Call to Order

Pledge of Allegiance

Public Comment: Five Minute Limit per Speaker
This comment period is for the public to address topics on today’s agenda.

Consent Agenda
Items listed on the consent agenda are routine and will be considered by one motion without individual discussion unless the Board removes an item for separate consideration.

Approve and authorize Chair to sign a Vacancy Form requesting two Temporary Engineering Interns for the Secondary Road Department.

Approve and authorize Chair to sign a Vacancy Form requesting four Temporary Roadway Maintenance Workers for the Secondary Road Department.

Approve and authorize Chair to sign a Vacancy Form requesting a Temporary Clerk for the Purchasing Department

Reports
Place on file the Sheriff’s Quarterly Report for July 1 to September 30, 2019 totaling $1,455,693

Receive and place on file Auditor’s Quarterly Report for the quarter ending 12/31/19, in the amount of $6,498.79. Total Auditor transfer fees deposited by Recorder with the County Treasurer in the amount of $11,790.00.

Resolutions
Resolution to approve Land Preservation Parcel Split for Wittenburg’s First Addition Case JLPS19-0004

Resolution approving a Property Use Request for Permission to Utilize the Former Linn County Public Health Building

Contract and Agreements
Approve and authorize Chair to sign Fiscal Year 2020 Budget Amendment #1 for the Iowa Department of Transportation Secondary Roads Budget.
Approve and authorize the Linn County Conservation Director to sign an Application for a Site Development Plan for 7212 E Avenue NW, Cedar Rapids related to the Morgan Creek County Park redevelopment project.

Approve and authorize the Linn County Conservation Director to sign the following Agreements between the City of Cedar Rapids, Iowa and the Linn County Conservation Board: an Agreement for Private Sanitary Sewer Facilities; an Agreement for Sanitary Sewer and Water Service Connection Fees; and an Agreement for Private Water Main Facilities, all related to Morgan Creek County Park redevelopment, and to sign all applications and permits which may be required by the City of Cedar Rapids, related directly to the Morgan Creek Park redevelopment project.

Approve and authorize Chair to sign the Conditional Use Permit Application as owner of the property, for a Conditional Use Permit for Prospect Meadows, Inc. to operate a seasonal paintball course at the Prospect Meadows Baseball Field, located at 1850 Prospect Drive.

Approve and authorize Chair to sign contracts for rock at the following shop locations:

- Alice Shop to Wendling Quarries, Inc. in the amount of $231,937.50
- Drexler Shop to Wendling Quarries, Inc. in the amount of $113,812.50
- Main Shop to Wendling Quarries, Inc. in the amount of $115,687.50
- Morgan Creek Shop to Crawford Quarry in the amount of $110,700.00
- Toddville Shop to Wendling Quarries, Inc. in the amount of $171,875.00
- Walford Shop to Wendling Quarries, Inc. in the amount of $62,850.00
- Whittier Shop to Weber Stone Co. in the amount of $100,137.50

Authorize Chair to sign 36 month lease at $223.52 with Advanced Systems, Inc. for a copier for the Treasurer’s Office.

Authorize Chair to sign 36 month lease at $223.52 with Advanced Systems, Inc. for a copier for the Treasurer’s Office.

Authorize Chair to sign 36 month lease at $223.52 with Advanced Systems, Inc. for a copier for the Treasurer’s Office.

Authorize Chair to sign 36 month lease at $221.29 with Advanced Systems, Inc. for a copier for Public Health.

Authorize Chair to sign 36 month lease at $157.43 with Advanced Systems, Inc. for a copier for the Sheriff’s Office.

Authorize Chair to sign 36 month lease at $94.47 with Advanced Systems, Inc. for a copier for the Assessor’s Office.

Approve and authorize Chair to sign purchase order #5607 for $20,775.00 to Siemens for the annual maintenance on the FLIR (DVTel) camera system for IT.

**Licenses & Permits**

**Regular Agenda**

**Discuss and Decide on Consent Agenda**

**Minutes**

Discuss and decide on meeting minutes.

Discuss and decide on a request from the City of Cedar Rapids for consent to include a portion of land in unincorporated Linn County in the proposed amended Stone Creek Urban Renewal Area for the purpose of constructing a roundabout at the intersection of Williams Boulevard SW and Dean Road SW.
Review the plans and specifications, authorize the notice to bidders, set the public hearing date, and set the bid filling date for the Fillmore Building Roof and Building Improvement Project.

Set the public hearing date for the LIFTS/Future Line Building Renovation Project.

Discuss Linn County Access Center funding.

Public Comment: Five Minute Limit per Speaker
This is an opportunity for the public to address the board on any subject pertaining to board business.

Claims
Discuss and decide on claims.

Board Member Reports

Legislative Update

Correspondence

Appointments

1:30
Informal Board Room

Review of proposed Fiscal Year 2021 budget discussions and follow-up

Other budget discussions if necessary.

Adjournment

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncounty.org.
VACANCY FORM

SELECT ONE:
☑ NEW POSITION

☐ REPLACEMENT

REPLACES: ____________________________

☐ existing JOB CLASSIFICATION

SELECT ONE:

☐ NEW JOB CLASSIFICATION

JOB TITLE: Temporary Engineering Intern

☐ SHIFT/HOURS: 7:00 a.m. - 3:30 p.m.

DEPARTMENT: Secondary Road

NUMBER OF POSITIONS: 2

VACANCY DATE: May - August

NEW POSITION FUNDING SOURCE(S):

POST TO INSIDE: ☐ YES  ☐ NO

ADVERTISE: ☒ YES  ☐ NO

IF NO, GIVE EXPLANATION (i.e. not filling due to operational needs): Temporary position - No benefits

POSITION TYPE:

☐ FULL-TIME  ☐ PART-TIME _____# of hours/week  ☐ TEMPORARY/SEASONAL

☐ ON-CALL/SUBSTITUTE  ☐ GRANT-FUNDED

☐ BARGAINING UNIT: ☐ Clerical  ☐ Maintenance  ☐ Para Professional  ☐ Professional

☐ Attorneys  ☐ Conservation  ☐ Sergeants  ☐ PPME

☐ NON-BARGAINING UNIT (Management and Confidential Employees)

APPROVED BY: ____________________________  1/23/20

DEPARTMENT HEAD (original signature required)  DATE

FOR HUMAN RESOURCES DEPARTMENT USE ONLY:

