

**NOTICE OF REGULAR COUNCIL MEETING
CUMMING CITY COUNCIL
April 28, 2025 – 6:00 PM
Cumming City Hall, 649 N. 44th St., Cumming, IA***

ROLL CALL

APPROVAL OF AGENDA as presented and/or amended

PUBLIC COMMENT

CONSENT ITEMS

- A. Minutes from March 24, 2025, Regular Council Meeting
- B. Resolution 2025-14 Depository and Signatory

BUSINESS ITEMS

- A. Third and Final Reading of Ordinance 2025-03 Adopting 2021 International Building Codes (IBC)
- B. Resolution 2025-15 Preliminary Terms of an Urban Renewal Development Agreement with MB Investments, LLC
- C. Resolution 2025-16 Supporting Iowa Economic Development Authority Workforce Housing Tax Credit Application for MB Investments, LLC

REPORTS:

- A. Mayor B. Council C. Attorney D. City Clerk E. City Administrator

ADJOURNMENT

UPCOMING ITEMS

FY 2025 Budget Amendment
Placement of No Parking Signs

*The City of Cumming welcomes public participation. If unable to attend this meeting in person, online and phone participation are available below. For questions, please contact City Hall at 649 N 44th Street, 515-981-9214 or email at nonstot@cumming.iowa.gov

Join Zoom Meeting
<https://us02web.zoom.us/j/2382663968> Meeting ID: 238 266 3968

**OFFICIAL PUBLICATION
CITY OF CUMMING
Regular Council Meeting 04/14/2025
To Be Approved at 04/28/2025 Meeting**

The regular City Council Meeting of the City of Cumming was held at Cumming City Hall 649 N. 44th St. on April 14, 2025, at 6:00PM. The meeting was called to order at 6:00 P.M. by Mayor Brent Highfill. Present at Roll Call: Charlie Ochanpaugh, Mayor Pro Tem; Kathie Hungerford, Thomas Cackler, and Martin Squier. Larry "Dino" Goode, Jr. absent. Motion by Ochanpaugh, seconded by Cackler to approve the agenda. Approved 4-0. Goode, Jr. absent.

Public Comment:

- A. Patrick Whalen, 400 N 29th St, Cumming, IA is present with concerns about the "out lot" located on Birch Ave and encouraging the City Council to not move the easements located on this property. Whalen notes that this out lot is used to channel water and it was not meant to be built on. The water drains onto lot from the back of Whalen's property, as well as Darwin Large's property. Whalen & Large have bought an interest in the property during a Tax Sale.
- B. Tom Murphy, 2825 N Birch Ave, Cumming, IA reinforced the comments made by Whalen and is opposed to any changes.
- C. Darwin Large, 424 N 29th St, Cumming, IA states that during Plat 2 of Apple Creek this lot was built as an out lot per the developer.
- D. Rick Rousseau, 224 N 29th St, agrees with neighbors. R was also told that it was an unbuildable lot. He has lived at his current address for 10 years and it would be unfair for the current neighbors to have a new house impose on their yard.

Warren County Supervisor Brian Arnold

- A. Brian Arnold, Warren County Supervisor, is present and provides a brief update on current events at Warren County. They have just completed their Fiscal Year 2026 budget; their levy rate is down \$0.14 from Fiscal Year 2025. They cut their spending by \$1,000,000 coming from Property Tax. The City Engineer has a 5-year plan which includes replacing 12 bridges and 3 repaving projects within Warren County. They are also planning to re-codify by the end of the fiscal year.

Public Hearing:

- A. Motion by Cackler, seconded by Hungerford to enter Public Hearing for Fiscal Year 26 Budget at 6:14PM.
- B. Motion by Cackler, seconded by Squier to close Public Hearing at 6:34PM.

Consent Items:

Motion by Cackler seconded by Hungerford to approve Consent Items with the following amendments, moving the Second Reading of Ordinance 2025-03 Adopting 2021 International Building Codes (IBC) to Business Items; Minutes from March 24, 2025, as amended, Payment of Bills, March 2025 Financials, and March 2025 Sheriff Reports. Approved 4-0. Goode, Jr. absent.

Business Items:

- A. Motion by Cackler, seconded by Ochanpaugh to approve Resolution 2025-13 Approving Fiscal Year 2026 Budget. Approved 4-0. Goode, Jr. absent.
- B. Discussion surrounding potential partial paving of S 15th Street.
- C. Discussion surrounding the easements on Out lot X in Apple Creek. There was a consensus with the Council to not allow for easements to be changed at this property, however no official vote was taken.
- D. Motion by Cackler, seconded by Hungerford for the Second Reading of Ordinance 2025-03 Adopting 2021 International Building Codes (IBC). Approved 4-0. Goode, Jr. absent.

Reports:

- A. No Reports

Adjournment To Worksession:

- A. Motion by Squier, seconded by Hungerford to enter Worksession at 7:28PM. Approved 4-0. Goode, Jr. absent.

