location thereof, and side yard distances, rear yard distances, front yard distances, driveways, and walkways, and type of construction have been approved in writing as to conformity and harmony of external design and quality workmanship and materials with existing structures in the subdivision by Midwest Development Co.

22. All of the provisions hereof shall be enforceable by appropriate legal proceedings by any present or future owner of the legal or equitable title to any lot in said subdivision. Invalidation of any one or more of the within restrictions by judgment or decree of court shall not be regarded as affecting the validity of any of the other provisions hereof, nor shall any judicial determination with respect to any of the restrictive provisions hereof be regarded as affecting the validity or sufficiency of this instrument as a deed of dedication of said plat, all of which such other provisions shall remain in full force and effect.

23. The undersigned and all persons and corporations hereafter requiring any right, title or interest in any of the lots in said subdivision shall be taken and held to have agreed and covenanted with the owners of all other lots in this subdivision and with the respective successors and assigns of all of the rest of such other lots to conform to and observe all of the foregoing covenants, restrictions and stipulations as to the construction of building thereon for a period of twenty-one (21) years from the date of filing of said plat and this deed of dedication for record. Within the period of twenty-one (21) years and in accordance with Iowa Code Chapter 614.24 and 614.25 (2019 Code of Iowa) or their successor provisions, these covenants, restrictions and stipulations shall be automatically extended for an additional period of twenty-one (21) years upon compliance with Chapter 614.24 and Chapter 614.25 of the 2019 Code of Iowa. In the event an extension of the covenants, restrictions and stipulations is not filed within the period of twenty-one (21) years or successive 21-year period, then the covenants, restrictions and stipulations contained herein shall terminate at the end of the existing period of twenty-one (21) years.

24. If the parties hereto or any of them or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein, it shall be lawful for any other person or persons owning property in said Addition to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions and for the purpose of preventing such acts or to recover damages for such violation, or both, and for costs and reasonable attorney's fees as determined by the Court and not the statute.

25. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that two dogs or cats maximum, or other household pets are allowed and then only if they are not kept, bred or maintained for any commercial purposes. Such animals shall be kept under control so as not to constitute a public nuisance and must be kept in compliance with applicable zoning laws and regulations of the City of Cedar Falls, Black Hawk County, Iowa.

26. Upon the sale of a lot, owner shall take responsibility for any erosion control issues, certifications and/or requirements of the Iowa Department of Natural Resources.

27. All buildings erected on any lot in said Addition shall be constructed in accordance with the Building, Plumbing and Electrical Codes of the City of Cedar Falls, Iowa.

PUBLIC IMPROVEMENTS REQUIRED BY PLAT

The undersigned do hereby dedicate and set apart to the public and for the public's use all streets shown and laid out on the attached plat, subject to the easements set forth herein, and do further agree as follows:

- A. Midwest Development Co. shall with respect to the streets shown on the attached plat, Tract A Ridge Road, Tract A, Timber Cove Drive, and Tract A Maple Grove Drive, will be brought to City grade and will be thirty-one (31) feet, back of curb to back of curb; all said streets with approved hard surface pavement in accordance with City of Cedar Falls, Standard Specifications.
- B. That sanitary sewer, together with the necessary manholes and sewer service lines to all lots in the plat, will be provided.
- C. That underground utilities, as required by the Subdivision Ordinance of the City of Cedar Falls, Iowa, shall be installed.
- D. That the city water will be provided to all lots as required by the Cedar Falls Municipal utilities.
- E. That municipal fire hydrants will be provided as required by the Cedar Falls Public Safety Department.
- F. That storm sewer will be provided as specified by the City Engineer.
- G. That handicap ramps will be provided as required by law.
- H. That as to the other lots, a four (4) foot wide concrete sidewalk four (4) inches thick and a concrete surface or hard surface entrance will be installed during or immediately after the construction of the residence on any particular lot, or within five (5) years after the date the plat is filed in the office of the Recorder of Black Hawk County, whichever is sooner and that the sidewalk be across the full length of the lot and on corner lots also, across the parking and full length of the lot. In the event that the City is required to construct the sidewalk as permitted by subparagraph J, a lien or liens may only be imposed against the lot or lots which require city construction and no others in the subdivision.
- I. That the work improvements called for herein shall be in accordance with the specifications of the City of Cedar Falls, Iowa, and performed under the supervision of the City Engineer. In the event that the developer, Midwest Development Co., its grantees and assigns fail to complete the work and improvements called for herein within one (1) year from the date of the acceptance of said final plat by each developer by the City of Cedar Falls, Iowa, the City may then make the improvements and assess the costs of the same to the lots owned and platted by the developer. The undersigned, for themselves, their successors, grantees and assigns, waive all statutory requirements of notice of time and place of hearing and agree that the City may install said improvements and assess the total costs thereof against the respective lots.