PAY GRADE: ____________________________  STARTING SALARY: ____________________________

HR DIRECTOR COMMENTS: ____________________________

FINANCE/BUDGET DIRECTOR COMMENTS: ____________________________

APPROVED BY: ____________________________  1/24/2020

DATE

APPROVED BY: ____________________________  1/24/2020

DATE

APPROVED BY: ____________________________

CHAIRPERSON/BOARD OF SUPERVISORS  DATE
VACANCY FORM

SELECT ONE:
☐ NEW POSITION

SELECT ONE:
☐ NEW JOB CLASSIFICATION

JOB TITLE:  Temporary Roadway Maintenance Worker

DEPARTMENT:  Secondary Road

VACANCY DATE:  May - August

REASON TO ADD NEW POSITION (if applicable):
☐ BUDGET OFFER
☐ GRANT FUNDING
☐ OTHER:  ____________________________

POST TO INSIDE:  ☐ YES  ☐ NO

ADVERTISE:  ☐ YES  ☐ NO

IF NO, GIVE EXPLANATION (i.e. not filling due to operational needs):  Temporary position - No benefits

POSITION TYPE:
☐ FULL-TIME  ☐ PART-TIME  _____# of hours/week  ☐ TEMPORARY/SEASONAL
☐ ON-CALL/SUBSTITUTE  ☐ GRANT-FUNDED
☐ BARGAINING UNIT:  ☐ Clerical  ☐ Maintenance  ☐ Para Professional  ☐ Professional
☐ Attorneys  ☐ Conservation  ☐ Sergeants  ☐ PPME
☐ NON-BARGAINING UNIT (Management and Confidential Employees)

APPROVED BY:  ____________________________  1/23/20

DEPARTMENT HEAD (original signature required)  DATE

FOR HUMAN RESOURCES DEPARTMENT USE ONLY:
PAY GRADE:  ____________________________  STARTING SALARY:  ____________________________

HR DIRECTOR COMMENTS:  ____________________________

FINANCE/BUDGET DIRECTOR COMMENTS:  ____________________________

APPROVED BY:  ____________________________  DATE:  1/24/2020

APPROVED BY:  ____________________________  DATE:  1/24/2020

APPROVED BY:  ____________________________  DATE

CHAIRPERSON/BOARD OF SUPERVISORS  DATE
VACANCY FORM

SELECT ONE:
☐ NEW POSITION

SELECT ONE:
☐ NEW JOB CLASSIFICATION

JOB TITLE: Clerk

DEPARTMENT: Purchasing

VACANCY DATE: Immediately

SHIFT/HOURS:

NUMBER OF POSITIONS: 1

REASON TO ADD NEW POSITION (if applicable):
☐ BUDGET OFFER
☐ GRANT FUNDING
☐ OTHER: Temporary - filling in for (employee on leave)

NEW POSITION FUNDING SOURCE(S):

POST TO INSIDE: ☐ YES ☐ NO

ADVERTISE: ☐ YES ☐ NO

IF NO, GIVE EXPLANATION (i.e. not filling due to operational needs):
Temporary rehire to fill medical leave of employee

POSITION TYPE:
☐ FULL-TIME ☐ PART-TIME # of hours/week ☐ TEMPORARY/SEASONAL
☐ ON-CALL/SUBSTITUTE ☐ GRANT-FUNDED
☐ BARGAINING UNIT: ☐ Clerical ☐ Maintenance ☐ Para Professional ☐ Professional
☐ Attorneys ☐ Conservation ☐ Sergeants ☐ PPME
☐ NON-BARGAINING UNIT (Management and Confidential Employees)

APPROVED BY: [Signature] 1/23/20

DEPARTMENT HEAD (original signature required) DATE

FOR HUMAN RESOURCES DEPARTMENT USE ONLY:
PAY GRADE: ________________________ STARTING SALARY: ________________________

HR DIRECTOR COMMENTS: ________________________

FINANCE/BUDGET DIRECTOR COMMENTS: ________________________

APPROVED BY: [Signature] 1-23-2020
HUMAN RESOURCES DIRECTOR DATE

APPROVED BY: [Signature] 1-23-2020
FINANCE/BUDGET DIRECTOR DATE

APPROVED BY: ________________________
CHAIRPERSON/BOARD OF SUPERVISORS DATE
**SHERIFF'S QUARTERLY REPORT TO THE BOARD OF SUPERVISORS**

July 1, 2019, to September 30, 2019

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>SERVICE FEES/MILEAGE</td>
<td>$346,667.00</td>
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<tr>
<td>JUVENILE TRANSPORT</td>
<td>$35,596.00</td>
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<tr>
<td>SEX OFFENDER REGISTRY</td>
<td>$1,188.00</td>
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<tr>
<td>DRIVING RECORD FEES</td>
<td>$6.00</td>
</tr>
<tr>
<td>REPRODUCTION (COPY) FEES</td>
<td>$2,014.00</td>
</tr>
<tr>
<td>MISCELLANEOUS FEES</td>
<td>$1,570.00</td>
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<tr>
<td>INTEREST</td>
<td>$201.00</td>
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<tr>
<td>CARE OF PRISONERS</td>
<td>$766,413.00</td>
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<tr>
<td>PRISONER RM/BRD 40%</td>
<td>$38,141.00</td>
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<td>WORK RELEASE FEES</td>
<td>$32,201.00</td>
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<td>JAIL COMMISSIONS</td>
<td>$59,877.00</td>
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<tr>
<td>WEAPONS CARRY/PURCHASE PERMITS</td>
<td>$27,416.00</td>
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<tr>
<td>COLLECTION OF FINES</td>
<td>$144,403.00</td>
</tr>
<tr>
<td><strong>QUARTERLY TOTAL</strong></td>
<td><strong>$1,455,693.00</strong></td>
</tr>
</tbody>
</table>

I, Brian D. Gardner, Sheriff of Linn County, Iowa, do hereby certify that the above report is correct of fees and mileage for county owned vehicles collected by me as Sheriff during the period therein specified.

Brian D. Gardner, Linn County Sheriff

Dated 1-21-20
AUDITOR’S QUARTERLY REPORT TO THE BOARD OF SUPERVISORS

October 1st, 2019 to December 31st, 2019

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Election Reports</td>
<td>$261.14</td>
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<tr>
<td>Election: Reimbursements of Local Elections</td>
<td>$3,104.61</td>
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<tr>
<td>Election: Misc. Fees</td>
<td>$875.00</td>
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<td>Maps and Supplies</td>
<td>$237.79</td>
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<tr>
<td>Digital Data</td>
<td>$0.00</td>
</tr>
<tr>
<td>Research Fees</td>
<td>$0.00</td>
</tr>
<tr>
<td>Misc. Fees</td>
<td>$0.25</td>
</tr>
<tr>
<td>Purchasing Card Rebate</td>
<td>$0.00</td>
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<tr>
<td>Plat Survey Fees</td>
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<tr>
<td>Book and Materials</td>
<td>$0.00</td>
</tr>
<tr>
<td>Liquor Licenses</td>
<td>$1,690.00</td>
</tr>
<tr>
<td>Cigarette Permits</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Total On Deposit with the County Treasurer</strong></td>
<td>$6,498.79</td>
</tr>
<tr>
<td><strong>Total Auditor Transfer Fees Deposited by Recorder with the County Treasurer</strong></td>
<td>$11,790.00</td>
</tr>
</tbody>
</table>

I, Joel Miller, Auditor of Linn County, Iowa, do hereby certify that the above information is a true and correct record of fees collected by me as Auditor, for the quarter ending December 31st, 2019.

