



**Eldridge Board of Adjustment
June 18, 2026, 5:00 p.m., Eldridge City Hall**

Minutes

The Eldridge Board of Adjustment meeting was called to order by Karl Donaubaauer at 5:00 p.m. at Eldridge City Hall on June 18, 2026. Board members present were Karl Donaubaauer, Dean Ferguson, Paul Hayungs and Eric Gruenhagen. Bob Kuehl was absent. Also present were Jeff Martens, Brian Dockery, Allison Wright, Ashley Atkins, Rich Thiede, Kyle Thiede, Jason Foust, Bob Zalloway, Bill Raap, Cindy Raap, Joy Bush, Brian Bush, Michael Bristly and Ron Iossi.

Ron Iossi presented Karl Donaubaauer with a petition in opposition to Atkins request signed by 15 residents on Muhs Circle (attached).

The minutes from the meeting on April 2, 2025, were presented for approval. A motion was made by Hayungs to approve the minutes, seconded by Gruenhagen. Motion carried 4-0 by voice vote.

Donaubaauer reviewed the ground rules for Public Hearings with those present. Hayungs motion to open the public hearing and Ferguson seconded it. Motion carried 4-0. Donaubaauer called the Public Hearing to order at 5:01 p.m. and asked Martens to present an overview of the request.

Martens stated that Ms. Atkins has submitted a variance application to vary the concrete approach and all-weather surface driveway requirement for her newly constructed home at 880 S. 1st Street and the application states that this is due to pending litigation against the deed holder of 850 S. 1st Street. There was also a screen shot submitted of the property.

Donaubaauer asked Atkins if she had anything to add and she stated she wasn't really sure why she was here and that it was an administrative requirement. She handed out a packet of information that she requested to be added to the record of the meeting (attached) and then read that information to the board. She then asked Donaubaauer to let her know what to do to get a certificate of occupancy. Martens stated that the reason we are here tonight was because Atkins requested a variance to the requirements for all-weather surface driveway and concrete approach and Atkins said that she was not requesting that variance at all. Martens stated that was what her application stated and that was what was posted on the agenda. He said that was the only thing that the board could make a ruling on because that was what was noticed to the public because that was what Atkins put on her application. Atkins stated she was not here to get a variance she was here to get a certificate of occupancy. Atkins wanted to know what the administration wanted her to do to get a certificate of occupancy that was currently being withheld. Martens stated that he had sent Atkins and her contractor an email prior to the application being submitted to the BOA letting them know that the only remaining requirements were a concrete approach, an all-weather surface driveway and vegetation. Atkins replied exactly, would you put in writing where you would like us to put that all-weather surface.