B. Motion by Hungerford, seconded by Cackler to close Worksession at 8:10PM. Approved 4-0. Goode, Jr. absent.

Adjourn:

Motion by Cackler, seconded by Squier to adjourn the meeting at 8:11PM. Approved 4-0. Goode, Jr. absent.

NEXT CITY COUNCIL MEETING: April 28, 2025, at 6:00PM at City Hall

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

RESOLUTION 2025-14
City of Cumming
RESOLUTION NAMING DEPOSITORIES AND SIGNATORIES

WHEREAS, Iowa Code 12C.2 requires that the approval of financial institutions as depositories shall be by written document, which shall distinctly name each depository approved, and specify the maximum amount which may be kept on deposit in each depository as well as identify signatories; and

WHEREAS, the City desires to update its authorized signatories for said depositories to reflect current governance practices and promote administrative efficiency; and

BE IT THEREFORE RESOLVED:

1. The City Council of Cumming in Warren County, Iowa, approves the following list of financial institutions to be depositories of the City of Cumming funds in conformance with all applicable provisions of Iowa Code Chapter 12C. The City Clerk/Finance Officer and City Administrator remain authorized to deposit the City of Cumming funds in amounts not to exceed the maximum approved for each respective financial institution as set out below.

Depository Name	Location of Home Office	Maximum Balance In Effect Under Prior Resolution	Maximum Balance in Effect Under This Resolution
City State Bank	Norwalk, Iowa	\$3,000,000	\$3,000,000

2. Designation of Mayor as Signatory: The Mayor of the City of Cumming, Iowa is hereby authorized and designated as a signatory on all such City financial accounts and is empowered to execute checks, drafts, transfers, and other necessary financial documents on behalf of the City.
3. The following employees are retained as a signatory for both payroll and accounts payable and remain on the depository: Rita Conner, City Administrator and Nichole Onstot, City Clerk/Finance Officer

PASSED AND APPROVED this 28th day of April 2025.

Brent Highfill, Mayor

ATTEST:

Nichole Onstot, City Clerk/Finance Officer

ORDINANCE 2025-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CUMMING, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 155 BUILDING REGULATIONS

BE IT ENACTED by the City Council of the City of Cumming, Iowa:

SECTION 1. CHAPTER MODIFIED. Chapter 155 of the Code of Ordinances of the City of Cumming, Iowa, is repealed and the following adopted in lieu thereof: See Attached Chapter 155 Building Regulations.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and Approved by the Council on the 24th day of March 2025.

Brent Highfill, Mayor

ATTEST:

Nichole Onstot, City Clerk/Finance Officer

First Reading: 3.24.25

Second Reading: 4.14.25

Third Reading: 4.28.25

I certify that the foregoing was published as Ordinance 2025-03 on the ____ day of _____, 2025.

Nichole Onstot, City Clerk/Finance Officer

CHAPTER 155

BUILDING REGULATIONS

155.01 Purpose
155.02 Administrative Provisions
155.03 Building Official
155.04 Permits Required
155.05 Application for Permit

155.06 Fee Schedule
155.07 Setbacks
155.08 Adoption of Building Codes
155.09 Conflict with State Laws

155.01 PURPOSE. The purpose of this chapter is to provide and establish reasonable rules and regulations for the construction and remodeling of residential property and the construction of other buildings in the City, and to adopt building codes regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures, and to provide for the issuance of permits and collection of fees.

155.02 ADMINISTRATIVE PROVISIONS. Administration of this chapter shall be as provided in this section and in the sections of the several codes herein named, which are hereby adopted by reference, to provide procedures for local enforcement of the codes, constituting the Cumming, Iowa, Building Codes.

155.03 BUILDING OFFICIAL. The Building Official shall be appointed by the Mayor, subject to approval of the City Council, for the enforcement of the Building, Electrical, Plumbing, Mechanical, Fire, Housing, Existing Buildings, and Property Maintenance Codes, and such other Ordinances as shall be assigned to said official. The Building Official shall perform such other duties as may be required by the Mayor and City Council. The Building Official shall be accountable for the issuance of all applicable permits under this chapter and shall have the power to render interpretations of this Code and to adopt and enforce rules and regulations supplemental to this Code, subject to approval of the Council, as said official may deem necessary in order to clarify the application of the provisions of this Code. Such rules, regulations, and interpretations shall be in conformity with the intent and purpose of this Code.

155.04 PERMITS REQUIRED. No person shall erect, construct, reconstruct, enlarge or improve any building or structure in the City, except those exempted under the adopted *International Building Code*, or cause the same to be done, without first obtaining a separate building permit for each such building or structure.