- J. That the City may perform said work, levy the cost thereof as assessments, and the undersigned agree that said assessments so levied shall be a lien on the respective lots with the same force and effect as though all legal provisions pertaining to the levy of such special assessments have been observed, and further authorize the City Clerk to certify such assessments to the County Auditor as assessments to be paid in installments as provided by law.

- K. The subdivision plat, to conform with approved construction plans which meet the specifications of the City of Cedar Falls, Iowa. Such required public improvements shall meet the following requirements:
 - (a) Shall be constructed and installed in a good and workmanlike manner;
 - (b) Shall be free of defects in workmanship or materials;
 - (c) Shall be free of any conditions that could result in structural or other failure of said improvements;
 - (d) Shall be constructed and installed in accordance with the design standards and technical standards established for such public improvements by the City and by Cedar Falls Utilities;
 - (e) Shall be constructed and installed in strict compliance with the minimum acceptable specifications for the construction of public improvements set forth in the Cedar Falls Code of Ordinances, including without limitation, Chapter 24, Subdivisions, and as such specifications shall be recommended for approval by the City Engineer from time to time, and approved by the city council.

28. The developer, Midwest Development Co., states:

- A. That this plat and development shall comply with the R-P Planned Residential Zoning District Classification Regulations.

29. Notwithstanding anything contained in the Deed of Dedication to the contrary, any assessment made under the Deed of Dedication shall not be a lien against any property described herein unless and until the City of Cedar Falls records with the Black Hawk County Recorder a "Notice of Assessment Lien" which notice shall describe the property against which the lien attaches in the amount of said lien.

30. All subsequent owners of lots in the subdivision shall be obligated to meet any requirements imposed by the Commissioners of the Black Hawk County Conservation District or any other governmental agency, by the authority of Chapter 161A, Code of Iowa, pertaining to soil erosion control plans for certain land distributing activities. This covenant shall be perpetual and not be governed by the provisions of Paragraph 23 of this Deed of Dedication.

SIGNED and DATED this _____ day of _____, 2020.

MIDWEST DEVELOPMENT CO.

By _____
Kevin Fittro, Vice President

STATE OF IOWA)
) ss
COUNTY OF BLACK HAWK)

This instrument was acknowledged before me on _____, 2020, by Kevin Fittro as Vice President of Midwest Development Co.

Notary Public in and for the State of Iowa

January 10, 2020

Mr. David Sturch
City of Cedar Falls
220 Clay Street
Cedar Falls, IA 50613



RE: The Arbors Preliminary Plat
Cedar Falls, IA
CGA PN: 5622

Dear Mr. Sturch,

The Arbors is a housing development in Cedar Falls. Currently three additions of the development have been approved. The developer seeks to change the density of the remaining land through a Preliminary Plat amendment.

Excluding the existing platted lots, the current Preliminary Plat includes 111 total lots on the remaining portion of the development. Midwest Development, LLC seeks to amend the Preliminary Plat to include 194 lots. This increase is mostly due to the change of approximately 16 single family homes into 16 townhouse units. Other changes from the original Preliminary Plat include a reduction in frontage for single family homes.

A storm water plan an environmental study are currently on file.

