

Prepared by: Kevin D. Olson, 1400 5<sup>th</sup> Street, Coralville, Iowa 52241 (319) 351-2277  
Return to: City of West Branch, 110 Poplar Street, West Branch, Iowa 52358 (319) 643-5888

RESOLUTION NO. 1842

RESOLUTION APPROVING AN AMENDMENT TO THAT CERTAIN SUBDIVIDER'S AGREEMENT FOR THE MEADOWS SUBDIVISION, PART FOUR, WEST BRANCH, IOWA.

WHEREAS, KLM Investments, LLC (the "Subdivider") and the City of West Branch (the "City") entered into to that certain Subdivider's Agreement (the "Agreement") recorded in Book 1452 at Page 262, Records of the Cedar County Recorder's Office; and

WHEREAS, the Subdivider and City entered into the Agreement as part of the approval of the Preliminary Plat of The Meadows Subdivision, Part Four (the "Subdivision"); and

WHEREAS, the Subdivider has decided to only final plat a portion of the Subdivision, said final plat being referred to as "The Meadows Subdivision, Part 4A"; and

WHEREAS, in order to ensure that marketable title can be given for the lots in The Meadows Subdivision, Part 4A, the Agreement will need to be amended to reflect the new lot numbering and configuration; and

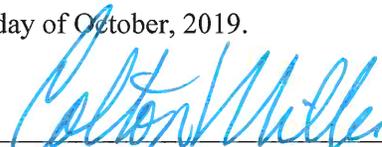
WHEREAS, the City Attorney has drafted a proposed Amendment that requires approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned Amendment be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor Pro-tem and City Clerk are directed to execute the Amendment on behalf of the City and place this Resolution, along with the Amendment, on file in the Office of the Cedar County Recorder.

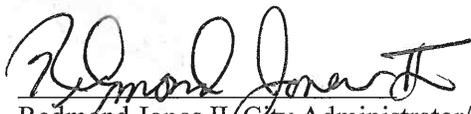
\* \* \* \* \*

Passed and approved this 7<sup>th</sup> day of October, 2019.

  
Colton Miller, Mayor Pro-tem



ATTEST:

  
Redmond Jones II, City Administrator/Clerk

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Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277  
Return to: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

AMENDMENT TO THAT CERTAIN SUBDIVIDER'S AGREEMENT BY AND BETWEEN  
THE CITY OF WEST BRANCH, IOWA AND KLM INVESTMENTS, LLC FOR THE  
MEADOWS, PART FOUR, WEST BRANCH, IOWA

REFERENCE is hereby made to that certain Subdivider's Agreement (the "Agreement") recorded in Book 1452 at Page 262, Records of the Cedar County Recorder's Office, by and between the City of West Branch, Iowa (the "City") and Meadows Development, Inc. (the "Subdivider").

WHEREAS, the Subdivider and City entered into the Agreement as part of the approval of the Preliminary Plat of The Meadows Subdivision, Part Four (the "Subdivision"); and

WHEREAS, the Subdivider has decided to only final plat a portion of the Subdivision, said final plat being referred to as "The Meadows Subdivision, Part 4A"; and

WHEREAS, in order to ensure that marketable title can be given for the lots in The Meadows Subdivision, Part 4A, the Agreement will need to be amended to reflect the new lot numbering and configuration; and

WHEREAS, to that end, the parties desire to amend the Agreement.

NOW, THEREFORE, the parties agree as follows:

1. The Subdivider in this Amendment shall now be "Meadows Development, Inc.," in place of "KLM Investments, LLC."
2. Section 1 of the Agreement is hereby amended by removing reference to "a 29-foot PCC Street known as Gilbert Drive."
3. Section 2 of the Agreement is hereby amended by removing reference to "The Meadows Subdivision, Part Four" and replacing it with "The Meadows Subdivision, Part 4A."
4. Section 11 is hereby amended by deleting it in its entirety and replacing it with the following:

"The parties expressly agree that the zoning for the Subdivision is as follows:

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Lots 1-3	RB-1	Residence/Business District
Lots 4-16	R-1	Single Family Residential District
Lots 17-20	R-2	Two Family Residential District
Lots 21-28	R-1	Single Family Residential District"

5. Section 14 is hereby amended by deleting all reference to "Lots 16 and 17," and replacing it with "Lots 27 and 28."

6. In all other aspects except as outlined in Sections 1-5 of this Amendment, the Agreement shall remain in full force and effect.

Dated this 23rd day of October, 2019.

CITY:

Roger Laughlin  
 Roger Laughlin, Mayor

SUBDIVIDER:

Chris Kofoed  
 Chris Kofoed, Vice-President and Treasurer

ATTEST:

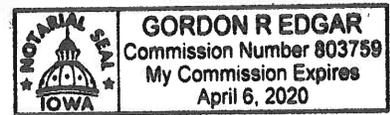
Leslie Brick  
~~Redmond Jones II, City Administrator~~ Clerk  
 Leslie Brick, Deputy City

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this 23rd day of OCTOBER, 2019, by Roger Laughlin and Redmond Jones II, as Mayor and City Clerk respectively of the City of West Branch, Iowa.



Gordon R. Edgar  
 Notary Public



STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on this 21st day of October, 2019, by Chris Kofoed, as Vice-President and Treasurer of Meadows Development, Inc.

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*Leslie Brick*

Notary Public



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