155.05 APPLICATION FOR PERMIT. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such applicant shall:

1. Identify and describe the work to be covered by the permit for which application is made;
2. Describe the land on which the proposed work is to be done, by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Be accompanied by construction documents, site plan and other information as may be required;
5. Be signed by the applicant or the applicant's authorized agent, who may be required to submit evidence to indicate such authority;
6. State the valuation of the proposed work;
7. Give such other information as reasonably may be required by the Clerk or Building Official.

155.06 FEE SCHEDULE. The Building Permit Fee Schedule, as established by resolution of the Council, is on file at City Hall.

155.07 SETBACKS. All setbacks shall conform with the Zoning Ordinance (Chapter 165 of this Code of Ordinances).

155.08 ADOPTION OF BUILDING CODES.

Pursuant to published notice and public hearing, as required by law, the following codes are hereby adopted as and shall constitute the *Building Code* of the City, to regulate the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures within the City, and the same are by this reference incorporated herein as fully and completely as if set forth in full herein.

1. The *International Building Code*, 2021 Edition and Appendix Chapters, as published by the International Code Council.

A. Sec. 101.1. Title. Insert "Cumming."

B. Sec. 101.4.1. Electrical. After ICC Electrical Code insert "and the *National Electrical Code*, 2020 Edition, as published by the National Fire Protection Association, and as adopted and amended by the State of Iowa."

C. Sec. 104.11. Alternative methods. After paragraph insert "the Iowa Administrative Code 661, Chapter 16, Div. VI, Part 2 Manufactured Home Construction is hereby adopted for installation of mobile (manufactured) homes."

D. Sec. 108.2. Fees. After "in accordance with the" insert "attached schedule as established by Cumming."

E. Sec. 108.3. Valuations. At the end of last sentence delete period and insert "using the latest Building Valuation Data Sheet."

F. Modify Code Section: IBC 903.2.8. Add the following exceptions:

Exceptions:

1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

2. Townhouse structures that contain eight (8) or less dwelling units.

3. Townhouse structures less than eighteen thousand (18,000) square feet floor space, exclusive of any garages.

4. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing one-and two-family dwellings that are not already provided with an automatic residential fire sprinkler system.

5. One-and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garage and other unenclosed areas.

6. R-2 uses that have four (4) or less dwelling units.

G. Sec. 1612.3. Insert "Cumming."

H. Sec. 1612.3. Insert "2021."

2. The *International Mechanical Code*, 2024 Edition, as published by the International Code Council and as adopted and amended by the State of Iowa.

A. Sec. 101.1. Title. Insert "Cumming."

B. Sec. 106.5.2. Fee Schedule. Insert "Cumming."

C. Sec. 108.4. Penalties. Insert "Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines."

D. Sec. 108.5. Stop work. Insert "Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines."

3. The *Uniform Plumbing Code* and Appendix Chapters, 2024 Edition, as published by the International Association of Plumbing and Mechanical Officials and as adopted and amended by the State of Iowa.

- A. Sec. 101.0. Title. Insert “Cumming.”
- B. Sec. 106.6.2. Fee Schedule. Insert “Cumming” fee schedule.
- C. Sec. 108.4. Penalties. Insert “Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines.”
- D. Sec. 108.5. Stop work. Insert “Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines.”
- E. Sec. 305.6.1. Insert “42 inches” in 2 places.
- F. Sec. 904.1. Insert “12 inches.”

4. The *National Electrical Code*, 2020 Edition, as published by the National Fire Protection Association and the *International Electrical Code*, 2020 Edition, as published by the International Code Council and as adopted and amended by the State of Iowa.”

- A. Sec. 101.1. Title. Insert “Cumming.”
 - B. Sec. 404.2. Fee Schedule. Insert “Cumming” fee schedule.
5. The International Fire Code and Appendix Chapters, 2021 Edition, as published by the International Code Council.
- A. Sec. 101.1. Title. Insert “Cumming.”
 - B. Sec. 109.3. Penalties. Insert “Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines.”
 - C. Sec. 111.4. Stop work. Insert “Municipal Infraction, punishable by a fine specified in the Cumming Schedule of Fines.”

- D. Modify Code Section: IFC 903.2.8. Add the following exceptions:
 - Exceptions:
 - 1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.
 - 2. Townhouse structures that contain eight (8) or less dwelling units.
 - 3. Townhouse structures less than eighteen thousand (18,000) square feet floor space, exclusive of any garages.
 - 4. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing one-and two-family dwellings that are not already provided with an automatic residential fire sprinkler system.
 - 5. One-and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garage and other unenclosed areas.

6. R-2 uses that have four (4) or less dwelling units.

6. The *International Property Maintenance Code*, 2021 Edition, as published by the International Code Council.

- A. Sec. 101.1. Title. Insert “Cumming.”
- B. Sec. 103.6. Fee Schedule. Insert “Cumming” and “Rental Housing Compliance Inspection Fee Schedule.”
- C. Sec. 304.14. Screens. Insert “April 15” and “September 15.”
- D. Sec. 602.3. Heat. Delete “during the period from (date) to (date).”
- E. Sec. 602.4. Work spaces. Delete “during the period from (date) to (date).”

