

BOARD OF SUPERVISORS

District 1 | **Stacey Walker**

District 2 | **Ben Rogers**

District 3 | **Brent Oleson**

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCounty.org



**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Wednesday, October 23, 2019

10 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA

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.

Reports

Receive and place on file the Recorder's Quarterly Report for July 1 through September 30, 2019

Resolutions

Resolution to approve Residential Parcel Split for Hoke Farms 3rd Addition, Case JPS18-0006

Resolution to approve Residential Parcel Split for Pease First Addition, Case JPS18-0026

Contract and Agreements

Approve and authorize Chair to sign a 28E agreement between Linn County and City of Lisbon for rock to be placed on Gillette Ln from W Main Street to the northern city limits of Lisbon

Authorize Chair to sign purchase order # 5587 for \$42,881.17 to Pigott for furniture for the Harris Building.

Authorize Chair to sign purchase order # 5588 for \$8,452.00 to Premier F&E for furniture for the Harris Building.

Licenses & Permits

Regular Agenda

Discuss and Decide on Consent Agenda

Minutes

Discuss and decide on meeting minutes.

Discuss and approve a resolution to correct the Residential Parcel Split for Heath First Addition, case JPS19-0010.

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

Correspondence

Appointments

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.

LINN COUNTY RECORDER'S OFFICE

Joan McCalmant | Recorder
Teresa Sackett | Deputy Recorder
Carolyn Siebrecht | Deputy Recorder
Chris Bys | Deputy Recorder

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5420 | FAX: 319-892-5459
LinnCounty.org



October 15, 2019

RECORDER'S QUARTERLY REPORT TO THE BOARD OF SUPERVISORS

I, Joan McCalmant, Recorder/Registrar of Linn County, Iowa, hereby certify the following fees collected by the Linn County Recorder's Office from July 1, 2019 through September 30, 2019:

Recording Fees	\$	275,797.80
RVVRS	\$	4,968.00
ELSI	\$	239.25
Documentary Revenue Tax	\$	95,633.02
UCC's	\$	155.00
Certified Copies	\$	990.00
Auditor's Transfer	\$	12,725.00
Vital Statistics	\$	20,414.00
Passports	\$	33,690.00
Interest	\$	1,051.73
Boat Titles	\$	1,420.00
Recorder's Automation	\$	12,238.00
Total	\$	459,321.80

These fees were sent to the Linn County Treasurer's Office on October 15, 2019 and are documented on Treasurer's Receipt#

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joan A. McCalmant'. The signature is fluid and cursive, with a large loop at the beginning.

Joan A. McCalmant

Treasurer's Receipt -- Quarterly Report Date:

10/15/2019

101-4-03-81100-400	Recording fees	\$ 275,797.80
101-4-03-81100-401	RVVRS	\$ 4,968.00
101-4-03-81100-402	ELSI	\$ 239.25
101-4-03-81100-404	Documentary Revenue Tax	\$ 95,633.02
101-4-03-81100-405	UCC's	\$ 155.00
101-4-03-81100-406	Certified copies	\$ 990.00
101-4-03-81100-410	Auditor's transfer	\$ 12,725.00
101-4-03-81100-413	Vital statistics	\$ 20,414.00
101-4-03-81100-415	Passports	\$ 33,690.00
101-4-03-81100-600	Interest	\$ 1,051.73
101-4-34-61001-412	Boat titles	\$ 1,420.00
210-4-03-81100-414	Recorder's automation	\$ 12,238.00
	Total	\$ 459,321.80

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # _____

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of Hoke Farms 3rd Addition (Case # JPS18-0006) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A has been filed for approval, a subdivision of real estate located in the SESE of Section 28, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing as a point of reference at the SE Corner of said Section 28; thence N00°54'19"W along the east line of said Section 28, 729.53 feet; thence S88°33'44"W, 1655.84 feet; thence N00°00'00"W, 327.91 feet to the Point of Beginning; thence S00°00'00"E, 345.32 feet; thence S01°00'27"E, 44.07 feet; thence S89°59'41"W, 286.92 feet, thence S89°21'51"W, 143.73 feet, thence N00°00'02"E, 170.71 feet; thence N00°01'21" 48.56 feet; thence N18°15'23"E, 40.10 feet; thence N23°22'14" E, 37.73 feet thence N51°36'14"E, 48.79 feet; thence N60°07'43"E, 174.09 feet; thence S81°09'21"E, 117.09 feet; thence N90°00'00"E, 97.42 feet to the Point of Beginning, containing 3.62 acres.