Joel Miller, Linn County Auditor

Date: 21 JAN 2020
LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # __________________________

APPROVING A LAND PRESERVATION PARCEL SPLIT

WHEREAS, a Land Preservation Parcel Split of Wittenburg's First Addition (Case # JLPS19-0004) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lettered outlot A and outlot B, has been filed for approval, a subdivision of real estate located in the NWWN of Section 12, Township 84 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the Northwest corner of said Section 12; thence North 89°13' 12" East 306.19 feet along the North line of the Northwest Quarter of the Northwest Quarter of said Section 12 to the Northwest corner of Plat of Survey #1316, as filed for record in Book 6212, Page 467 in the office of the Recorder of Linn County, Iowa; thence South 0° 47' 00" East 204.40 feet along the West line of said Plat of Survey #1316 to the Southwest corner thereof; the following three courses and distances run the Southerly boundary of said Plat of Survey #1316:

thence North 89° 13' 06" East 241.52 feet; thence North 0° 46' 54" West 3.40 feet; thence North 89° 13' 06" East 23.92 feet to the Southeast corner of said Plat of Survey #1316; thence North 00° 44' 21" West 200.99 feet along the East line of said Plat of Survey #1316 to the Northeast corner thereof; thence North 89° 13' 12" East 759.05 feet along the North line of said Northwest Quarter of the Northwest Quarter to the Northeast corner thereof; thence South 1° 32' 47" East 1326.93 feet along the East line of said Northwest Quarter of the Northwest Quarter to the Southeast corner thereof; thence South 89° 21' 21" West 1329.40 feet along the South line of said Northwest Quarter of the Northwest Quarter to the Southwest corner thereof; thence North 1° 36' 37" West 1323.80 feet along the West line of said Northwest Quarter of the Northwest Quarter to the point of beginning, containing 39.22 acres, subject to easements, covenants and restrictions of record.

WHEREAS, said plat is accompanied by a certificate acknowledging that said subdivision is by, and with the free consent of the proprietors, and is accompanied by a certificate dedicating certain property to the public, as shown on the plat; and

WHEREAS, said plat and its attachments thereto have been found to conform to the requirements of the comprehensive plan and the subdivision ordinance; and the requirements of other ordinances and state laws governing such plats; and

WHEREAS, the following conditions as listed on the Planning and Development Staff Report of October 16th, 2019 as last amended on November 18th, 2019 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400
1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article IV, Sec. 107-72 § 2 (h)(5). All approved entrances shall be brought into conformance with County standards. One entrance per parcel is allowed.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on Jordans Grove Road and Prairie Chapel Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to land preservation parcel splits. County Standard Specifications, Section 1.
4. Daylight corner shall conform to County Standard Specifications, Fig. 15.
5. E-911 address sign for Outlot A shall be applied for at the Linn County Secondary Road Department (319-892-6400) due to the structures and electricity on the site.

IOWA DEPARTMENT OF TRANSPORTATION
1. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT
1. A Shared Well Agreement shall be submitted for review.
NATURAL RESOURCES CONSERVATION SERVICE
1. Clarify plans for subsurface drainage with USDA Natural Resources Conservation Service (NRCS). Submit Shared Tile Agreement for review.

LINN COUNTY CONSERVATION DEPARTMENT
No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT
No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT – ZONING DIVISION
1. All side and rear yard setbacks must be met for all structures involved in this proposal.
2. Various revisions to the site plan and final plat.
3. Prior to approval of the final plat, the owner must sign an "Acceptance of Conditions" form. The "Acceptance of Conditions" form states that the owner understands and agrees to comply with the agreed upon conditions as stated in the staff report.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. Outlot A and Outlot B will require a Land Preservation Parcel Split deed restriction. As a part of the final plat the lots will be non-buildable until brought into conformance with the Linn County UDC and will require the note: "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed" on the plat.
6. The proposed subdivision name and proposed names of all roads, streets and lanes shall be submitted for review and approval by the Linn County Auditor’s office prior to approval of the final plat.
7. One original and 3 complete copies of the final plat bound documents that must include the following:
   (i) Owner’s certificate and dedication certificate executed in the form provided by the laws of Iowa, dedicating to Linn County title to all property intended for public use, including public roads
   (ii) Title opinion and a consent to plat signed by the mortgage holder if there is a mortgage or encumbrance on the property as well as a release of all streets, easements, or other areas to be conveyed or dedicated to local government units within which the land is located
   (iii) Surveyor’s certificate
   (iv) Auditor’s certificate
   (v) Resolution of the Planning and Zoning Commission
   (vi) Resolution of the Board of Supervisors
   (vii) Resolution of approval or waiver of review by applicable municipalities
   (viii) Treasurer’s certificate
   (ix) Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the Unified Development Code.
   (x) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
   (xi) Three (3) copies of the surveyor’s drawing
   (xii) A covenant for a secondary road assessment

8. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before NOVEMBER 18, 2020 as per Article IV, Section 107-72, § (1)(g), and shall be recorded within 1 year of that approval, as per Article IV, Section 107-72, § (2)(f), of the Unified Development Code.
NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded by January 29th, 2021 to be valid.