7. The *International Residential Code for One & Two Family Dwellings* and Appendix Chapters, 2021 Edition, as published by the International Code Council.

- A. Sec. R101.1. Title. Insert “Cumming.”

B. Sec. R104.11. Alternative methods. After paragraph insert “The Iowa Administrative Code 661, Chapter 16, Div. VI, Part 2, Manufactured Home Construction is hereby adopted for installation of manufactured (mobile) homes.”

C. Sec. R108.2. Permit fees. After “in accordance with the” insert “attached schedule as established by Cumming for the regular Building Permit Fee Schedule.”

D. Modify Code Section: R313.1. Add the following exceptions:

Exceptions:

1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

2. Townhouse structures that contain eight (8) or less dwelling units.

3. Townhouse structures less than eighteen thousand (18,000) square feet floor space, exclusive of any garages.

E. Modify Code Section: R313.2. Add the following exceptions:

Exceptions:

1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing one-and two-family dwellings that are not already provided with an automatic residential fire sprinkler system.

2. One-and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garage and other unenclosed areas.

8. The *International Energy Conservation Code* and Appendix Chapters, 2012 Edition, as published by the International Code Council and as adopted and amended by the State of Iowa.

A. Sec. 101.1. Title. Insert “Cumming.”

COUNCIL COMMUNICATION

Preliminary Terms of an Urban Renewal Development Agreement with MB Main Investments, LLC for the Middlebrook Agrihood Second Mainstreet Block

SYNOPSIS:

MB Main Investments, LLC (Tim Portzen, Vice-President, Diligent Development, 6150 Village View Drive Suite 110 West Des Moines, Iowa 50266) proposes an estimated \$20 million project providing for the construction of streets (including another block of S 44th Street), water mains, sanitary sewer, and storm sewer as well as the construction of a three-story mixed-use building with 32 residential units, street-level commercial/retail space, and off-street/garage parking. Two additional lots on the new block will be marketed or developed for commercial, office, mixed use or retail uses. A copy of the draft preliminary plat is provided in the packet to introduce the area for the development agreement (this phase includes lots 6, 8 and 9).

The project is applying for \$1M in State of Iowa Workforce Housing Tax Credits (WHTC) for the 32 residential units. The City of Cumming provides a local match for this funding of \$1000 per unit (\$32,000). This amount is included in the total for the preliminary terms.

The land is part of the Middlebrook Agrihood. Council has approved land annexation, the rezoning of approximately 617 acres of land to a Planned Unit Development (PUD) with a Master Conceptual Development Plan, a preliminary plat, public improvements and building permits for an office building and a mixed-use building.

FISCAL IMPACT:

Amount: The preliminary terms provide for a schedule of 75% of project-generated tax increment rebate payments from new taxable valuation for 15 years. This requires MB Main Investments, LLC to obtain all financing, construct the project, and then receive a portion of the new taxes created over a 15-year term. Incentives will assist with debt service payments as the properties become and remain revenue generators. The remainder of new taxes go each year to the City of Cumming and other taxing entities, including the Norwalk School District and Warren County.

Year	Taxes without project	Taxes with project	Incentive	Net Taxes Received
Sum 10 Years	\$33,944	\$2,386,774	\$1,312,387	\$1,074,387
Sum 20 Years	\$77,300	\$5,749,800	\$2,415,215	\$3,334,585
Sum 30 Years	\$132,797	\$9,848,816	\$2,415,215	\$7,433,601

*Taxes include all property taxing authorities

**Taxes received estimates 2.5% growth in re-assessment years, 1.5% in non-re-assessment years

Funding Source: Tax Increment generated in the Cumming Consolidated Urban Renewal Plan Area by the new project

ADDITIONAL INFORMATION:

The project will provide a high-quality mixed-use district, offering a daytime population that will patronize City of Cumming businesses, both existing and planned. The extension of 44th Street

another block south further converts gravel road into paved surface with additional public parking. This is a 2nd phase to the existing Middlebrook Village Core that's been under construction the past 18 months. The original Development Agreement contemplated future phases of the Village Core, where the City, in good faith, would negotiate an amendment to or a new Development Agreement to include corresponding incentive. This process allows

Next steps: Following Council review, comments and action at this meeting, staff will work with bond counsel on preparation of a draft development agreement and amendment to the Cumming Consolidated Urban Renewal Plan to include the project. Required public hearings and meetings with the area taxing entities (Warren County, DMACC, Norwalk School District) will be held before final approval of an agreement.