Attached to this Cover letter are:

- Updated Preliminary Plat map
- Updated Homeowner Association documents
- Application
- List of Neighbors
- Legal Description

Thank you for your assistance and consideration on this project. We hope you and the Planning & Zoning Commission will look favorably upon this amendment.

Best Regards,

Nick Brewer
Project Engineer
CGA Engineers



DEPARTMENT OF COMMUNITY DEVELOPMENT

PLANNING & COMMUNITY SERVICES
 220 CLAY STREET
 PH: 319-273-8606
 FAX: 319-273-8610

INSPECTION SERVICES
 220 CLAY STREET
 PH: 319-268-5161
 FAX: 319-268-5197

RECREATION & COMMUNITY PROGRAMS
 110 E. 13TH STREET
 PH: 319-273-8636
 FAX: 319-273-8656

**VISITORS & TOURISM/
 CULTURAL PROGRAMS**
 6510 HUDSON ROAD
 PH: 319-268-4266
 FAX: 319-277-9707

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Jaydevsinh Atodaria (JD), Planner 1
 Karen Howard, Planning & Community Services Manager
DATE: April 14, 2020
SUBJECT: Right-of-Way Vacation Request - Prairie Parkway

REQUEST: Street Right-of-Way Vacation for a portion of Prairie Parkway
 (Case #VAC19-003)

PETITIONER: Western Home Communities, Inc.

LOCATION: 21,995 sq. ft. of public right-of-way located at the south west corner of Prairie Parkway and Prairie View Road roundabout.

PROPOSAL

Western Home Communities has requested a vacation of 21,995 sq. ft. of public right-of-way located near the southwest corner of Prairie Parkway and Prairie View Road. Vacation of the right-of-way will allow the petitioner to install an entranceway sign in a location that is more visible to travelers along Prairie Parkway. If vacated and conveyed to Western Homes, the additional land will be combined with the petitioner's holdings to the west (Tract "E" of Western Home Communities Seventh Addition). Petitioner understands that the City will retain easements for existing drainage and utilities that are located within the eastern 30 feet of the portion of right-of-way proposed for vacation.

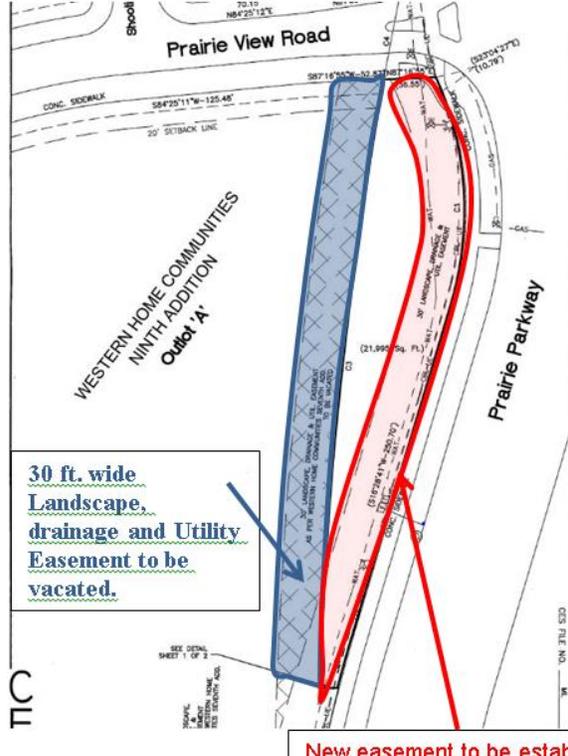
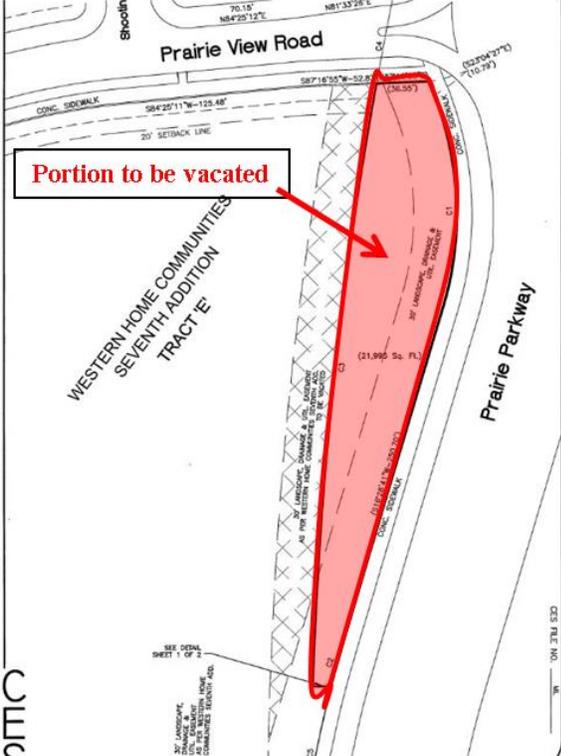
BACKGROUND

