

RESOLUTION NUMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN  
ENGAGEMENT AGREEMENT WITH ALHERS & COONEY, P.C.  
REGARDING THE 7<sup>TH</sup> STREET WEST RECONSTRUCTION  
SPECIAL ASSESSMENT PROJECT**

WHEREAS, the City of Cresco requests services to be rendered by Ahlers & Cooney, P.C. in representing the City of Cresco in connection with the 7<sup>th</sup> Street West Reconstruction Special Assessment Project.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor is authorized and directed to sign the Engagement Agreement with Ahlers & Cooney, P.C. in Des Moines, Iowa.

Council Person \_\_\_\_\_ moved the adoption of the foregoing Resolution and Council Person \_\_\_\_\_ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Thereupon, the Mayor declared said Resolution duly passed and announced that the Engagement Agreement between the City of Cresco and Ahlers & Cooney, P.C. for professional services relating to the project described as the 7th Street West Reconstruction Special Assessment Project is approved and that the Mayor is authorized to execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_  
Mayor David J. Brenno

ATTEST: \_\_\_\_\_  
City Clerk Michelle Elton



Ahlers & Cooney, P.C.  
Attorneys at Law

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Kristine Stone  
515.246.0314  
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October 7, 2022

VIA EMAIL AND U.S. MAIL

Honorable Mayor and Members of the City Council  
City of Cresco  
130 North Park Place  
Cresco, Iowa 52136-1594

**RE: 7th Street West Reconstruction  
Special Assessment**

Dear Mayor and Members of the City Council:

The purpose of this Engagement Agreement ("Agreement") is to disclose and memorialize the terms and conditions under which services will be rendered by Ahlers & Cooney, P.C. in representing the City of Cresco (the "City") in connection with the above-referenced special assessment project.

I understand the City intends to replace street, water, sanitary sewer, storm sewer and other public improvements, and assess certain costs associated with the project to the properties that are specially benefitted by the improvements.

**SCOPE OF ENGAGEMENT**

We will perform the following services:

1. Review the engineer's preliminary plat and schedule of assessments for compliance with Iowa law;
2. Prepare letters of instructions throughout the special assessment process;
3. Answer questions and advise City staff and Council throughout the special assessment process;

4. Prepare proceedings and documents for initiation of the special assessment project, including:
  - a. Notice of Meeting and partial agenda covering matters below under the open meetings law.
  - b. Proceedings to be acted upon by the City Council in order to commence formal action, including the following:
    - i. Preliminary resolution for construction of street improvements,
    - ii. Resolution fixing value of lots,
    - iii. Resolution adopting preliminary plat and schedule and estimate of costs,
    - iv. Resolution of necessity, and
    - v. Notice of hearing on resolution of necessity
  - c. Certificates to evidence:
    - i. Publication of the Notice to Property Owners.
    - ii. Mailing of the Notice to Property Owners.
5. Prepare proceedings for the hearing on the Resolution of Necessity, including the public meeting notice and separate instructions for its use;
6. Prepare resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, fixing amount of bid security, and ordering the Clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs;
7. Prepare Certificate for filing of assessment schedule and resolution of necessity with the County Treasurer after adoption of the Resolution of Necessity;
8. Prepare Certificate with respect to agricultural deferment (if applicable);
9. Prepare proceedings to cover the hearing on the plans, specifications and form of contract for the public improvements;
10. Review the Engineer's proposed final assessment plat and schedule for compliance with Iowa law;

11. Prepare proceedings for the final phase of the special assessment project, including:
  - a. Resolution accepting work;
  - b. Resolution ordering preparation of final plat and schedule of assessments;
  - c. Resolution adopting and levying final schedule of assessments;
  - d. Certificate of levy of assessments to be filed by the Clerk with the County Treasurer;
  - e. Notice of filing final Plat and Schedule of Assessments to be published and mailed to each property owner;
  - f. Certificate regarding publication of notice;
  - g. Certificate regarding mailing of notice;
  - h. Special Assessment Collection Statement; and
  - i. Mailing instructions.

Our duties **under this particular engagement** are limited to those expressly set forth above. Absent a separate engagement agreement regarding one or more of the following services, our duties under this Agreement do not include:

1. Defending any legal challenges to the special assessment;
2. Reviewing, revising, or negotiating the City's contract with its architect or engineer;
3. Reviewing and revising the terms and conditions of the City's contract for construction of the public improvements; and
4. Any bond (finance) related services.