**CITY OF CUMMING, IOWA
RESOLUTION 2025-15**

**APPROVING PRELIMINARY TERMS OF AN URBAN RENEWAL DEVELOPMENT AGREEMENT
WITH MB MAIN INVESTMENTS, LLC**

WHEREAS, the City of Cumming City Council has reviewed the proposed preliminary terms of agreement in the accompanying Council Communication; and

WHEREAS, the terms provide for MB Investments, LLC to construct streets, including the second block of S 44th Street, water mains, sanitary sewer, and storm sewer as well as the construction of a three-story mixed-use building with 32 residential units, street-level commercial/retail space, and off-street/garage parking; and

WHEREAS, two additional lots on the new block will be marketed or developed for commercial, office, mixed use or retail uses under a construction schedule estimated to begin in summer 2025; and

WHEREAS, the preliminary terms provide for a schedule of 75% of project-generated tax increment rebate payments from new project generated taxable valuation for 15 years, after MB Main Investments, LLC obtains all financing and constructs the project; and

WHEREAS, final development agreement will be presented to Council for review and consideration following required public hearings, taxing entities meetings and publications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cumming that the preliminary terms of agreement with MB Investments, LLC, as described above and in the accompanying Council Communication, are hereby received and filed, and the City Administrator is hereby directed to proceed with negotiation of a final development agreement with the Developer consistent with the preliminary terms, for consideration for approval by the City Council at an upcoming meeting.

PASSED AND APPROVED this ____ day of _____, 2025.

Brent Highfill, Mayor

ATTEST:

Nichole Onstot, City Clerk/Finance Officer

RESOLUTION NO. 2025-16
City of Cumming

**RESOLUTION IN SUPPORT OF A WORKFORCE HOUSING APPLICATION
TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY**

WHEREAS, Diligent Development, represented by Tim Portzen, Vice-President, and the City of Cumming (City) entered into a Master Development and Annexation Agreement for the development of land as the Middlebrook Agrihood on March 8, 2021 by Resolution 2021-20; and

WHEREAS, development of housing is an essential component of the project, including workforce residential units that can provide homes for employees of existing and proposed businesses in the community and its environs; and

WHEREAS, Diligent Development has proposed a 32-unit mixed use project in the Middlebrook Agrihood that can provide new housing opportunities for the City of Cumming and is consistent with the Master Plan for the Middlebrook Agrihood; and

WHEREAS, the City of Cumming is a small community of an estimated 436 residents by the 2020 Census and is working to carefully guide the community's development, including offering housing options that do not currently exist in the City; and

WHEREAS, the City of Cumming supports this application to advance the 32 unit housing project proposal and commits to a \$1,000 per unit IEDA required local match totaling \$32,000 in the form of a utility connection fee waiver, economic development grant, rebate from property taxes in the form of tax increment (TIF) or other negotiated form for the project to be approved by City Council; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cumming, Iowa, that this confirms that the City Council supports this application for the IEDA Workforce Housing Tax Credit Program and provision of the required local match.