Eric Gruenhagen

Karl Donaubaauer
Dean Ferguson

Paul Hayungs
Bob Kuehl

Martens referred to the approved plan in the agenda packet and stated that this is where the approved plan shows it would go. Atkins then referred to a plan she brought with her from 2021 that showed the ag building connecting to the access easement. Martens stated he wasn't here in 2021. Atkins stated that was the approved site plan for the ag building. Donaubaauer asked about the site plan for the house and said Atkins had a site plan connecting directly from her house to S. 1st Street. Foust stated they were forced to do that because [Martens] would not issue a permit based upon the previous plan that they had turned in in 2021. He said [Martens] stated that plan was never approved but the building was permitted and closed without an approved site plan. He said [Martens] wouldn't approve a permit based on that plot plan and made them change it to get a permit and that was fine because he was willing to do whatever was required. Foust stated what wasn't fair was that since the access easement is in litigation the City is going to force [Atkins] to pay \$20,000 to put in a hard-surface driveway when after litigation she could win the right to use that access easement. And then she would have a \$20,000 driveway that is no longer necessary. Foust said he would put in a driveway from 1st Street to wherever his problem is doing it if they have the right to use the access easement. Wright stated that for the purposes of tonight there is an application for a variance and that is the only issue that was properly noticed up that can be decided so litigating private property dispute, she gets what Foust is saying, but there is no outcome where [the board] is going to give them a ruling on something that is currently in litigation and a judge will give them a ruling. Atkins stated that the City can't withhold occupancy based on a civil issue either. Foust stated [Martens] told them they had to submit a variance request for temporary occupancy so that's why they are here. Martens stated that yes, he did say to request temporary occupancy from this board and that is not what the application said. Atkins stated she reached out to Martens and told him this doesn't make sense because it doesn't meet the requirements for a variance. Atkins stated that the City has her in an administrative headlock and that two years ago she was in front of this board and Donaubaauer instructed Martens not to get involved because this was a civil issue. Atkins stated she has had building permits denied for two years because of this access easement. She stated Martens would only approve a site plan that connected to 1st Street. She stated her driveway and the Muhs Circle driveway don't meet city or state requirements. She said this is five years that she has been dealing with this. She stated Donaubaauer told her at the last meeting that it wasn't for this administration to hold up previous plot plans and he signed that plot plan. She said that Donaubaauer knows there is a due process to take away or change plot plans. Atkins referenced state code she showed Martens two years ago, 354.19 she believed, and Martens still denied a building permit. Atkins stated they issued the plot plan just showing S. 1st Street and that was the plot plan Martens was referencing now. Foust stated he was just here because he wants occupancy was told to request a variance on a hard-weather surface driveway. He said they want to get Ashley into the house and this has been delayed and the house has been done for 36 days. Foust said he has been building houses for 25 years and has seen people move into houses with far more needing to be done than [Atkins] house. He said if this board can grant her temporary occupancy but won't because that wasn't on the sheet that seems ticky-tacky to him. He said he wants to get [Atkins] into her house and they will do whatever needs to be done after litigation is done. Aktins said or tell me to put in a driveway from the house to the access easement based on all the legal documents she has presented that night. Unknown person from audience asked if there any notice provided to Atkins that she might not get an occupancy certificate when she got her building permit? Martens stated that Atkins was told that a concrete approach and all-weather surface were required prior to building the house. Wright stated that it is also in the approved plans. Person in audience asked if it was stated where that driveway was supposed to go to. Martens said no that is what the site plan is for. Atkins then referred to the previous 2021 site plan again. Martens stated he wasn't working here then and doesn't know if that site plan was approved or

not. Atkins stated that it permits were issued so it was approved. Donaubaauer stated they can take comments from proponents of the request. Atkins stated to her neighbors that she is not trying to forgo hard-weather surface requirements she was trying to put one per plot plan and legal documents. That was why she located the shop where it was to cut down on costs. She said it would be a financial burden to put a hard-weather surface all the way to first street. She said if that requirement had been identified prior to the shop going up it might be a different story. She said it is clear by the legal documents that lot 1 and 2 were to share the access easement. Atkins stated she needs to know what needs to happen to move forward and Foust stated she just wants to be able to move into the home she built. Wright asked if the pending litigation was specifically for if Atkins has a legal right to use the access easement. Both Atkins and Foust said that was correct. A member of the audience said he questions if there is even an access easement there. Wright said that was for the court to decide. Wright said this board will not litigate that and the City will not make a decision on that. She said is well disputed and in litigation. To the point that you are saying you were forced to submit a new site plan that was approved that was not the only alternative you could have engaged in litigation at that time and established your legal rights and presented that to the City. Wright said that did not happen. There has been no judge that has made that decision, and the City is not going to stand has the judge and the jury in private property interests or rights. She stated there are requirements for site plans and [Atkins] met them, her plan has been approved more recently, even if the previous plan had been approved the most recently approve site plan will govern. That is the governing document so when you submitted those again that is just the law. Atkins stated that she has many document from Martens over the last two years and no less than six building permit denials and Martens strongarmed her into taking the easement off. She said Martens has seen all of the documents she presented tonight and said no. People talked over each other. Atkins stated that Iowa state code and city code states that you are not to be involved in private deeds and covenants. Martens stated that the code that Atkins is referencing also states that the City will not enforce private deeds and covenants. Wright stated that this is not a question-and-answer format this meeting is for Atkins to establish that she has met the requirements of 15.06 and we need to stick to the requirements of the hearing. Atkins stated that she doesn't meet those requirements. Wright said that sounds like a very easy decision then and that if Atkins has nothing further to state then the board has no other option than to deny her variance. People spoke over each other. Donaubaauer said they will finish up with proponents of the request and then they will get to opponents of the request. Foust state the old farmhouse on Muhs Circle submitted a plot plan to the access easement that was approved. He said he doesn't know what changed between Aktins 2021 plot plan and the 2018 plot plan for that house. He said there was a gravel approach from 1st Street to this house for many years. The City just sent them a letter and made them update it. Martens stated that it is his understanding the certificate of occupancy was issued for that house the same way Atkins was able to build her pole building and after that happened the dispute about the access easement came up. He said that Bristley had hired a lawyer and that lawyer came to the City and pointed out that something had not been recorded properly to identify the access easement. Martens said that he was advised that until there was court ruling on it not to proceed and that's where he is as a staff member. Gruenhagen called for a point of order. He said the proceedings were for a variance and there were a lot of clouds being cast they didn't have the power to rule on it. He said much of this issue was being litigated and the application was for a variance. What the Jones did or anyone else did is neither here nor there. He said his point of order was to stick to the topic at hand. Donaubaauer said he was correct. Donabauer called for opponents to speak and Bristley said he would not speak to the litigation but there was a plot plan submitted and a variance and he thinks that is what the board is here to consider. He said the next trial date was February 28, 2027, regarding this issue. Atkins quoted state code she said applied to the