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 May 16th, 2018 as last amended on June 18, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

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). One entrance per parcel is allowed. An additional access may be allowed with justification and permit. Existing entrance has a valid permit. Final entrance inspection to be completed.

IOWA DEPARTMENT OF TRANSPORTATION

1. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Existing water system must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 10, Article V Nonpublic Water Supply Wells.
2. Existing sewage disposal system must be in compliance with Linn County Code of Ordinances Chapter 10, Article VI Private Sewage Disposal Systems. Obtain a septic permit from LCPH for installation of new system.
3. Submit a copy of recorded shared well agreement/easement.
4. Existing house was reviewed by Linn County Public Health. Corrections are required to meet compliance with Linn County Code of Ordinances Chapter 105, Article VI Property Maintenance Regulations.

NATURAL RESOURCES CONSERVATION SERVICE

No conditions to be met.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY 911 COORDINATOR

1. E-911 address sign is required to be located at driveway entrance.
2. Street designation signs and E-911 address signs to be applied for at Linn County Secondary Roads Department, 319-892-6400.

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. Complete requirements from Minimum Housing inspection provided by the Linn County Health Department, including obtaining appropriate permits, inspections and final approval from the Building Division.
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. This plat lies within the 2-mile jurisdiction of the City of Mount Vernon. As per Chapter 354 of the Code of Iowa, a certified resolution by any municipality that has authority to review the plat to either approve the plat or waive its right to review must be provided.
5. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
6. An access easement providing access to proposed Lot 1 shall be included with the bound documents, or referenced by the associated Recorder's book and page on the final plat.
7. An access easement providing access to proposed Outlot A shall be included with the bound documents, or referenced by the associated Recorder's book and page on the final plat.
8. As Outlot A has been included as a part of the final plat, the lot will be non-buildable until brought into conformance with the Linn County Zoning Ordinance 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.
9. The remaining land of the parent parcel will result in a parcel of less than 35 acres. Either combine the remaining land to an adjacent parcel by deed restriction to total 35 acres or more, or include the remaining land as part of the final plat. If included as a part of the final plat, the lot will be non-buildable until brought into conformance with the Linn County Zoning Ordinance 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.
10. 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.
11. 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

12. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before **JUNE 18, 2019** 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 October 23rd, 2020 to be valid.

Passed and approved this 23rd day of October, 2019.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

Linn County Engineer

Brad Ketels, P.E.

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 _____, 2019.

Notary Public State of Iowa

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # _____

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of Pease First Addition (Case # JPS18-0026) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A has been filed for approval, a subdivision of real estate located in the SWSW of Section 10, Township 86 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the SW Corner of said Section 10 thence N02°24'50"W along the west line of said SW 1/4 SW 1/4, 970.88 feet to the Point of Beginning; thence N02°24'50"W continuing along said west line, 241.85 feet; thence S86°23'50"E, 407.74 feet; thence S00°00'10"E, 235.37 feet; thence N87°12'28"W, 397.23 feet to the Point of Beginning containing 2.20 acres which includes 0.22 acres of road right of way.

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 17th, 2019 as last amended on November 19, 2018 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT

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). One entrance per parcel is allowed.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on Reamer Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to Residential Parcel Split cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

1. Not within the jurisdiction of the Iowa Department of Transportation.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. Existing water system must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 10, Article V Nonpublic Water Supply Wells.
2. Existing sewage disposal system must be either be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 10, Article VI Private Sewage Disposal Systems or if property is being sold, a Time of Transfer septic inspection must be completed and the report submitted.

If no deficiencies are noted, corrections or repairs require a permit.