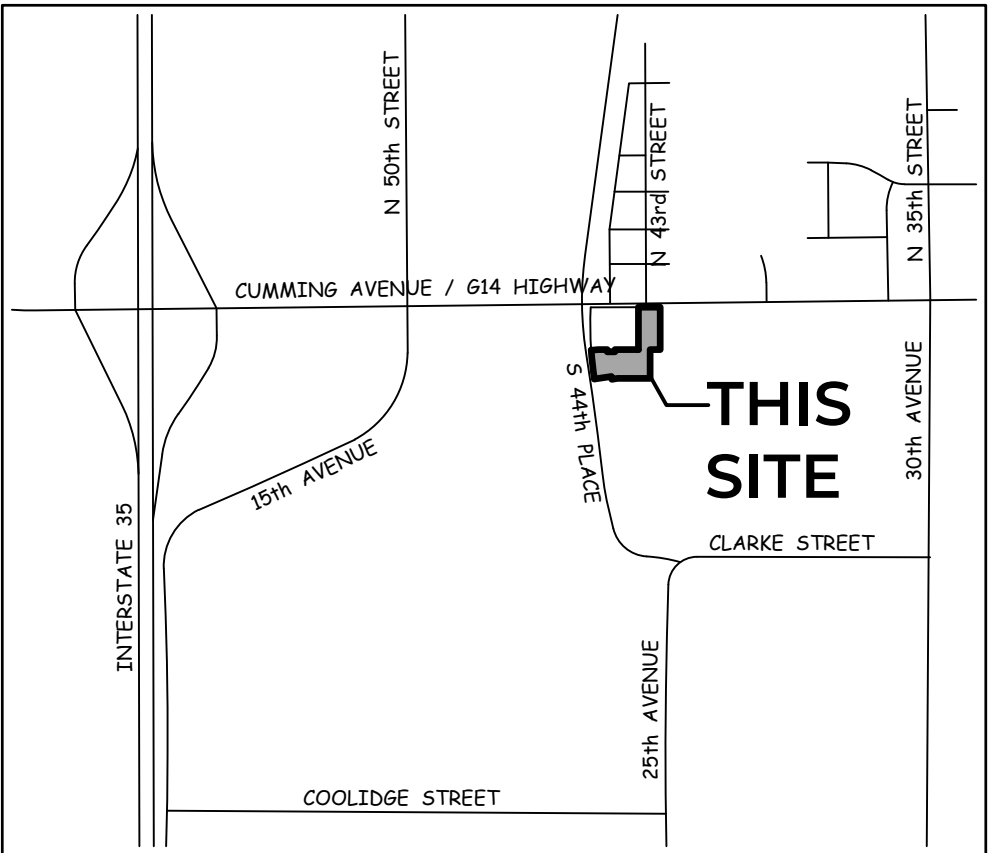
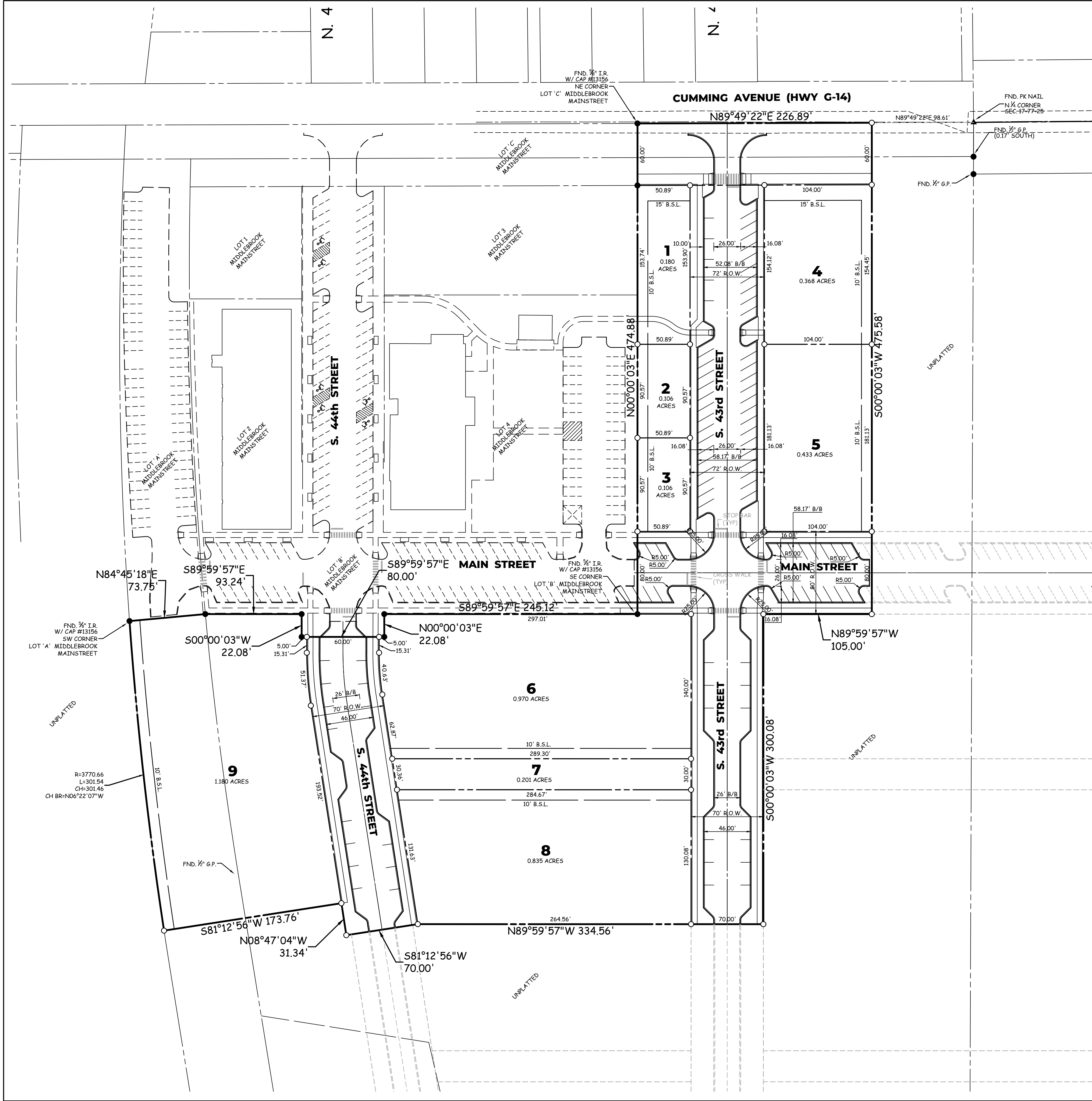
BE IT FURTHER RESOLVED, by the City Council of the City of Cumming, Iowa, that the Mayor is hereby authorized and directed to execute said Resolution.