#### **ATTORNEY-CLIENT RELATIONSHIP**

Upon execution of this Agreement, the City will be our client and an attorney-client relationship will exist between us for the above referenced special assessment project. Our services are limited to those contracted for in this letter and the City's execution of this Agreement will constitute an acknowledgement of those limitations. Our representation of the City and the attorney-client relationship established by this Agreement will be concluded upon payment of our final invoice.

### **FEEES**

We will charge a flat fee for services rendered under this Agreement. Our fee should not exceed \$10,400. If we determine that an adjustment of our fee is necessary, we will advise you. Such adjustment might be necessary in the event that (a) either the Project Engineer or City staff fails to comply with the requirements of Iowa Code Chapter 384; (b) there is insufficient cooperation and coordination from the project engineer; and / or (c) unusual or unforeseen circumstances arise which require a significant increase in the services rendered, such as personal attendance at meetings, significant travel, or unexpected revision of the above referenced documents. Typically, personal attendance at Council meetings is not necessary in order to provide the services outlined above. We will, however, attend Council meetings in the event that circumstances require.

In addition to the flat fee quoted above, we will bill the City for all expenses incurred on its behalf, such as travel cost reimbursement, photocopying, deliveries and other related expenses. We estimate that such charges will not exceed \$500. We will contact you prior to incurring expenses that exceed that amount.

Our statement for services and expenses will be sent after publication of the second notice of filing of the Final Plat and Schedule of Assessments. Payment is due and payable within thirty (30) days of receipt of the invoice.

If, for any reason, the City terminates the engagement governed by this Agreement before the special assessment is levied or, if the project is cancelled, we will bill the City for the services rendered as of the date of termination based on the hourly rates of those who provided services. The fees charged by the Firm for this representation will be based on the current hourly rate of the person performing the service at the time services are performed. We will also bill you for all expenses we have incurred as outlined above. My hourly rate for 2022 is \$260. Services performed on your behalf by legal assistants will be billed at \$125 per hour. The Firm's billing rates are reviewed, and sometimes revised, annually in January. Accordingly, these rates are subject to change in January of each year.

### **RECORDS**

At the City's request, any documents furnished by the City will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the above referenced project will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this engagement.

**APPROVAL**

**Please carefully review the terms and conditions of this Agreement. If this Agreement accurately reflects the terms of this particular engagement, please obtain approval by your governing body, and execute, date and return to me the enclosed copy of this Agreement. Please retain the original for your file.**

If you have questions regarding any aspect of the above or our representation, please do not hesitate to contact me. We appreciate the opportunity to represent the City of Cresco and we look forward to working with you on this matter.

Sincerely,

AHLERS & COONEY, P.C.

By */s/ Kristine Stone*

Kristine Stone

Accepted and approved on behalf of the City Council\*

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Title: Mayor

\*Authorized by Roll Call \_\_\_\_\_ approved on \_\_\_\_\_, \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced the following Resolution entitled "PRELIMINARY RESOLUTION FOR THE CONSTRUCTION OF STREET, WATER, SANITARY SEWER, STORM SEWER AND OTHER PUBLIC IMPROVEMENTS IN THE CITY OF CRESCO, STATE OF IOWA", and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

**PRELIMINARY RESOLUTION FOR THE CONSTRUCTION OF  
STREET, WATER, SANITARY SEWER, STORM SEWER AND  
OTHER PUBLIC IMPROVEMENTS IN THE CITY OF CRESCO,  
STATE OF IOWA**

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that street, water, sanitary sewer, storm sewer and other public improvements be constructed within the City of Cresco, State of Iowa, as hereinafter described; and

WHEREAS, it is proposed that the project be constructed as a single improvement under the authority granted by Division IV of Chapter 384, Code of Iowa:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Subdivision A. That the City of Cresco, State of Iowa, construct street, water, sanitary sewer, storm sewer and other public improvements, as hereinafter described.

Remove all existing concrete pavement, granular base and concrete curb and gutter on 7th Street West from Highway 9 to 4th Avenue West. The project will replace the existing 4 inch watermain along the corridor with 8 inch watermain. The existing 8" clay sanitary sewer between Highway 9 and Stock Avenue will be reconstructed with 8" PVC sanitary sewer. The existing storm sewer will also be reconstructed and discharged at a new location with a stormwater pond.