If no permit is recorded for this property, a septic contractor must:

- Show evidence of septic tank by uncovering the tank and pumping it out to determine the volume.
 - Show evidence of the absorption field by uncovering the ends of the trenches or by probing five to ten areas over the trenches and verifying a dead-end. Health Department must be present to verify.
3. Existing house must be reviewed by Linn County Public Health for compliance with Linn County Code of Ordinances Chapter 105, Article VI Property Maintenance Regulations.

NATURAL RESOURCES CONSERVATION SERVICE

No conditions to be met.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY 911 COORDINATOR

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. Complete requirements from Minimum Housing inspection provided by the Linn County Health Department, including obtaining appropriate permits, inspections and final approval from the Building Division.
4. 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.
5. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
6. The remaining land of the parent parcel will result in a parcel of less than 35 acres. Either combine the remaining land to an adjacent parcel by deed restriction to total 35 acres or more, or include the remaining land as part of the final plat. If included as a part of the final plat, the lot 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.
7. 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.
8. 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

Linn County Board of Supervisors

Resolution # _____

JPS18-0026

October 23rd, 2019

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- (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
9. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before **NOVEMBER 19, 2019** 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 October 23rd, 2020 to be valid.

Passed and approved this 23rd day of October, 2019.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye:

Nay:

Abstain:

Absent:

Attest:

Joel Miller, Linn County Auditor

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 _____, 2019.

Notary Public State of Iowa

Prepared By: Linn County Secondary Road Dept., 1888 County Home Rd, Marion, IA 52302, (319)892-6400
Return To: Linn County Auditor, 935 2nd Street SE, Cedar Rapids, IA 52404, (319)892-5300

COUNTY AND CITY PROJECT AGREEMENT

This agreement entered into this _____ day of _____, by and between Linn County, Iowa, hereinafter referred to as County, and the City of Lisbon, hereinafter referred to as City.

WHEREAS, both the County and the City are a public agency as is defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, it is proposed, that Linn County crews place 700 tons of Class A rock on Gillette Ln from W Main St. to the northern City of Lisbon limits (.7 miles), and

WHEREAS, the City Council and the County Board of Supervisors have informed themselves as to the proposed improvement.

IT IS NOW AGREED that the City of Lisbon and Linn County enter into an agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action pursuant to the proposed roadway construction project and, said cooperative actions include the following:

- 1) **SCOPE OF WORK** – Linn County crews will place 700 tons of Class A rock on Gillette Ln from W Main St. to the northern City limits of Lisbon (approximately .7 miles)
- 2) **DURATION** - This Agreement shall commence on the date that both parties sign this agreement and shall continue thereafter until the final completion of the project and settlement of the financial conditions of this agreement.
- 3) **PURPOSE** - The purpose of this Agreement is to accomplish the proposed project as described herein in accordance with the aforesaid scope of work and in agreement with conditions specified in this Agreement.
- 4) **ADMINISTRATION** - The County shall be responsible for the administration of this project.
- 5) The City and County agree to save and indemnify and keep harmless, each other against all liabilities, judgments, costs, and expenses which may in any way come against the County or City or which in

any way result from carelessness or neglect of either party or its agents, employees, or workmen in any respect whatsoever.

- 6) The City and County agree to indemnify and hold each other, their employees and agents, wholly harmless from any damages, claims, demands, or suits by any person or persons arising out of any acts or omissions by the City or County, its agents, servants or employees in the course of any work done in connection with any of the matters set forth in this agreement.
- 7) FINANCING - The County shall initially finance the cost of the project. The City shall reimburse the County for the actual cost based on estimates for the portion of the project within their corporate limits as they exist at the time the project is complete. Payment shall be made within 30 days of receipt of detailed invoice.

700	Tons	Class A rock	\$10.00	\$7,000.00
700	Tons	Haul rate per ton	\$2.50	\$1,750.00
3	Hrs	Operator	\$39.99	\$119.97
3	Hrs	Motor Grader	\$99.00	\$297.00
			TOTAL	\$9,166.97

This reimbursement is due upon completion and final acceptance of the work.