Passed and approved this 28th day of April, 2025.

Brent Highfill, Mayor

ATTEST:

Nichole Onstot, City Clerk/Finance Officer



VICINITY SKETCH

NORTH
SCALE: 1"=2,000'

SHEET INDEX

- 1 DIMENSION PLAN
- 2 GRADING/UTILITY PLAN

LEGAL DESCRIPTION

A PART OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., CITY OF CUMMING, WARREN COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 'C', MIDDLEBROOK MAINSTREET, AN OFFICIAL PLAT, CITY OF CUMMING, WARREN COUNTY, IOWA: THENCE N89°49'22"E, 226.89 FEET ALONG THE NORTH LINE OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., CITY OF CUMMING, WARREN COUNTY, IOWA: THENCE 500°00'03"W, 475.58 FEET; THENCE N89°59'57"W, 105.00 FEET; THENCE 500°00'03"W, 300.08 FEET; THENCE N89°59'57"W, 339.62 FEET; THENCE S81°12'56"W, 60.00 FEET; THENCE N08°47'04"W, 30.56 FEET; THENCE S81°12'56"W, 178.76 FEET TO A NON-TANGENT 3770.66 FEET RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHWESTERLY 301.54 FEET ALONG SAID CURVE, SAID CURVE HAVING A CHORD LENGTH OF 301.46 FEET AND A CHORD BEARING OF N06°22'07"W, TO THE SOUTHWEST CORNER OF LOT 'A', SAID MIDDLEBROOK MAINSTREET; THENCE N84°45'18"E, 73.75 FEET ALONG THE SOUTH LINE OF SAID MIDDLEBROOK MAINSTREET; THENCE S89°59'57"E, 93.24 FEET ALONG SAID SOUTH LINE; THENCE 500°00'03"W, 22.08 FEET ALONG SAID SOUTH LINE; THENCE S89°59'57"E, 80.00 FEET ALONG SAID LINE; THENCE N00°00'03"E, 22.08 FEET ALONG SAID SOUTH LINE; THENCE S89°59'57"E, 245.12 FEET ALONG SAID SOUTH LINE, TO THE SOUTHEAST CORNER OF LOT 'B', SAID MIDDLEBROOK MAINSTREET; THENCE N00°00'03"E, 474.88 FEET ALONG THE EAST LINE OF SAID MIDDLEBROOK MAINSTREET, TO THE NORTH OF THE NORTHWEST ¼ OF SAID SECTION 17, AND TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 6.536 ACRES MORE OR LESS.

SAID TRACT OF LAND BEING SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PRELIMINARY PLAT
MIDDLEBROOK
MAINSTREET
PLAT 2
Cumming, Iowa

OWNER / DEVELOPER

MIDDLEBROOKHB, LLC / LAND CONCEPTS, LLC
12119 STRATFORD DRIVE, SUITE B
CLIVE, IOWA 50325
515-309-0705

ZONING

EXISTING: A-1 AGRICULTURAL DISTRICT
PROPOSED: MIDDLEBROOK P.U.D.

SETBACKS

FRONT -0'
15' (ALONG CUMMING AVENUE)
REAR -10'
SIDE -5'

NOTES

- ANY P.U.E. IS SUBORDINATE TO THE CITY'S USE OF ITS DESIGNATED EASEMENTS AND ANY USER OF THE P.U.E. MUST RELOCATE ITS FACILITIES AT NO COST TO THE CITY WHEN THE USE OF THE P.U.E. IS IN CONFLICT WITH THE CITY'S USE OF ITS DESIGNATED EASEMENTS.
- SIDEWALKS WILL BE THE RESPONSIBILITY OF EACH LOT OWNER AT THE TIME OF DEVELOPMENT.

LEGEND

EXISTING/PROPOSED		
	PLAT BOUNDARY	
	STORM SEWER & SIZE	
	SANITARY SEWER & SIZE	
	WATER MAIN & SIZE	
	MANHOLE	
	STORM INTAKE	
	FIRE HYDRANT	
	VALVE	
	F.E.S.	
	EXISTING CONTOURS	
	PROPOSED CONTOURS	
	SILT FENCE OR APPROVED FILTRATION SOCK	

CERTIFICATION

	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.
	BRADLEY R. COOPER, IOWA LICENSE NO. 12980 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025 PAGES OR SHEETS COVERED BY THIS SEAL: Sheets 1-2