litigation and said she sent this code to Martens and said there are illegally recorded documents. Rich Thiede said he formerly lived in Eldridge and spoke on behalf of Atkins. He asked the board to honor the predecessors of Eldridge, and he questioned is there even an easement. He said people should be good neighbors and work together. Joy Bush said they live in 151 Muhs Circle and thought they had an easement and when they found out that easement was not in effect they talked to Colin the builder and got a verbal commitment but didn't get anything in writing. When they found that out as homeowners were required to put in a driveway so they could have access off first three years ago and the approach to first they just put in. They thought in needed to be blacktop so didn't put it in when they put in the driveway, but when they got the letter from the City they put it in right away. She said she feels everyone in the City should be held to the same standards and there shouldn't be exceptions made for one property owner over another. Brian Bush said the gravel easement he understood was grandfathered in due to the age of the property but wanted to know if you connect to it if it would require a hard surface. He said it should be required back to where Atkins wants to attach to it. J. Bush addressed Atkins and said she had five years to figure this out. Donaubaauer said it is in court and outside the scope of the City of Eldridge. Iossi it seemed if this went any farther this would just create more friction in the neighborhood. He said the board has already decided that as a board they can't approve the request, at least that is what the legal counsel has said. He said that he felt the developer and realtor were responsible for the issues with Atkins and Bush's properties. He feels they are responsible for this entire thing. He said the developer had an agreement with a prior owner that was never put into law. He said he thinks they should be paying for everything the city is now requiring. He said Atkins submitted a plan in 2025 and was ready willing and able to build a driveway and now she is going to renege and try to use the lane to save some money. He said he understands that but goes back to the deception of the developer. Atkins asked what she is supposed to do now and Wright said she doesn't think the Board of Adjustments will be giving that direction. Donaubaauer agreed he said they need to deal with the item on the agenda.

Gruenhagen made a motion to close the public hearing and Hayungs seconded. Motion carried 4-0. Donaubaauer closed the Public Hearing at 5:40 p.m.

Gruenhagen commented that the law said there has to be an all-weather surface and the courts need to figure out rest. Donaubaauer said that requirements for Standards for Variances in 15.06 were pretty clear that it has to be a hardship opposed in an inconvenience and that it can't have been created by the wording in the ordinance. If we were to approve the variance, we have no idea how this is going to play out in court. Atkins asked if the board had the authority to forego a hard-weather surface in the interim of litigation. Donabauer said that was outside the scope of the board. Wright said the board had the authority to provide a variance from the all-weather surface requirement if all the requirements for a variance are established. Hayungs commented that the board is only able to grant a variance if a hardship has been determined to be had and a court date is not a hardship and there is not a limited use to this property. Having to put in a hard surface driveway on her own property does not limit the use of the property. It is just a cost and a cost is not a hardship.

Hayungs made a motion to deny the variance. Ferguson seconded. All ayes by roll call vote.

Motion to adjourn by Hayungs at 5:46 p.m. Second by Gruenhagen. Motion carried.

Respectfully submitted,

Eric Gruenhagen

Karl Donaubaauer
Dean Ferguson

Paul Hayungs
Bob Kuehl

Jeff Martens
Assistant City Administrator

Eric Gruenhagen

Karl Donaubauer
Dean Ferguson

Paul Hayungs
Bob Kuehl

June 14, 2026

To: City of Eldridge Iowa Board of Adjustment

Re: 880 S. 1st St. Variance Request

We, the undersigned property owners within 200 feet of the subject property are hereby against any approval of the request by Ashley Atkins for this variance. We request that this board deny her request based upon the following reasons.