The street will be reconstructed as a 36 foot wide concrete street from Highway 9 north 500 feet then taper down to a 31 feet wide concrete street to 4th Avenue West. The roadway will include 6 inch thick concrete with integral curb over 10 inches of granular base. New concrete approaches will be constructed at existing driveway

locations within the street right-of-way. Sidewalk pedestrian ramps will be constructed at all intersections to meet the Americans with Disabilities Act.

Subdivision B. The beginning and terminal points of the improvements shall be as follows:

7th Street West from Highway 9 to 4th Avenue West

Subdivision C. That William K. Angerman, P.E. of Rochester, Minnesota, having been employed as Engineer to prepare plats, schedules, estimates, plans and specifications and otherwise to act in the capacity with respect to the project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties.

Subdivision D. That this Council hereby determines that all property within the area hereinafter described will be specially benefited by the improvements, to-wit:

All parcels abutting 7th Street West beginning at the south right-of-way line of Highway 9 and ending at the north right-of-way line of 4th Avenue West as shown on the preliminary assessment plat. The parcels are listed below:

LOT 3 & LOT 4 OF 4 SUBD LOT 3 IR SURV SE
S 125' LOT 2 EX E 150' N 50' SUBD LOT 3 IR SURV SE
E 150' N 50' S 125' LOT 2 SUBD LOT 3 IR SURV SE
LOT 1 OF 2 SUBD LOT 2 SUBD LOT 3 IR SURV SE
LOT 5 OF 4 IR SURV SE
LOT 9 BLK 28 BALDWINS ADDN
LOTS 7 & 8 BLK 28 BALDWINS ADDN
S 1/2 LOTS 11 & 12 BLK 21 BALDWINS ADDN
N 80' LOTS 11 & 12 BLK 21 BALDWINS ADDN
LOT 10 BLK 21 BALDWINS ADDN
LOT 9 & S 35' OF W 1/2 LOT 8 BLK 21 BALDWINS ADDN
W 1/2 LOTS 6, 7 & 8 EX S 35' BLK 21 BALDWINS ADDN
S 80' LOTS 9 & 10 BLK 16 BALDWINS ADDN
LOT 9 & 10 EX S 80' BLK 16 BALDWINS ADDN
LOTS 7 & 8 BLK 16 BALDWINS ADDN
LOT 2 OF 2 & 100' RRROW IR SURV SE & LOT 2 OF 7 SW
LOT 1 & LOT 1 OF 2 EX LT 1 OF 1 OF 2 IRSURV SE (FAIRGROUNDS-RACETRACK ETC)
LOT 3 OF 4 & LOT 4 OF 4 IR SURV SE

Subdivision E. The improvement shall be designated as the "7th Street West Reconstruction", and such name shall be a sufficient designation to refer to the improvement in all subsequent proceedings.



PASSED AND APPROVED this 17th day of October, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION FIXING VALUES OF LOTS" and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION FIXING VALUES OF LOTS

WHEREAS, this Council after full investigation, has arrived at a determination of the value of each lot located within the 7th Street West Reconstruction, the valuation being set forth in a preliminary schedule entitled "7th St West Reconstruction", under the column therein headed "Council Values":

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

That the schedule of values, hereinabove referred to, be and the same is adopted as the valuations of the lots, with the proposed public improvements completed, within the boundaries of the improvements and the Clerk is hereby directed to forthwith deliver the same to William K. Angerman, P.E., the Engineer, for the project, the Engineer to insert the values in the schedule of assessments which is to be prepared and filed with this Council.

PASSED AND APPROVED this 17th day of October, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE 7TH STREET WEST RECONSTRUCTION" and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

**RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE 7TH STREET WEST RECONSTRUCTION**

WHEREAS, this Council has caused to be prepared a preliminary plat, schedule and estimate of cost, together with plans and specifications, for the construction of the 7th Street West Reconstruction, and this Council has fixed the valuations of the property proposed to be assessed as shown therein; and

WHEREAS, the Council finds that each lot separately assessed in the schedule of assessments meets the definition of a lot as described in Section 384.37(10), Code of Iowa, or in the case of lots consisting of multiple parcels that the parcels have been assembled into a single unit for the purpose of use or development; and

WHEREAS, the plat and schedule, estimate of cost and plans and specifications appear to be proper for the purpose intended:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

That the plat and schedule, estimate of cost and plans and specifications be and the same are hereby adopted as the proposed plat, schedule, estimate of cost and plans and specifications for the improvements and are hereby ordered placed on file with the Clerk for public inspection.