Passed and approved this 29th day of January, 2020

Linn County Board of Supervisors

__________________________________________
Chair

__________________________________________
Vice Chair

__________________________________________
Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

__________________________________________
Joel Miller, Linn County Auditor
Linn County Board of Supervisors  
January 29th, 2020  
Resolution #  
JLPS19-0004  
Page 4 of 4  

Linn County Engineer  

__________________________________________  
Brad Ketels, Engineer  

State of Iowa  )  
) SS  
County of Linn  )  

I, Joel Miller, County Auditor of Linn County, Iowa, hereby certify that at a regular meeting of the  
said Board of Supervisors, the foregoing resolution was duly adopted by a vote of:  

___ Aye ___ Nay ___ Abstain ___ Absent  

__________________________________________  
Joel Miller  

Subscribed and sworn to before me by the aforesaid Joel Miller, ________________________  

______  
on this _____ day of _________________________, 2020.  

__________________________________________  
Notary Public State of Iowa
AGREEMENT FOR PRIVATE SANITARY SEWER FACILITIES

It is hereby agreed between the City of Cedar Rapids, Iowa, and Linn County Conservation, owner of the property described as follows:

NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 SECTION 22, TOWNSHIP 83 NORTH, RANGE 8 WEST, LINN COUNTY, IOWA

AND

PARCEL ‘A’, PLAT OF SURVEY #253, LINN COUNTY, IOWA.

that private sanitary sewer facilities are being maintained or reconstructed on the above described property. Linn County Conservation hereby acknowledges their responsibility and agrees to continue to be responsible for all future reconstruction, repairs, and maintenance to the said private sanitary sewer facilities, subject to the following conditions:

1. That said property owner agrees to protect, defend, and hold the City of Cedar Rapids, Iowa, harmless from any and all damages or claims for damages that might arise or accrue as a result of Linn County Conservation’s failure to properly maintain said private sanitary sewer facilities.

2. The Owner(s) agrees to pay to the CITY all fees associated with recordation of this agreement and an approval resolution at the Linn County Recorder’s Office.

3. That this agreement shall be binding on all heirs, successors, and assigns of the property described above, except the City of Cedar Rapids, Iowa.

Dated this ______ day of ____________________, 201__.
PROPERTY OWNER(S):

By: ____________________________________________
______________________________________________

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF _____________________________
COUNTY OF: _______ ss:

On this ___ day of ______, A.D. 20___, before me, the undersigned, a Notary Public in and for said State, personally

______________________________________________

To me personally known

Or ____ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

______________________________________________ (Sign Name)
______________________________________________ (Print Name)

Notary Public in and for the State of __________________

(SEAL)

CAPACITY CLAIMED BY SIGNER:

___ INDIVIDUAL
___ CORPORATE

Titles of Corporate Officer(s):

______________________________________________

___ Corporate Seal is affixed
No Corporate Seal procured
PARTNERSHIP: _____Limited_Gen’l
ATTORNEY-IN-FACT
EXECUTOR(s) or TRUSTEE(s)
GUARDIAN(s) or
CONSERVATOR(s)
OTHER: ________________________________________

SIGNER IS REPRESENTING:
Names of entity(ies) or person(s)

______________________________________________
______________________________________________
AGREEMENT BETWEEN THE CITY OF CEDAR RAPIDS, IOWA AND THE LINN COUNTY CONSERVATION BOARD FOR SANITARY SEWER & WATER SERVICE CONNECTION FEES

WHEREAS, the CITY OF CEDAR RAPIDS, IOWA (the "CITY") has enacted ordinances establishing service rates and connection fees and charges for water and sewer services; and

WHEREAS, Iowa Code Section 384.84 (2019), among other things, allows a city to contract for the use of or services provided by a city utility or enterprise with persons whose type or quantity of use or service is unusual; and

WHEREAS the LINN COUNTY CONSERVATION BOARD (the "BOARD") is the owner of property located at 7212 E Avenue NW, Cedar Rapids, Iowa (the "Property") and legally described as:

A PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 83 NORTH, RANGE 8 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA

AND WHEREAS, the BOARD is a person whose type or quantity of use or service is unusual at the Property in that it is a large parcel but is not likely to be developed to the extent that it is necessary to charge the connection fees set forth in the CITY's ordinances.

NOW THEREFORE, it is hereby agreed between the CITY and the BOARD as follows:

1. The BOARD will pay to the CITY a sewer service connection fee of $9,790 prior to connecting its water and sewer systems at the Property to the CITY's systems based on the service area shown on the attached Area Served Map. The water service connection fee is waived due to the BOARD extending the water system to provide redundancy to existing infrastructure.

2. The BOARD shall receive a credit in the amount of $2,550 on account of a previous sanitary sewer connection fee paid to the CITY at the Property in 2005.

3. The BOARD shall be responsible for all costs in connecting its water and sewer lines at the Property to the CITY's system including surface restoration. The BOARD will have all service line work performed by a qualified, licensed plumber or pipe layer and in accordance with the CITY's ordinances and specifications.

4. If the BOARD subdivides the Property in the future, and additional lots are created, the BOARD shall pay an additional sanitary sewer connection fee at the time of connection at the rates then in effect pursuant to the CITY's ordinances.

5. This Agreement may be executed in any number of counterparts as the case may be, each of which shall be deemed a duplicate original and which together shall constitute one and the same instrument. In addition, the parties agree that this Agreement may be executed by electronic, pdf or facsimile signatures by any party and such signature will be deemed binding for all purposes hereof without delivery of an original signature being thereafter required.

6. That this agreement will be recorded by the CITY and shall be binding on all heirs, successors, and assigns, except the CITY.
IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed and do each hereby warrant and represent that their respective signatory, whose signature appears below, has been and is on the date of the Agreement duly authorized by all necessary and appropriate corporate action to execute this Agreement.

CITY OF CEDAR RAPIDS, IOWA

By: Jeffrey A. Pomeranz, City Manager Date

Authorized Signature Date

Attested by: Amy Stevenson, City Clerk Date

Nathan Kampman, City Engineer Date

Utility Manager Date

This Agreement has been reviewed by the Finance Department – Contracts Division of Cedar Rapids and is approved for further processing.

Randy Hartman, City Contracts Manager Date
AGREEMENT FOR PRIVATE WATER MAIN FACILITIES

It is hereby agreed between the City of Cedar Rapids, Iowa, and Linn County Conservation, owner of the property described as follows:

NE 1/4 OF THE SW 1/4, NW 1/4 OF THE SE 1/4, SW 1/4 OF THE SE 1/4 AND THE SW 1/4 SE 1/4 (EXCEPT THE PUBLIC ROAD) ALL IN SECTION 22, TOWNSHIP 83 NORTH, RANGE 8 WEST, LINN COUNTY, IOWA

AND

PARCEL ‘A’, PLAT OF SURVEY #253, LINN COUNTY, IOWA.

NE 1/4 OF THE SW 1/4, NW 1/4 OF THE SE 1/4, SW 1/4 OF THE SE 1/4 AND THE NORTH 4 ACRES OF THE SW 1/4 SE 1/4 ALL IN SECTION 22, TOWNSHIP 83 NORTH, RANGE 8 WEST, LINN COUNTY, IOWA

AND

PARCEL ‘A’, PLAT OF SURVEY #253, LINN COUNTY, IOWA.