1. Other property owners affected by the very same conditions created by the developer have already complied with the City of Eldridge's request to meet city code by installing an all-weather surface driveway. Therefore we believe there is no valid reason that Ms. Atkins should be given preferential treatment for the same request.
2. Previous to this request, Ms. Atkins requested & received a variance for building a storage building/garage prior to constructing a residence. She has shown no respect for the City of Eldridge & has purposely abused the privileges given to her by the city. There is no justification for her to be given exceptions to the city codes that other citizens willingly comply with.
3. She should have been aware of this requirement through her general contractor prior to building her home & should have planned for this all-weather driveway.

The undersigned neighbors agree with & support this request to deny the variance request by Ashley Atkins:

NAME

ADDRESS

<u>Ree Loren</u>	<u>134 Muhs Circle</u>
<u>Diana Van</u>	<u>134 Muhs Circle</u>
<u>Brad Van Ruyven</u>	<u>137 Muhs Circle</u>
<u>Bob Zaklitzus</u>	<u>135 Muhs Cir.</u>
<u>GERALD DENABTELBERE</u>	<u>141 MUHS CIRCLE</u>
<u>Marilyn Schepitshen</u>	<u>143 Muhs Circle</u>
<u>Danny McEckel</u>	<u>145 Muhs Circle</u>
<u>Richard Pratt</u>	<u>147 Muhs Circle</u>
<u>Martha Pratt</u>	<u>147 Muhs Cir</u>
<u>Carl Schero</u>	<u>135 Muhs Cir.</u>

NAME

ADDRESS

Di M Schero

135 MUHS CIRCLE, ELDRIDGE

Cindy Rapp

149 Muhs Circle Eldridge

Walt Rapp

149 Muhs Circle Eldridge

APR

151 Muhs Circle

Jay Bush

151 Muhs Circle

Matt Van Waus

From: "Matt Van Waus" <mvanwaus@netins.net>
To: "Dave Meyer" <dmeyervmce@netexpress.net>
Sent: Wednesday, March 28, 2007 9:49 AM
Subject: Sheedy 1st Addition

Dave,

We have received materials for the above and I have now had a chance to glance through these materials. I noticed that you are referring to the area to the south of Sheedy 1st as Townsend Farm Phase II, L.C. It is my understanding that this area is actually Townsend Farm Phase III, L.C. (at least that is what the preliminary plat shows for the area). I suppose it is not a huge deal for the final plat and zoning plat, however I would think that it is a big deal on the legal description. If you do decide to make these corrections and resubmit in the near future, I have noticed a few items on the final plat that you may want to change while you are at it.

1. It was my understanding that Ron wants to hook up to city sewer and water in the future. If this is the case, a sanitary sewer/utility easement needs to be provided through lot 2 so that he can hook on to existing sanitary sewer (to the northwest) from lot 1 in the future. If this is not the case, then by code a perc test will need to be completed and a copy of the results sent to the city before the final plat is approved.
2. The city has required 50' of ROW (100' total) for S. 1st Street in the past, as it is classified as a major thoroughfare. Please make this change. The front yard setback can stay at 90' from the CL of 1st (50' of ROW + the 40' setback requirement in a SA District—comes out to be the same distance in both cases).
3. The final plat will most likely be approved and possibly recorded before the rezoning is approved. As you know, the rezoning is an ordinance change and will need to be approved on three separate occasions by the city council. Therefore, you will want to list the zoning on the final plat as it exists presently (SA and C-3) or state something like there is a rezoning pending for 3.86 acres of the final plat from C-3 to SA etc...
4. As you are well aware, our engineer, several members of the commission and city council have always been in favor of minimizing the number of access points to major streets. Therefore, a small portion the 40' of frontage for lot 2 should probably be made into a SHARED access easement for both lot 1 and lot 2. I am fairly sure that Ron is in favor of doing this at this time as well.

If you do resubmit materials, I need only 1 copy of the zoning plat, 1 copy of the revised legal description for the rezoning, 1 copy of the 11 X 17 final plat, and 4 large copies of the final plat (not 10).

Thanks a lot Dave.

—
Matt Van Waus
Assistant City Administrator
Eldridge, IA
563-285-4841
mvanwaus@netins.net

3/28/2007

Plan and Zone Commission Minutes

Meeting Date: April 19, 2007—6:30 p.m.