A vacation plat is attached to this report, which indicates the area requested for vacation. This portion of Prairie Parkway was conveyed to the City by the Oster Family Limited Partnership via an acquisition plat, which was recorded on 7th April, 2014. A roundabout was constructed in this area at the intersection of Prairie Parkway and Prairie View Road, which due to the roadway design resulted in excess right-of-way on the western edge of Prairie Parkway south of the intersection. A 30 ft. wide landscape, drainage and utility easement parallels the west line of the current right-of-way. However, no utilities are located in this area, so an easement is not needed as is proposed to be vacated as well. A 10-foot wide utility easement will also need to be established along Prairie View Road at the north end of the area to be vacated.

ANALYSIS

In considering a right-of-way vacation, City staff analyzes several factors:

- 1. Is the right-of-way needed for public use?
As shown in the images below, there is a public sidewalk located along Prairie Parkway that provides for pedestrian and bicycle movement along the corridor. This should be retained at right-of-way, however, the remainder of the land to the west is not needed for traffic, pedestrian, or bicycle movement.
- 2. Is the right-of-way needed for access to private property?
Vacating this portion of the right-of-way will not block any future anticipated driveway access to Prairie Parkway, since driveway access points were established at the time the roadway was built and no additional driveways will be allowed in this area. The property that abuts the right-of-way to the west will be provided access to the public street network via Prairie View Drive.
- 3. Are there any utilities within the right-of-way that will need to be retained?
The City and CFU do have utilities located along the roadway. Therefore, if the vacation is approved and land conveyed to Western Home Communities, an easement should be established to protect these utilities. The proposed 30 foot utility easement is shown on the attached vacation plat and highlighted red in the illustration on the right, below. The current easement shown in blue would be vacated. A 10-foot utility easement will also need to be established along Prairie View Road at the north end of the area to be vacated. This is not delineated in the attached right-of-way vacation plat and so will need to be corrected prior to City Council consideration.



TECHNICAL COMMENTS

The City's Technical Review Committee does not have any concerns or objections with the proposed right-of-way vacation, provided an easement is established to protect the public utilities along the street corridors as noted in the staff report.