AND

THE SOUTH 36 ACRES OF THE SW 1/4 OF THE SE 1/4 OF SECTION 22-83-8, LINN COUNTY, IOWA, SUBJECT TO THE PUBLIC HIGHWAY EXCLUDING PART OF THE SOUTH 36 ACRES OF THE SW 1/4 SE 1/4 OF SECTION 22, TOWNSHIP-83-NORTH, RANGE-8-WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SW 1/4 SE 1/4 OF SAID SECTION 22;

THENCE S 89°25'51" W ALONG THE SOUTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 22, 1325.79 FEET TO THE S 1/4 CORNER OF SAID SECTION 22;

THENCE N 00°57'08" W ALONG THE WEST LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 22, 50.00 FEET;

THENCE N 89°25'51" E, 1325.64 FEET TO THE EAST LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 22;

THENCE S 01°07'38" E ALONG SAID EAST LINE, 50.00 FEET TO THE POINT OF BEGINNING CONTAINING 1.52 ACRES (66,286 SQ.FT.) MORE OR LESS, SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

that private water main facilities are being maintained or reconstructed on the above described property. Linn County Conservation hereby acknowledges their responsibility and agrees to continue to be responsible for all future reconstruction, repairs, and maintenance to the said private water main facilities, subject to the following conditions:
1. That said property owner agrees to protect, defend, and hold the City of Cedar Rapids, Iowa, harmless from any and all damages or claims for damages that might arise or accrue as a result of Linn County Conservation's failure to properly maintain said private water main facilities.

2. The Owner(s) agrees to pay to the CITY all fees associated with recordation of this agreement and an approval resolution at the Linn County Recorder's Office.

3. That this agreement shall be binding on all heirs, successors, and assigns of the property described above, except the City of Cedar Rapids, Iowa.

Dated this ______ day of __________________, 201_.

PROPERTY OWNER(S):

By: ________________________________
______________________________

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF __________________________
COUNTY OF ______} ss:

On this _____ day of _____________, A.D. 20___, before me, the undersigned, a Notary Public in and for said State, personally ______

______________________________
To me personally known

Or _____ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

______________________________ (Sign Name)
______________________________ (Print Name)
Notary Public in and for the State of ____________

(SEAL)

CAPACITY CLAIMED BY SIGNER:

__________
INDIVIDUAL

____________
CORPORATE

Titles of Corporate Officer(s):

___________________________
_CORPORATE Seal is affixed

____ No Corporate Seal procured

PARTNERSHIP: Limited Gen’l

EXECUTOR(s) or TRUSTEE(s)

GUARDIAN(s) or

CONSERVATOR(s)

OTHER: ________________________

SIGNER IS REPRESENTING:

Names of entity(ies) or person(s)

______________________________

______________________________

______________________________
### Form 32.05.07 A Application for a Site Development Plan

Application Under Sec. 32.05.07 of the Zoning Ordinance  
City Services Center, 500 Fifteenth Avenue SW, Cedar Rapids, IA 52404  
Phone: (319) 286-5836 | Email: developmentservices@cedar-rapids.org

#### Site Information

<table>
<thead>
<tr>
<th>Address or General Location of Property:</th>
<th>7212 E Avenue NW, Cedar Rapids, IA 52405</th>
</tr>
</thead>
<tbody>
<tr>
<td>GPN(s)(^1):</td>
<td>132237600100000, 132245100200000, 132245100100000</td>
</tr>
<tr>
<td>Legal Description(^3):</td>
<td>See Attachment</td>
</tr>
<tr>
<td>Project Description:</td>
<td>Construction of a new access road, parking lots, detention basins, bioretention cells, and sidewalk for improved park use inside and outside both city limits and county limits.</td>
</tr>
</tbody>
</table>
| Zoning District(s):                    | A-AG | Agriculture  
|                                         | P-PO | Public - Parks and Open Space |
| Proposed Use(s):                       | Park and Playground  
|                                        | --   |
|                                        | --   |

\(^1\) For properties with lengthy Legal Descriptions or large number of GPNs, please attach on a separate document OR email to developmentservices@cedar-rapids.org.

#### Property Owner(s)\(^1\) or Authorized Representative(s)\(^1\) Signature(s)

The City of Cedar Rapids requires that all titleholders of a property be informed and acceptable to the application being made. Signing this form does not commit to any conditions which may be placed on an approval. Electronic signatures are accepted.

**Owner/Authorized Representative 1**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>

**Owner/Authorized Representative 2**

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) If there is a recorded contract, the contract purchaser's name(s), address and signature must also be included.  
\(^2\) If signed by a representative of the owner, the representative must attach evidence of titleholder's authorization.

#### Section 32.05.07 E Criteria for Action on Site Development Plan

The City Council, the City Planning Commission, Board of Adjustment, or Development Services Department shall approve a proposed site development plan if it finds that:

1. The site development plan is consistent with the City's Comprehensive Plan;
2. The site development plan is consistent with any prior approvals, including any conditions that may have been placed on such approvals; and
3. The site development plan conforms with all applicable requirements of this Code, or with all applicable requirements as modified by a request for a Minor Design Adjustment for meeting the requirements of Section 32.05.12.
FACILITY LOCATION OR LOCATION OF CONSTRUCTION SITE
Give the location by ¼ section, section, township, range, (e.g., NW, 7, T78N, R3W).

<table>
<thead>
<tr>
<th>1/4 SECTION</th>
<th>SECTION</th>
<th>TOWNSHIP</th>
<th>RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SW, SE, NW</td>
<td>22</td>
<td>83N</td>
<td>8W</td>
</tr>
</tbody>
</table>

MAIL TO:
STORM WATER COORDINATOR
IOWA DEPARTMENT OF NATURAL RESOURCES
502 E 9TH ST
DES MOINES IA 50319-0034

OWNER INFORMATION
Enter the name and full address of the owner of the facility.