The Eldridge Plan and Zone Commission met in open session at 6:30 p.m., April 19, 2007. Present were Bob Bainter, John Higgins, Karl Donaubaauer, Terry Harbour, Craig Herman, Duane Miller and John Karnstedt. Also present was Matt Van Waus.

The minutes from August 17, 2006 were presented for approval. Miller made a motion to approve the minutes as presented, second by Higgins. Motion was approved unanimously by voice vote.

The first item on the agenda was consideration of approval of **Steffe's Addition Final Plat**. The proposed subdivision is located at 400 S. Scott Park Road. The area of platting contains 3.20 acres more or less. Van Waus reviewed the staff report and summarized some of the changes that had been made to the final plat. Van Waus recommended that the revised final plat be approved as presented to the commission. **Karnstedt made a motion to approve the final plat, second by Bainter. Motion was approved by unanimous voice vote.**


At 6:44 p.m., Chairman Donaubaauer opened a public hearing to discuss a rezoning request submitted by Ron and Mary Sheedy. The area to be rezoned contains 3.86 acres more or less. The property is located at 850 S. 1st Street. The Sheedy's have requested that the land be rezoned from C-3 General Commercial District to SA Suburban Agricultural District. Van Waus summarized the staff report. There were a few general questions asked regarding the specifics of the rezoning and some brief discussion among commission members. Bainter and Miller had some concern and sought clarification regarding potential agricultural use. Van Waus referred to the staff report and to the individual circumstances of the rezoning request. Van Waus also made reference to the current zoning of the western 2/3 of the Sheedy property and to other adjacent and non-adjacent areas.

Donaubaauer closed the public hearing at 6:52 p.m. Commission members continued to discuss the rezoning request for a few minutes. **Karnstedt made a motion to approve the rezoning request, second by Miller. Motion was approved by unanimous voice vote.**

The last item on the agenda was consideration of approval of **Sheedy 1st Addition Final Plat**. The proposed subdivision is located at 850 S. 1st Street. The proposed subdivision contains 2 lots and area of platting is 7.36 acres more or less. Single-family residential use is planned for both lots. Van Waus reviewed the staff report and informed the commission of some of the circumstances surrounding the reason for the rezoning and platting of the property. **Miller made a motion to approved the final plat as presented to the commission, second by Karnstedt. Motion was approved by unanimous voice vote.**

Being no further business, Miller made a motion to adjourn, second by Karnstedt. Meeting adjourned at 7:07 p.m.

Respectfully submitted,


Matt Van Waus
Assistant City Administrator

Eldridge City Council
May 7, 2007
7:00 P.M.

STAFF REPORT

II. **Final Plat Approval-** Sheedy's Addition
Petitioner: Ron and Mary Sheedy

Background: Ron and Mary Sheedy are requesting **final plat approval** for Sheedy's 1st Addition. The property is located at 850 S. 1st Street and the area of platting contains 7.36 acres.

Notes/Conditions of approval:

1. The Sheedy's plan on building a new home on lot 1 in the future when they return to Eldridge. Utility easements have been provided that will allow a future connection to city sewer. Ron and Mary also desire to hook up to city water in the future (located along S. 1st Street).
2. Access to both lots will be allowed within the common/shared access easement shown on the plat.

Planning and Zoning Commission Recommendation: The engineering firm preparing the final plat has addressed our concerns and made revisions to the plat as requested. The Plan and Zone Commission voted unanimously to approve the final plat on April 19, 2007.

RESOLUTION # 07- 06

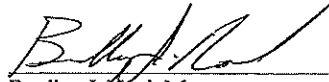
CERTIFICATE OF MAYOR AND CITY CLERK

We, Bradley J. Noel, Mayor and Denise M. Benson, City Clerk, of the City of Eldridge, Iowa, do hereby certify that the following Resolution was adopted by the City Council of the City of Eldridge, Iowa, at a meeting held on the 7 day of May, 2007.

RESOLVED, by the City Council of the City of Eldridge, Iowa, that the Final Plat of SHEEDY 1ST ADDITION to the City of Eldridge, Iowa, being a part of the Southwest Quarter of Section 14, Township 79 North, Range 3 East of the Fifth Principal Meridian, Scott County, Iowa, as filed with the Clerk by Ronald L. Sheedy and Mary T. Sheedy, husband and wife, owners of said real estate, be and the same is hereby approved and accepted; and further, that the City Council of the City of Eldridge, Iowa, does hereby accept the dedication of those portions shown on said Plat as being dedicated to the City of Eldridge for street or other purposes, if any; and the Mayor and City Clerk of said City be, and they are hereby authorized and directed to certify the adoption of this Resolution of the said Plat as required by law.