STAFF RECOMMENDATION

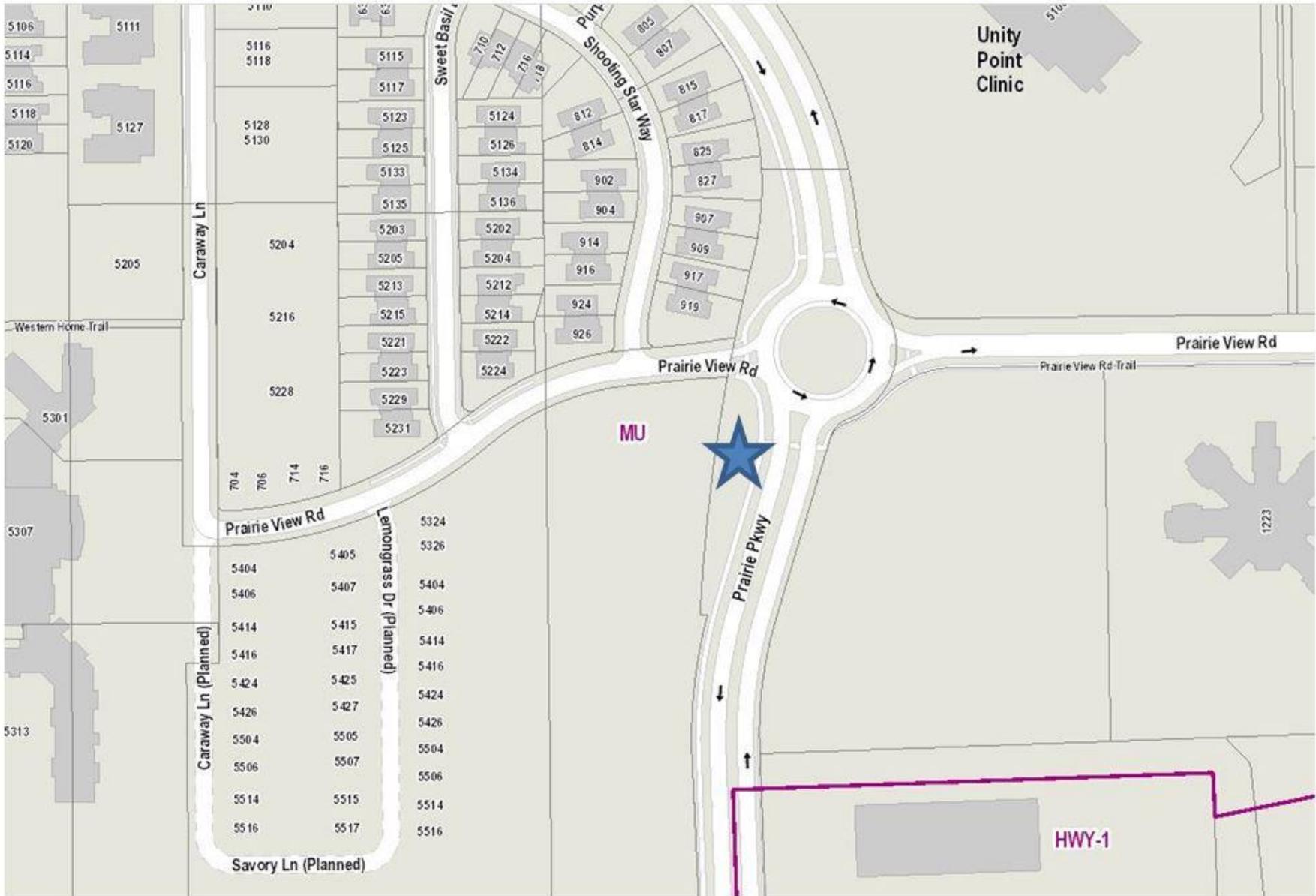
The Community Development Department recommends approval of the proposed right-of-way vacation, subject to the following conditions:

1. A 30 feet wide landscape, drainage and utility easement is established in the vacated portion as shown on the attached vacation plat.
2. A 10-foot utility easement is established along Prairie View Road.

PLANNING & ZONING COMMISSION

Discussion
4/22/2020

Attachments: Location Map
 Right of Way Vacation Plat



For County Recorder's use.

INDEX LEGEND

General Description: Part of the SW 1/4, Section 30-T89N-R13W,
 Surveyor: David L. Scheil (#16775)
 Surveying Company: Wayne Claassen Engineering & Surveying, Inc.
 2705 University Avenue (P.O. Box 898)
 Waterloo, Iowa 50704
 (319)235-6294
 Survey Requested By: Western Home Communities
 Proprietor: Cedar Falls