<table>
<thead>
<tr>
<th>NAME:</th>
<th>ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linn County Conservation Board - Dennis Goemaat</td>
<td>10260 Morris Hill Road</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CITY:</th>
<th>STATE:</th>
<th>ZIP CODE:</th>
<th>TELEPHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toddville</td>
<td>IA</td>
<td>52312</td>
<td>(319) 892-6450</td>
</tr>
</tbody>
</table>

OUTFALL INFORMATION
Discharge start date, i.e., when did/will the site begin operation or 10/1/82, whichever is later: 02/13/2020
Is any storm water monitoring information available describing the concentration of pollutants in storm water discharges? Yes ☑ No

NOTE: Do not attach any storm water monitoring information with the application.
Receiving water(s) to the first uniquely named waterway in Iowa (e.g., road ditch to unnamed tributary to Mud Creek to South Skunk River):
Morgan Creek

Compliance With The Following Conditions:
Has the Storm Water Pollution Prevention Plan been developed prior to the submittal of this Notice of Intent and does the plan meet the requirements of the applicable General Permit? (do not submit the SWPPP with the application) Yes ☑ No

Will the Storm Water Pollution Prevention Plan comply with approved State (Section 161A.64. Code of Iowa) or local sediment and erosion plans? (for General Permit 2 only) Yes ☑ No

Has a public notice been published for at least one day, in the newspaper with the largest circulation in the area where the discharge is located, and is the proof of notice attached? (new applications only) Yes ☑ No

GENERAL PERMIT NO. 2 AND GENERAL PERMIT NO. 3 APPLICANTS COMPLETE THIS SECTION.
Description of Project (describe in one sentence what is being constructed):
Recreational Park & Trail

For General Permit No. 3 - Is this facility to be moved this year? Yes ☑ No

Number of Acres of Disturbed Soil: 25.8 Acres

Estimated Timetable For Activities / Projects, i.e., approximately when did/will the project begin and end:
February 2020 - Spring 2021

CERTIFICATION – ALL APPLICATIONS MUST BE SIGNED
Only the following individuals may sign the certification: owner of site, principal executive officer of at least the level of vice-president of the company owning the site, a general partner of the company owning the site, principal executive officer or ranking elected official of the public entity owning the site, any of the above of the general contracting company for construction sites.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified people properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, this information is to the best of my knowledge and belief, true, accurate, and complete. I further certify that the terms and conditions of the general permit will be met. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<table>
<thead>
<tr>
<th>NAME: (print or type)</th>
<th>TITLE AND COMPANY NAME OF SIGNATORY:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SIGNATURE: DATE:

03/2014 jg

Be sure to complete both sides of this form
DNR Form 542-1415
SECTION 8: OWNER CERTIFICATION STATEMENT

Stormwater Pollution Prevention Plan

NAME OF FACILITY AS LISTED ON NPDES PERMIT: Linn County Conservation Board – Morgan Creek Implementation

I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit that authorizes the stormwater discharges associated with industrial activity from the construction site as part of this certification. Further, by my signature, I understand that I am becoming a co-permittee along with the all other contractors and subcontractors working on this construction site, to the Iowa Department of Natural Resources NPDES General Permit No.2 for "Storm Water Discharge Associated with Industrial Activity for Construction Activities." As a co-permittee, I understand that I, and my company, are legally required under the Clean Water Act and the Code of Iowa, to ensure compliance with the terms and conditions of the storm water pollution prevention plan developed under this NPDES permit and the terms of this NPDES permit.

The Stormwater Pollution Prevention Plan (SWPPP) is a plan to maintain compliance of the NPDES General Permit. By signing this certification statement, you are certifying you understand there is an NPDES General Permit for this site.

NPDES Permit Discharge Authorization Number: IA-

You have read the SWPPP and/or understand the rules/regulations governing the NPDES General Permit regardless of what is in the SWPPP. If something is left out of the SWPPP it does not clear you or any of the other co-permittees of responsibility if they violate the NPDES General Permit and/or the Clean Water Act.

______________________________  ________________________________
Signature                                      Date

OWNER: Linn County Conservation Board – Morgan Creek Implementation

NAME (PRINT): Dennis Goemaat

TITLE: Director – Linn County Conservation
# Zoning Division
## Conditional Use Permit Application

### Owner Information:
- **Owner**: Linn County  
- **Address**: 935 2nd Street SW  
  Cedar Rapids, IA 52404  
- **Phone**

### Applicant Information:
- **Applicant**: Prospect Meadows, Inc.  
- **Address**: 1890 County Home Road  
  Marion, IA 52302  
- **Phone**: 319-393-1684  
- **E-Mail**: brent@halleng.com  
- **Phone**: 319-362-9548

### Surveying Co.:
- **Engineer**: Hall and Hall Engineers  
  Brent Jackman

### Property Information:
- **Property Address**: 1850 Prospect Drive, Marion, IA  
- **Brief legal(s)**: NE 1/4 46-84-6  
- **GPN(s)**: 101617600100000  
- **Rural Land Use Map Designation**: AA - Agricultural  
- **Current Zoning**: GC - General Commercial  
- **Proposed Development Information**: Prospect Meadows Paintball Park  
- **Total Acres**: 10

### Submittal Requirements:
- **See attached pages for additional submittal requirements**

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Linn County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the office of Linn County Planning and Development to conduct a site visit and photograph the subject property.

This development is subject to and shall be required, as a condition of final development approval, to comply with all Unified Development Code policies, requirements, and standards that are in effect at the time of final development approval. Conditional Use Permits granted by the Board of Adjustment do not supersede deed restrictions, restrictive covenants, or rules adopted by a homeowners' association.

### Owner Information:
- **Owner**: A. Paul Ruffalo  
- **Date**: 01/15/20  

### Applicant Information:
- **Applicant**: Prospect Meadows, Inc.  
- **Date**: 01/15/20

### Case & Receipt Numbers:
- **Case #**: 20-0806  
- **Receipt #:** 38459  
- **Date Received**: JAN 15 2020  
  RECEIVED
Description of Proposed Use:

Proposed Paintball Park - Approximately 2-acres dedicated to tournament-focused activities with the remaining used for check-in, staging, and recreational play. Total recreational fields is subject to playable space based on topology and materials used. The fields will be open to the general public for recreational paintball as well as open for special events for local businesses and clubs and fundraising events.

What are your proposed days and hours of operation?
Hours of Operation: 9 am - 6 pm
Seasonal: April - October
Primary Days: Friday, Saturday, Sunday - Open 7 days per week.

What type of county, state and/or federal permits will be needed to conduct the business?
County - Conditional Use, building permit

How many employees will be coming to the site?  
Full-time #2  Part-time #10

Estimate the amount and type of traffic generated on a daily basis:
Average daily traffic - possible 224 total trips but typically much less.

Describe the types and quantities of materials stored on site:
Paintball guns and accessories, personal protective equipment. Playfield bunkers - portable, inflatable bunkers, wood bunkers, cable spools, wrecked vehicles, plastic pipe.

Will there by any odors, vibrations, glare, fumes, or electrical interference generated by the use? If so, please explain in detail.
No odors, vibrations, glare, fumes or electrical interference expected.

Describe the type and quantities of water and sewage demands generated by proposed use:
Max persons at one time approximately 75 people, 8 portable restrooms proposed, paintball patrons will have access to the existing concessions. Most players will bring bottled water.

