

**CITY OF BUFFALO  
RESOLUTION #2006-07**

A Resolution to Waive the Right to Review Chapel Hill Estates Subdivision

**WHEREAS**, Iowa Code §354.9 paragraph 2 states that if a subdivision lies in a county and also lies within the area of review established by a city, then the subdivision plat shall be submitted to both the city and county for approval; and

**WHEREAS**, Buffalo Municipal Code §6-5.0103 states that the city shall review and approve any subdivision within two miles of the corporate limits of the city; and

**WHEREAS**, a proposed subdivision of real property known as Chapel Hill Estates, which is legally described at Exhibit 1, is located within Scott County and is also located within two miles of the corporate boundaries of the City of Buffalo; and

**WHEREAS**, the Zoning Committee of the Scott County Board of Supervisors approved the preliminary plat of Chapel Hill Estates on unanimous votes; and

**WHEREAS**, the City of Buffalo Planning and Zoning Committee recommended the approval of the preliminary of Chapel Hill Estates on a unanimous vote; and

**WHEREAS**, on June 12, 2006 the City of Buffalo City Council on a motion to approve the preliminary plat voted one in favor and four against the approval of the preliminary plat of Chapel Hill Estates and said vote resulted in a rejection of the plat; and

**WHEREAS**, the Buffalo City Council at its meeting on July 10, 2006 voted to reconsider the approval of the preliminary plat of Chapel Hill Estates; and

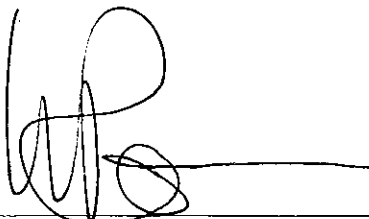
**WHEREAS**, §354.9 paragraph 2 of the Code of Iowa states that the city may by resolution waive its right to review and approve the subdivision;

**NOW THEREFORE BE IT RESOLVED**, as follows:

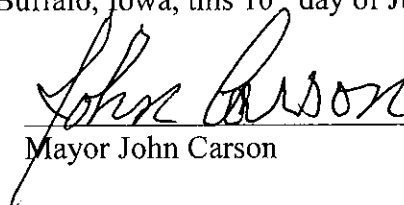
The City of Buffalo hereby exercises its right under §354.9 paragraph 2 of the Code of Iowa to waive its right to review and approve the preliminary and final plats of the Chapel Hill Estates subdivision, and waives the requirements of any of its standards or conditions for approval of Chapel Hill Estates subdivision, and hereby certifies that this resolution waiving its right to review the preliminary and final plats of the Chapel Hill Estates subdivision shall be recorded with the final plat of Chapel Hill Estates.

Passed by the City Council of the City of Buffalo, Iowa, this 10th day of July, 2006.

Approved and signed by the Mayor of the City of Buffalo, Iowa, this 10<sup>th</sup> day of July, 2006.



Attest: William Bowers, City Clerk

  
\_\_\_\_\_  
Mayor John Carson