RIGHT-OF-WAY VACATION PLAT

Part of Prairie Parkway

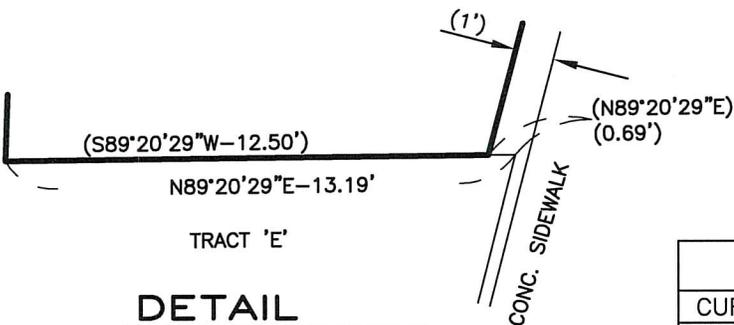
SHEET 1 OF 2

LEGAL DESCRIPTION

Right-of-Way Vacation, part of Prairie Parkway

That part of the Southwest Quarter (SW 1/4) of Section Thirty (30), Township Eighty-nine North (T89N), Range Thirteen West (R13W) of the Fifth Principal Meridian, Cedar Falls, Black Hawk County, Iowa, described as follows:

Beginning at the Northeast corner of Tract "E", Western Home Communities Seventh Addition; thence N87°16'55"E Thirty-six and Fifty-five Hundredths (36.55) feet along the Easterly extension of the North line of said Tract "E"; thence S23°04'27"E Ten and Seventy-nine Hundredths (10.79) feet; thence Southerly One Hundred Fifty-three and Eighty-two Hundredths (153.82) feet along the arc of a curve concave Westerly having a radius of Two Hundred Thirty-three and Ninety-eight Hundredths (233.98) feet and a chord of One Hundred Fifty-one and Seven Hundredths (151.07) feet which bear S02°21'10"E; thence S16°28'41"W Two Hundred Fifty and Seventy Hundredths (250.70) feet; thence Southerly Thirty-one and Thirty-seven Hundredths (31.37) feet along the arc of a curve concave Easterly having a radius of Eight Hundred Sixty-six (866.00) feet and a chord of Thirty-one and Thirty-seven Hundredths (31.37) feet which bears S15°26'25"W to the East line of aforesaid Tract "E"; thence S89°20'29"W Twelve and Fifty Hundredths (12.50) feet along said East line; thence Northerly Four Hundred Thirty-two and Sixty-three Hundredths (432.63) feet still along said East line and along the arc of a curve concave Easterly having a radius of Three Thousand Fifty-three (3053.00) feet and a chord of Four Hundred Thirty-two and Twenty-seven Hundredths (432.27) feet which bears N05°58'44"E to the point of beginning containing 21,995 square feet.



**DETAIL
NO SCALE**

CURVE TABLE					
DIMENSIONS IN FEET					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD B.
C1	(153.82)	(233.98)	(37°40'00")	(151.07)	(S02°21'10"E)
C2	(31.37)	(866.00)	(2°04'33")	(31.37)	(S15°26'25"W)
C3	(432.63)	(3053.00)	(08°07'09")	(432.27)	(N05°58'44"E)
	432.63	3053.00	08°07'09"	432.27	S05°58'44"W
C4	73.25	3053.00	01°22'29"	73.25	S10°43'34"W

CES FILE NO. ML

CSJCS



CERTIFICATION

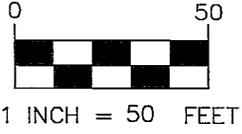
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Signature: David L. Scheil, P.L.S.
 Date: MARCH 21, 2019 License No. 16775
 Pages or Sheets Covered by this Seal: 2
 My license renewal date is December 31, 2020

RIGHT-OF-WAY VACATION PLAT

SHEET 2 OF 2

Part of Prairie Parkway
Part of the SW 1/4, Section 30-T89N-R13W,
Cedar Falls, Black Hawk County, Iowa
Survey for: Western Home Communities
Proprietor: Cedar Falls



Shooting Star Way

N05°34'48"W
0.24'

70.15'
N84°25'12"E

73.36'
N81°33'26"E

Prairie View Road

S87°16'55"W-52.87' N87°16'55"E

(S23°04'27"E)
(10.79')

CONC. SIDEWALK

S84°25'11"W-125.48'

20' SETBACK LINE

(36.55')

30' LANDSCAPE, DRAINAGE & UTIL. EASEMENT
C1

WESTERN HOME COMMUNITIES
SEVENTH ADDITION
TRACT 'E'

(21,995 Sq. Ft.)