COOPER CRAWFORD & Associates
Civil Engineers & Land Surveyors

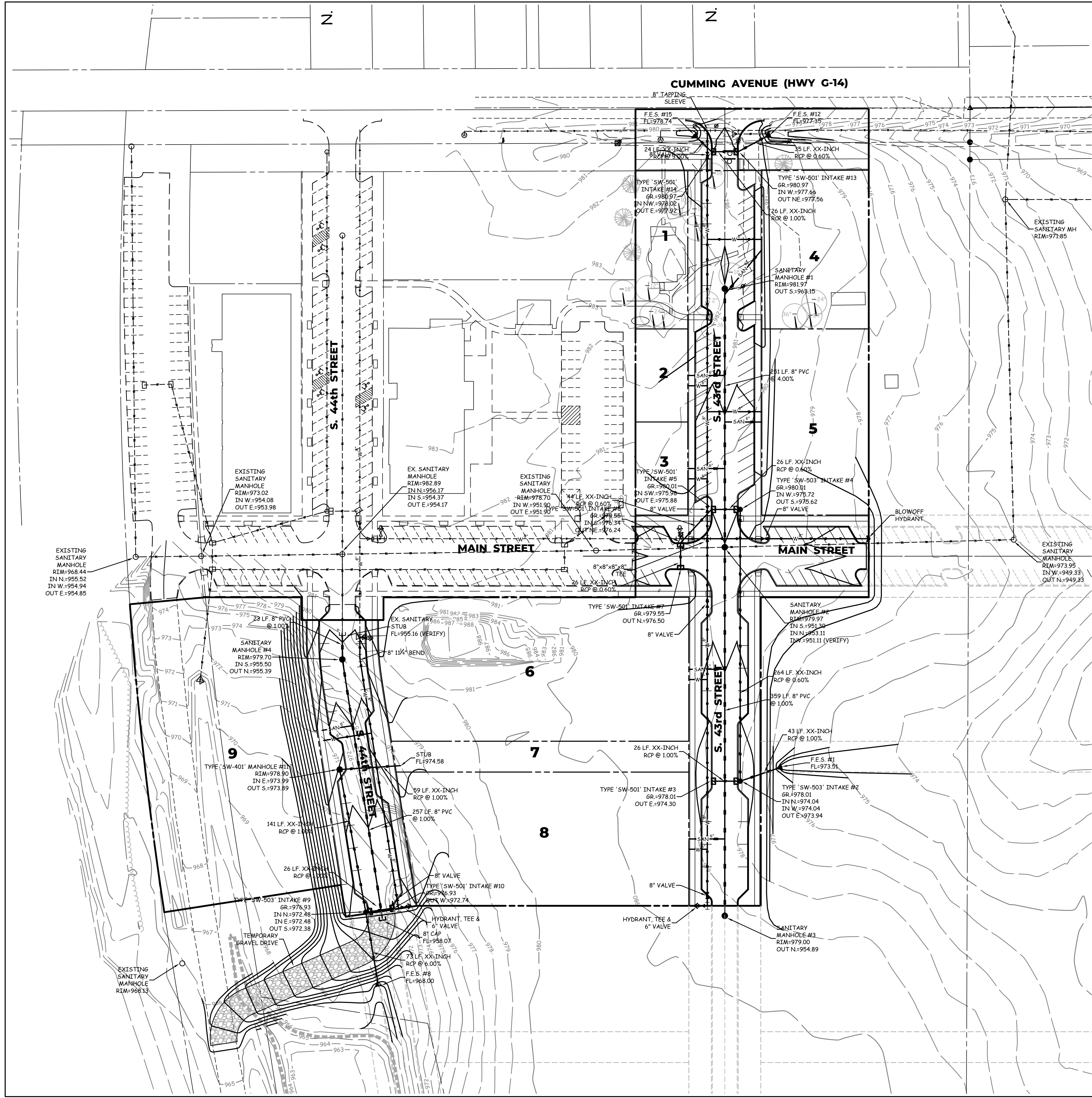
475 S. 50th STREET, SUITE 800, WEST DES MOINES, IOWA 50265
PHONE: (515) 224-1344 FAX: (515) 224-1345

DATE: X-X-2025
REVISIONS: X-X-XXXX
JOB NUMBER
CC 2947

AS-BUILT: ---
PRELIMINARY PLAT
Middlebrook Mainstreet Plat 2
SHEET 1 OF 2

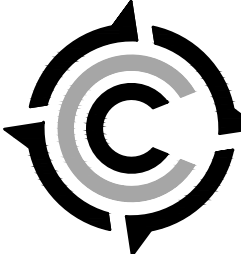
IOWA
ONE CALL

**PRELIMINARY PLAT
MIDDLEBROOK
MAINSTREET
PLAT 2**
Cumming, Iowa



LEGEND
EXISTING/PROPOSED

— PLAT BOUNDARY	— ST-18" STORM SEWER & SIZE
— SAN-8" SANITARY SEWER & SIZE	— W-8" WATER MAIN & SIZE
○ MANHOLE	● STORM INTAKE
⊗ FIRE HYDRANT	▲ F.E.S.
— EXISTING CONTOURS	— PROPOSED CONTOURS
— SILT FENCE OR APPROVED FILTRATION SOCK	



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Middlebrook Mainstreet Plat 2**

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**SHEET
2 OF 2**

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