WITNESS our hands at Eldridge, Iowa, and the Seal of City of Eldridge, Iowa, on this 7 day of May, 2007.

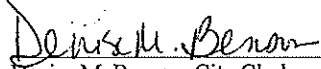
By:



Bradley J. Noel, Mayor

ATTEST:

(City Seal)



Denise M. Benson, City Clerk

The City Council of Eldridge, Iowa met in open session at 7:00 p.m., May 7, 2007. Roll call showed Mayor Brad Noel: Council members Steve Mohr, Marty O'Boyle, Jim Curtis, Steve Puls and Brian Wood. Also present were: Kelley Rose, Angel Adams, Kaitlyn Potter, Ashley Oerman, Eilly Daley, Karen Bernick, Cory Hankemeier, Craig Curtis, Harri Hyrsky, Jorgen Baumgarter, Andrew Briggs, Aaron Lecander, Eric Holland, Heather Link, Shilow Guywacheski, Barb Geerts, John Dowd and Denise Benson.

Agenda -- Motion by Curtis to approve the agenda, second by Mohr. Motion approved unanimously by voice vote.

Public Comment -- none

Mayor's Agenda

- A. Consideration of approval of the minutes from April 16, 2007. Motion by Mohr to approve the minutes as written, second by Puls. Motion approved unanimously by voice vote.
- B. Consideration of approval of bills payable in the amount of \$220,065.00. Motion by Puls to approve the bills, second by Wood. Motion approved unanimously by voice vote.
- C. Consideration of approval of the renewal of Class B beer license and Sunday sales permit for Rudy's Tacos. Motion by Curtis to approve the renewal under new ownership, second by Wood. Motion approved unanimously by voice vote.

Old Business -

- A. The council discussed a revised capital improvement plan. The revised capital improvement plan will be voted on at the next meeting.

New Business -

- A. Consideration of authorizing proceeding with possible purchase of NS Fitness Center. Karen Bernick was present to give the council a list of 334 names of people who use the fitness center and she hopes the city will consider the purchase. After much discussion it was unanimously by the council to proceed with the possible purchase of the fitness center. Motion by Mohr to proceed, second by O'Boyle. Motion approved with 5 ayes, no nays. Motion carried.
- B. A public hearing was opened at 7:39 on the rezoning of a portion of the SW ¼ of Section 14, T79N, R3E of the 5th PM containing 3.86 acres MOL from C-3 General Commercial to SA Suburban Agricultural. No written or oral comments were received. Motion by Mohr to close the public hearing at 7:40, second by Wood. Motion approved unanimously by voice vote.
- C. Consideration of approval of first reading of Ordinance 07-01 rezoning a portion of the SW ¼ of Section 14, T79N, R3E of the 5th PM containing 3.86 acres MOL from C-3 General Commercial to SA Suburban Agricultural. Motion by Curtis to approve the first reading, second by Puls. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- D. Consideration of approval of Resolution 07-06 approving the final plat of Sheedy's 1st Addition. Motion by Puls to approve the resolution, second by Curtis. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- E. Consideration of approval of Resolution 07-07 approving the final plat of Steffe's Addition. Motion by O'Boyle to approve the resolution, second by Puls. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- F. Consideration of approval of Resolution 07-08 accepting an offer to remove rails and ties from N. 1st Street to Iowa Street. Motion by Mohr to approve the resolution, second by Curtis. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- G. Consideration of approval of convening in closed session to discuss the purchase of real estate per Chapter 21.5j of the code of Iowa. Motion by Mohr to go into closed session at 8:17 P.M., second by O'Boyle. Roll call vote showed Mohr, Wood, Curtis, Puls and O'Boyle voting aye, no nays. Motion carried.
- H. Reconvene in open session at 8:46 p.m.; the council did not act on anything discussed in closed session.

Activity Reports -

City Administrator - working on budget amendment and public hearing.

City Clerk - routine business, did receive nomination papers for council members if anyone is interested.