30' LANDSCAPE, DRAINAGE & UTIL. EASEMENT
AS PER WESTERN HOME COMMUNITIES SEVENTH ADD.
TO BE VACATED
C3

(S16°28'41"W-250.70')
CONC. SIDEWALK

Prairie Parkway

SEE DETAIL
SHEET 1 OF 2

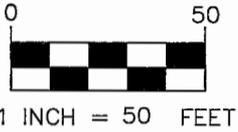
30' LANDSCAPE,
DRAINAGE &
UTIL. EASEMENT
AS PER WESTERN HOME
COMMUNITIES SEVENTH ADD.
C5



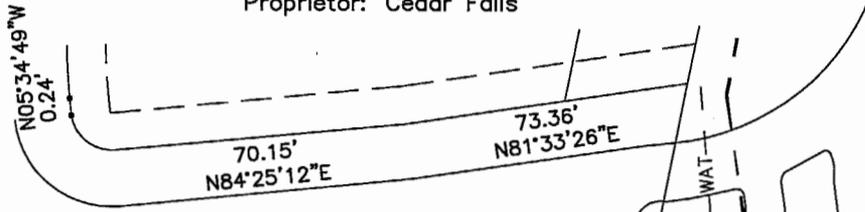
RIGHT-OF-WAY VACATION PLAT

SHEET 2 OF 2

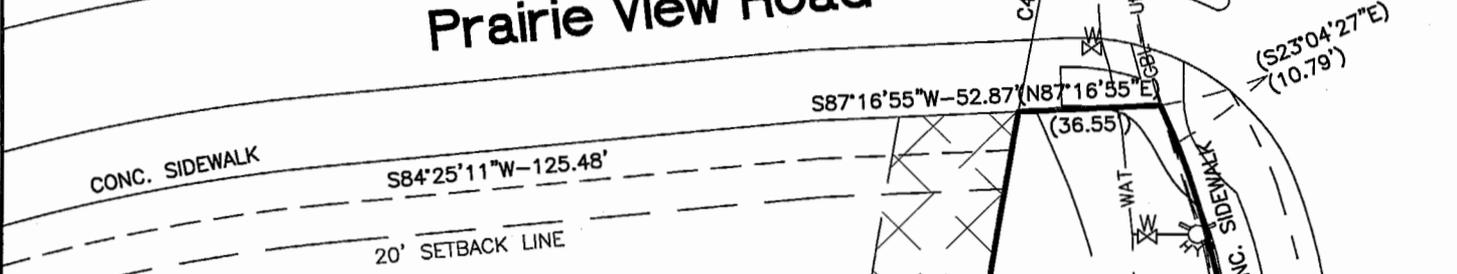
Part of Prairie Parkway
Part of the SW 1/4, Section 30-T89N-R13W,
Cedar Falls, Black Hawk County, Iowa
Survey for: Western Home Communities
Proprietor: Cedar Falls



Shooting Star Way



Prairie View Road



WESTERN HOME COMMUNITIES
NINTH ADDITION
Outlet 'A'

SEE DETAIL
SHEET 1 OF 2

30' LANDSCAPE,
DRAINAGE &
UTIL. EASEMENT
AS PER WESTERN HOME
COMMUNITIES SEVENTH ADD.

30' LANDSCAPE, DRAINAGE & UTIL. EASEMENT
AS PER WESTERN HOME COMMUNITIES SEVENTH ADD.
TO BE VACATED

30' LANDSCAPE, DRAINAGE &
UTIL. EASEMENT

Prairie Parkway

CES FILE NO. _____ ML