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of the improvements, as shown in the Engineer's plat, be and the same are hereby fixed as the boundaries for the 7th Street West Reconstruction.

PASSED AND APPROVED this 17th day of October, 2022.

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Mayor

ATTEST:

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City Clerk

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION OF NECESSITY (PROPOSED)", and moved its adoption. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

**RESOLUTION OF NECESSITY (PROPOSED)**

WHEREAS, preliminary plans and specifications and plat and schedule and estimate of cost are now on file in the office of the Clerk showing the boundaries of the District, containing the properties and lots to be assessed, locations of the improvements, each lot proposed to be assessed, together with a valuation of each lot as fixed by the Council, an estimate of the cost of the entire proposed improvements, stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of the 7th Street West Reconstruction, as hereinafter described, in the City of Cresco, State of Iowa:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

That it is deemed desirable, advisable and necessary to construct as a single improvement the 7th Street West Reconstruction, in the City of Cresco, State of Iowa.

The District containing the properties to be assessed is set out and described in the following "Notice to Property Owners", set out in this Resolution.

The improvements within the District are located and described in the following "Notice to Property Owners", set out in this Resolution.

The method of construction shall be by contract.

Costs of the improvements will be assessed to the properties within the boundaries of the District. No property shall be assessed more than it is benefited by the improvements nor more than 25% of its value on the date of its assessment. The assessment may include a ten percent Default and Deficiency Fund, as authorized by Section 384.44, Code of Iowa.

A plat and schedule and estimate of costs are now on file in the office of the Clerk as required by law.

Any difference between the amount which is derived from cash payments made by property owners during the thirty day collection period and the sale of Improvement Bonds issued against assessments on benefited properties and the total cost of the improvements, shall be paid for from the proceeds derived from the issuance and sale of bonds as authorized by Section 384.25, Code of Iowa, and/or from such other funds of the Municipality as may be legally used for such purpose.

BE IT FURTHER RESOLVED, that this Council meet at 5:30 P.M., on the \_\_\_\_\_ day of November, 2022, in the Council Chambers, City Hall, 130 North Park Place, Cresco, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the District. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, he shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure.

BE IT FURTHER RESOLVED, that the Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this Resolution and of the time and place of hearing objections thereto, and to the preliminary plans and specifications, estimate of costs and to the making of the improvements; the Notice to be in substantially the following form:

(Two publications required)

NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the office of the Council of the City of Cresco, State of Iowa, a proposed Resolution of Necessity, an estimate of costs and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within District as approved by the Council of the City of Cresco, State of Iowa, for a street, water, sanitary sewer, storm sewer and other public improvements, designated as the 7th Street West Reconstruction, of the types and in the location as follows:

Remove all existing concrete pavement, granular base and concrete curb and gutter on 7th Street West from Highway 9 to 4th Avenue West. The project will replace the existing 4 inch watermain along the corridor with 8 inch watermain. The existing 8" clay sanitary sewer between Highway 9 and Stock Avenue will be reconstructed with 8" PVC sanitary sewer. The existing storm sewer will also be reconstructed and discharged at a new location with a stormwater pond.

The street will be reconstructed as a 36 foot wide concrete street from Highway 9 north 500 feet then taper down to a 31 feet wide concrete street to 4th Avenue West. The roadway will include 6 inch thick concrete with integral curb over 10 inches of granular base. New concrete approaches will be constructed at existing driveway locations within the street right-of-way. Sidewalk pedestrian ramps will be constructed at all intersections to meet the Americans with Disabilities Act.

The location of the improvements is 7th Street West from Highway 9 to 4th Avenue West.

That the proposed District to be benefited and subject to assessment for the cost of such improvements is described as follows:

All parcels abutting 7th Street West beginning at the south right-of-way line of Highway 9 and ending at the north right-of-way line of 4th Avenue West as shown on the preliminary assessment plat. The parcels are listed below:

LOT 3 & LOT 4 OF 4 SUBD LOT 3 IR SURV SE
S 125' LOT 2 EX E 150' N 50' SUBD LOT 3 IR SURV SE
E 150' N 50' S 125' LOT 2 SUBD LOT 3 IR SURV SE
LOT 1 OF 2 SUBD LOT 2 SUBD LOT 3 IR SURV SE
LOT 5 OF 4 IR SURV SE
LOT 9 BLK 28 BALDWINS ADDN
LOTS 7 & 8 BLK 28 BALDWINS ADDN
S 1/2 LOTS 11 & 12 BLK 21 BALDWINS ADDN
N 80' LOTS 11 & 12 BLK 21 BALDWINS ADDN
LOT 10 BLK 21 BALDWINS ADDN
LOT 9 & S 35' OF W 1/2 LOT 8 BLK 21 BALDWINS ADDN
W 1/2 LOTS 6, 7 & 8 EX S 35' BLK 21 BALDWINS ADDN
S 80' LOTS 9 & 10 BLK 16 BALDWINS ADDN

LOT 9 & 10 EX S 80' BLK 16 BALDWINS ADDN
LOTS 7 & 8 BLK 16 BALDWINS ADDN
LOT 2 OF 2 & 100' RRROW IR SURV SE & LOT 2 OF 7 SW
LOT 1 & LOT 1 OF 2 EX LT 1 OF 1 OF 2 IRSURV SE (FAIRGROUNDS- RACETRACK ETC)
LOT 3 OF 4 & LOT 4 OF 4 IR SURV SE

The Council will meet at 5:30 P.M., on the \_\_\_\_\_ day of November, 2022, at the Council Chambers, City Hall, 130 North Park Place, Cresco, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

This Notice is given by authority of the Council of the City of Cresco, State of Iowa.

\_\_\_\_\_  
City Clerk, City of Cresco, State of Iowa

(End of Notice)



INTRODUCED AND APPROVED at a meeting held on the 17th day of October, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**NOTE: BID LINE ITEMS AND TOTALS MUST BE DOCUMENTED IN PEN.** Line item amounts and totals are to include all amounts associated with the work (i.e., dumpsters, contractor's profit, etc.) Do not write in any separate costs other than for each line item.

**DIVISION TOTALS:**

<b>DIVISION I - EXTERIOR</b>		<u>\$ 90,799.00</u> *
<b>DIVISION II - INTERIOR</b>		<u>\$ 10,400.00</u> *
<b>DIVISION III - ELECTRICAL</b>		<u>\$ 8200.00</u> *
<b>DIVISION IV - MECHANICAL</b>		<u>\$ 800.00</u> *
<b>REHAB TOTAL</b>	50,179.00	<u>\$ 50,199.00</u> (A)
<b>DIVISION V - LEAD-SAFE WORK PRACTICES TOTAL</b>		<u>\$ 2200.00</u> (B)
<b>PROJECT TOTAL (Line A + Line B)</b>	52,379.00	<u>\$ 52,399.00</u>

If the undersigned be notified of the acceptance of this proposal within 30 days of the time of the opening of bids, he agrees to execute the Project Documents consisting of: Construction Contract, Sub-Contractor Statement, Non-Collusion Statement, Pre-Construction Record, Notice to Proceed, Payment Requests, Change Orders, Owners Acceptance, Waiver of Liens, Anti-Kickback Statement, and Owner and Contractor Warranty Action Report, for the above stated compensation in the form of Contractor's Bid for Work to be Financed by Rehabilitation Grant or Loan within 7 days of such notification.

The undersigned further agrees, if this proposal be accepted, to enter into contract, furnish any and all bonds specified within 7 days of notification of such acceptance, and to complete the work in the number of days specified in the contract.

The undersigned understands that the City reserves the right to reject any or all proposals or to waive formality of technicality in any proposed in the interest of the owner.

FIRM NAME: DAVES HOME IMPROVEMENT LLC

BY: DAVID LANGBECK TITLE: Agent

BUSINESS ADDRESS: 28923 P AVE

CITY AND STATE: West Union, Iowa

PHONE: 563-419-6423

OWNER'S ACKNOWLEDGMENT AND ACCEPTANCE OF ABOVE DOCUMENT  
(To be signed by Homeowner at Pre-Construction Conference)

\_\_\_\_\_  
Date

The City of Cresco owns property on Kings Road south of the City. It used to be used for the Boy Scout Camp. Many years ago the City Street Department had mowed and maintained the area. Then it stopped being used and the City stopped mowing it. However, a farmer has been mowing part of the area.

Ann Casper has approached Council Member Kriener on behalf of her son, Ethan, who would like to renovate the building and start making improvements to the site. He is working on putting some plans together and working with the Boy Scouts and doing this as an Eagle Scout Project. Before he gets too far into this project, the City will need to determine legalities and see what the Council wants to do with the property.