Please add any other information that will be useful in better understanding the proposed use:

Please address the following standards in the Unified Development Code for a Conditional Use Permit. Attach additional sheets if needed.
a. Does the proposed use conform to the Comprehensive Plan?
Yes, part of the Prospect Meadows Sports Complex.

b. Is the site suitable for the proposed use? Such factors as size and shape of the property, topographic conditions, soil conditions to support water and septic systems, accessibility to transportation facilities, diversion of prime agricultural land (CSR above 65) to non-agricultural uses, and soil erosion problems shall be considered. Shape and topography are good for paintball fields, minimal grading will be needed, a lot of the area can be used as is. Existing roadway infrastructure (as developed by Prospect Meadows) is adequate for potential increased traffic. Portable restrooms and concessions are adequate.

c. Is the proposed use compatible with surrounding property use? Such factors as the activities and function of the proposed use should be considered to determine if the proposed use conflicts with or reduces the usefulness or value or creates other negative impacts on adjoining property or properties in the general area, including public health, safety and welfare.

No negative impacts of surrounding property anticipated. The existing Prospect Meadows Sports Complex layout and function is complements the proposed paintball facility.

d. Is the adjoining road system adequate to accommodate the proposed use in terms of the present traffic volume vs. road capacity and the general condition of the road system?
Yes, the adjoining road network was upgraded to support the Prospect Meadows Sports Complex and no additional roadway upgrades or improvements are anticipated.

e. Can adequate measures be taken to minimize any potential adverse impacts on adjoining property? If so, stipulate such measures as required by the ordinance or special conditions that would be required.

Yes, protective netting will surround the paintball fields for protection of adjacent parking lots, baseball fields, neighboring property and roadways.

For office use only:

Applicable Article: Section ____________SS__________
## LINN COUNTY ROAD STONE RESULTS
### General Maintenance January 2020

<table>
<thead>
<tr>
<th>Location: Alice Shop</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>NO.</td>
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</tr>
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<td>Class A</td>
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<tr>
<td>Subbase</td>
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<tr>
<td>Macadam</td>
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### Location: Dexter Shop

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<tbody>
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<td></td>
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</tr>
<tr>
<td>Class A</td>
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<tr>
<td>Subbase</td>
<td>10,000</td>
</tr>
<tr>
<td>Macadam</td>
<td>250</td>
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### Location: Morgan Creek Shop

<table>
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<tr>
<th>Location: Hiawatha Shop</th>
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</thead>
<tbody>
<tr>
<td>NO.</td>
<td>ITEM</td>
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<td></td>
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<tr>
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</tr>
<tr>
<td>Subbase</td>
<td>12,000</td>
</tr>
<tr>
<td>Macadam</td>
<td>250</td>
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</tbody>
</table>

### Location: Toddville Shop

<table>
<thead>
<tr>
<th>Location: Walford Shop</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NO.</td>
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<td>Subbase</td>
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<tr>
<td>Macadam</td>
<td>250</td>
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</tbody>
</table>

### Location: Whitter Shop

<table>
<thead>
<tr>
<th>Location: Linn County Road Stone Results</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF CONTRACTOR</td>
<td>Crawford Quarry Co, Inc, Martin Marietta Aggregates, Walker Stone Co, Myron Materials, Winding Quarries, Inc</td>
</tr>
<tr>
<td>ADDRESS</td>
<td>PO Box 1027, 1831 Marilla Rd, 3791 Stone City Road, 6710 Earhart Lane 605 N Montezet Rd, Coralville, IA 52205, Anamosa, IA 52205, Coralville, IA 52201, Anamosa, IA 52205</td>
</tr>
<tr>
<td>City</td>
<td>Municipal, Iowa, Iowa, Iowa, Iowa</td>
</tr>
<tr>
<td>County</td>
<td>Linn, Linn, Linn, Linn, Linn</td>
</tr>
<tr>
<td>Zip Code</td>
<td>52205, 52205, 52205, 52205, 52205</td>
</tr>
<tr>
<td>Phone</td>
<td>563-334-3555, 319-384-6325, 319-384-0000, 319-384-0000, 563-334-3555</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:info@crawfordquarry.com">info@crawfordquarry.com</a>, <a href="mailto:info@martinmarietta.com">info@martinmarietta.com</a>, <a href="mailto:info@walkersstone.com">info@walkersstone.com</a>, <a href="mailto:info@myronmaterials.com">info@myronmaterials.com</a>, <a href="mailto:info@windingquarries.com">info@windingquarries.com</a></td>
</tr>
<tr>
<td>Contact</td>
<td>Crawford Quarry Co, Inc, Martin Marietta Aggregates, Walker Stone Co, Myron Materials, Winding Quarries, Inc</td>
</tr>
</tbody>
</table>

**GATE PRICE $7.45/ton**

**AWARDING BASED ON PROXIMITY, WE WILL PICK UP ROCK AT QUARRY AND NOT STOCKPILE AT SHOP**
CONSENT OF LINN COUNTY, IOWA TO THE INCLUSION OF AN AREA OUTSIDE THE CITY OF CEDAR RAPIDS CORPORATE LIMITS TO BE IN THE CITY OF CEDAR RAPIDS URBAN RENEWAL AREA OF OPERATION

This “Consent of Linn County, Iowa to the Inclusion of an Area Outside the City of Cedar Rapid Corporate Limits to be in the City of Cedar Rapids Urban Renewal Area of Operation” (“Consent”) is made on or as of this ______ day of _______, 2020, by Linn County, Iowa (the “County”) a political subdivision of the State of Iowa, having an office for the transaction of business at 935 2nd St SW, Cedar Rapids, IA 52404, to the City of Cedar Rapids, Iowa (the “City”) a political subdivision of the State of Iowa, having an office for the transaction of business at 101 First Street SE, Cedar Rapids, Iowa 52401.