Committee Reports - Puls reported on the park board. Someone approached the park board about a flag football program; the park board approved the program. The sod was put down at Elmegreen Park today. Tile should be at Crandall Park this week. The two ASA tournaments at Sheridan Meadows went well.

Motion by Wood, second by Curtis, to adjourn the meeting. Motion approved unanimously by voice vote. Meeting adjourned at 8:46 p.m.

Bradley J. Noel
Mayor

Denise M. Benson
City Clerk

DAVID L. MEYER 4111 EAST 60TH STREET DAVENPORT, IOWA 52807 (563)359-1348

Page 1 of 2

FINAL PLAT CERTIFICATE

I, David L. Meyer of Verbeke-Meyer Consulting Engineers, P.C., hereby certify that I am a Licensed Land Surveyor, licensed in compliance with the laws of the State of Iowa; that this plat of SHEEDY FIRST ADDITION to the City of Eldridge, Iowa, correctly represents a survey completed by me on March 27, 2007; that all the pins shown thereon will exist as required by the Code of Iowa within 30 days after the completion of the required improvements and that their location, size, type and materials are accurately shown; and that the metes and bounds description of said addition is as follows:

Part of the Southwest Quarter of Section 14, Township 79 North, Range 3 East of the 5th P.M., Eldridge, Scott County, Iowa, being more particularly described as follows:

Commencing, as a point of reference, at the northwest corner of the Southwest Quarter of said Section 14; thence South 89°-57'-35" East 1319.16 feet along the north line of Townsend Farm First Addition to the City of Eldridge, Iowa, to the northeast corner of said Townsend Farm First Addition; thence South 00°-04'-20" West 865.09 feet along the east line of said Townsend Farm First Addition and along the east line of Townsend Farm Sixth Addition to the City of Eldridge, Iowa, to the southeast corner of said Townsend Farm Sixth Addition, said point being the POINT OF BEGINNING of the tract of land hereinafter described:

thence continuing South 00°-04'-20" West 134.31 feet along the west line of Lot 5 of Muhs' Second Addition to the City of Eldridge, Iowa, to the southwest corner of said Lot 5;

thence North 89°-44'-55" East 729.50 feet along the south line, and south line extended easterly, of said Lot 5 to a point on the centerline of South First Street as now established in the City of Eldridge, Iowa;

thence South 08°-49'-15" East 201.29 feet along the centerline of said South First Street to the northeast corner of a tract of land conveyed to Townsend Farm Phase II, L.C. by Quit Claim Deed recorded as Document Number 2005-37958, said tract also shown on a plat of survey recorded as Document Number 2005-35519, all in the Office of the Recorder of Scott County, Iowa;

thence South 89°-44'-25" West 599.06 feet along the north line of said Townsend Farm Phase II, L.C. tract;

thence South 00°-01'-00" West 121.00 feet along the northerly line of said Townsend Farm Phase II, L.C. tract;

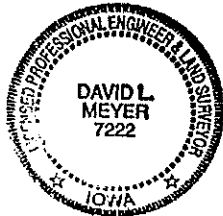
thence South 88°-20'-10" West 490.22 feet along the north line of said Townsend Farm Phase II, L.C. tract to the southeast corner of Townsend Farm Seventh Addition to the City of Eldridge, Iowa;

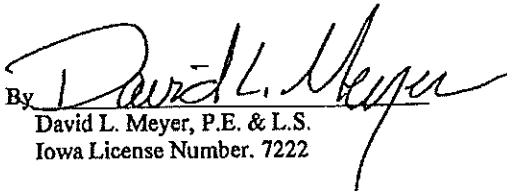
thence North 00°-00'-40" West 466.22 feet along the east line of said Townsend Farm Seventh Addition and along the east line of Townsend Farm Fifth and Fourth Additions to the City of Eldridge, Iowa, to the southwest corner of said Townsend Farm Sixth Addition;

thence North 89°-41'-50" East 329.00 feet along the south line of said Townsend Farm Sixth Addition to the point of beginning.

Containing 7.35 acres, more or less, subject to easements of record. Bearings stated in this document are based on the assumption that the west line of the Southwest Quarter of said Section 14 has a bearing of North 00°-17'-00" East.

VERBEKE-MEYER
CONSULTING ENGINEERS, P.C.



By 
David L. Meyer, P.E. & L.S.
Iowa License Number. 7222

ASHLEY ATKINS 880 S 1ST ST.

PLOT PLAN