RECEITALS:

WHEREAS, on August 23, 2016 the City Council for the City of Cedar Rapids, Iowa adopted Resolution No. 1109-08-16 thereby establishing the Stone Creek Urban Renewal Area (the “Stone Creek URA”) pursuant to and in accordance with Chapter 403 of the Code of Iowa, 2019 (the “Urban Renewal Act”), and

WHEREAS, the City intends to initiate procedures in accordance with the Urban Renewal Act to amend the plan for Stone Creek URA (the “Plan”) thereby adding additional land into the area of operation and describing new activities to be undertaken in accordance with the Plan, and

WHEREAS, a portion of the area to be included within the proposed amended Stone Creek URA is outside of the Cedar Rapids corporate limits but is contiguous with, and within two miles of said corporate limits in an unincorporated area of the County, and

WHEREAS, the proposed amended Stone Creek URA is described and depicted in Exhibit A attached hereto which by this reference incorporate herein (the “Amended URA”); and

WHEREAS, the purpose for expanding the Stone Creek URA and incorporating a portion of land in the County is undertake, as an activity under the Plan, the construction of a roundabout at the intersection of Williams Boulevard SW and Dean Road SW, a portion of which is located in the outside of the City limits within unincorporated County; and

WHEREAS, in accordance with Section 403.17(4), the area of the county being added in to the Amended URA is located contiguous with, and within two (2) miles of the City corporate limits and does not include any area which lies within the territorial boundaries of another incorporated city; and

WHEREAS, the City is desirous of obtaining the consent the County for inclusion of the County Area to be within the West Side URA and thus within City’s “area of operation” as that term is defined in Section 403.17 of the Code of Iowa.

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the County hereby agrees and states as follows:

1. The Recitals contained hereinafore are true and correct and incorporated herein.

2. The County has been duly authorized to provide this Consent.

3. The County hereby consents to the inclusion of the County Area in the City’s area of operation as provided for the Urban Renewal Act as defined in Section 403.17 of the Code of Iowa, which area is described and depicted herein.
IN WITNESS WHEREOF, the County has caused this Consent to be duly executed as of the date set forth above.

LINN COUNTY

_______________________________________________
Ben Rogers, Chair
Linn County Board of Supervisors

STATE OF IOWA                     )
COUNTY OF LINN                     ) SS:

On this ____ day of ___________, 2020, before me the undersigned, a Notary Public in and for said State, personally appeared Ben Rogers, to me personally known, who, being by me duly sworn, did say that he is the Chair of Linn County, Iowa, Board of Supervisors and that said instrument was signed on behalf of Linn County; and that said Ben Rogers Chair of Linn County, Iowa, Board of Supervisors as such officer acknowledged the execution of said instrument to be the voluntary act and deed of Linn County, by it voluntarily executed.

_________________________________________________________________
Notary Public in and for State of Iowa
My Commission Expires: ______________________
EXHIBIT A
LEGAL DESCRIPTION OF
PROPOSED AMENDED STONE CREEK URA


AND


AND

ALL OF THAT PORTION OF LAND WITHIN THE NORTHEAST QUARTER OF SOUTHWEST QUARTER (NE/4 OF SW/4) AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION 2, TOWNSHIP 82 NORTH, RANGE 8 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA DESCRIBED MORE OR LESS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT CERTAIN PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 3046, PAGE 417 IN THE LINN COUNTY RECORDER’S OFFICE AND AS SHOWN ON THE ACQUISITION PLAT THEREIN, ALSO BEING A POINT ON THE WEST LINE OF NE/4 OF SW/4 OF SAID SECTION 2 AND A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WILLIAMS BOULEVARD SW; THENCE NORTHERLY ALONG SAID WEST LINE, A DISTANCE OF 169 FEET MORE OR LESS TO THE NORTHWESTERLY LINE OF THAT CERTAIN PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 6248, PAGE 391 IN THE LINN COUNTY RECORDER’S OFFICE AND AS SHOWN ON THE ACQUISITION PLAT THEREIN, BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WILLIAMS BOULEVARD SW; THENCE N 59º41’09” E, A DISTANCE OF 309.5 FEET MORE
OR LESS ALONG SAID NORTHERLY RIGHT-OF-WAY TO AN ANGLE POINT IN SAID RIGHT-OF-WAY BEING 75 FEET NORTH OF THE CENTERLINE OF SAID WILLIAMS BOULEVARD SW AS MEASURED AT A RIGHT ANGLE; THENCE N 44°33'03" E, A DISTANCE OF 58.05 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE WESTERLY-MOST CORNER AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH SPECIAL WARRANTY DEED IN BOOK 6262, PAGE 651 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE N 59°28'49" E, A DISTANCE OF 168.74 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE WESTERLY-MOST CORNER AS SHOWN ON THE FEE TITLE ACQUISITION – EXHIBIT “A” RECORDED WITH RESOLUTION NO. 1252-10-19 AND WARRANTY DEED IN BOOK 10480, PAGE 506 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE ALONG THE FOLLOWING THREE (3) COURSES AS SHOWN ON SAID FEE TITLE ACQUISITION – EXHIBIT “A”;

(1) N 49°38'46" E, A DISTANCE OF 121.03 FEET;  
(2) N 31°30'28" E, A DISTANCE OF 94.67 FEET;  
(3) N 09°07'53" E, A DISTANCE OF 70.36 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF DEAN ROAD SW;  

THENCE SOUTHEASTERLY A DISTANCE OF 130.9 FEET MORE OR LESS TO INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF DEAN ROAD SW WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WILLIAMS BOULEVARD SW; THENCE CONTINUING SOUTHEASTERLY 200 FEET MORE OR LESS ALONG THE SOUTHEASTERLY EXTENSION OF THE WESTERLY DEAN ROAD SW RIGHT-OF-WAY TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WILLIAMS BOULEVARD SW AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3063, PAGE 173 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE S 50°47 ¾’ W, A DISTANCE OF 21 FEET MORE OR LESS ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHEAST CORNER OF THE PROPERTY AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3041, PAGE 09 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE S 53°55’ W, A DISTANCE OF 244.09 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHEAST CORNER OF THE PROPERTY AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3093, PAGE 440 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE S 65°02 ½’ W, A DISTANCE OF 109.34 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHEAST CORNER OF THE PROPERTY AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3038, PAGE 254 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE S 59°47 ½’ W, A DISTANCE OF 114.45 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHWEST CORNER THEREOF; THENCE N 1°06 ½’ W, A DISTANCE OF 74.39 FEET ALONG THE WEST LINE OF THE PROPERTY AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHEAST CORNER OF THE PROPERTY AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3020, PAGE 426 IN THE LINN COUNTY RECORDER’S OFFICE, ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WILLIAMS BOULEVARD SW; THENCE S 59°47 ½’ W, A DISTANCE OF 114.45 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHEAST CORNER OF THE PROPERTY AS SHOWN ON THE ACQUISITION PLAT RECORDED WITH WARRANTY DEED IN BOOK 3046, PAGE 417 IN THE LINN COUNTY RECORDER’S OFFICE; THENCE S 59°47 ½’ W, A DISTANCE OF 254.41 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AS SHOWN ON LAST SAID ACQUISITION PLAT TO THE SOUTHWEST CORNER THEREOF AND POINT OF BEGINNING.
MAP OF PROPOSED
AMENDED STONE CREEK URA

Existing URA Boundary
Area Being Added to URA