- 8) TERMINATION:
 - a) This Agreement shall be considered binding upon the City and the County and shall not be terminated until provisions of paragraph 8b are met after actual work has begun on the project.
 - b) This agreement will be terminated upon final acceptance of the work by the City and final settlement of the financial conditions set forth in paragraph 7 thereof.

Executed in triplicate, each of which shall constitute as original, by Linn County on the _____ day of _____, _____, and by the City of Lisbon on the _____ day of _____, _____.

BOARD OF SUPERVISORS
LINN COUNTY, IOWA

CITY OF LISBON

ATTEST:

ATTEST:

LINN COUNTY AUDITOR

CITY CLERK

RESOLUTION NO. 2019 – 10 –

A RESOLUTION APPROVING A CORRECTED FINAL PLAT

WHEREAS, a Residential Parcel Split of Heath First Addition to Linn County, Iowa (Case #JPS19-0010), containing two (2) lots, numbered Lot 1 (one), and lettered Lot A, has been filed for approval, and said Addition is a subdivision of real estate located in the SWSE of Section 36, Township 84 North, Range 6 West of the 5th P.M., Linn County, Iowa; and,

WHEREAS, the Linn County Planning and Zoning Commission, on June 17, 2019, voted to recommend approval of the Residential Parcel Split of Heath First Addition to Linn County, Iowa (Case #JPS19-0010), subject to the conditions of the Planning and Zoning staff report; and,

WHEREAS, the Linn County Board of Supervisors, on August 14, 2019, passed and approved Resolution No. 2019-8-119 approving the Residential Parcel Split of Heath First Addition to Linn County, Iowa (Case #JPS19-0010); and,

WHEREAS, Resolution 2019-8-119 as passed and approved by the Linn County Board of Supervisors contains a minor, inconsequential error within the legal description; and,

WHEREAS, the correct legal description of the Heath First Addition to Linn County, Iowa is as follows:

Beginning at the S 1/4 corner of said Section 36 thence N01°13'23"W along the west line of the SE 1/4 of said Section 36, 1838.77 feet to the north line of the South 30 3/4 rods of said NW 1/4 SE 1/4; thence N89°27'40"E along said north line, 715.04 feet to the east line of the West 43 1/3 rods of said NW 1/4 SE 1/4; thence S01°13'23"E along said east line, 507.42 feet to the north line of said SW 1/4 SE 1/4; thence N89°27'40"E along the north line of said SW 1/4 SE 1/4, 616.35 feet to the NE corner of said SW 1/4 SE 1/4; thence S01°06'09"E along the east line of said SW 1/4 SE 1/4, 999.41 feet to the north line of the S 1/2 of said SW 1/4 SE 1/4; thence S89°30'02"W along said north line of the S 1/2 E 1/2 of said SW 1/4 SE 1/4, 664.65 feet to the west line of the E 1/2 of said SW 1/4 SE 1/4; thence S01°09'46"E along the west line of the E 1/2 of said SW 1/4 SE 1/4, 332.99 feet to the south line of said SW 1/4 SE 1/4; thence S89°30'50"W along said south line, 664.30 feet, to the Point of Beginning, containing 43.91 acres which includes 0.61 acres of road right of way.

WHEREAS, said Residential Parcel Split of Heath First Addition to Linn County, Iowa and its attachments thereto have been revised based on strict interpretation of the abstract/deed legal description; and,

WHEREAS, the conditions originally listed in the Planning and Development staff report dated May 15, 2019, and amended on June 17, 2019, and as listed in Resolution 2019-8-119, passed and approved by the Linn County Board of Supervisors on August 14, 2019 remain in full force and effect.

BE IT THEREFORE RESOLVED by the Linn County Board of Supervisors that the corrected Residential Parcel Split of Heath First Addition to Linn County, Iowa is hereby approved. The Board of Supervisors and the County Engineer are hereby authorized to enter approval upon this 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 October 23rd, 2020 to be valid.

PASSED AND APPROVED this 23rd day of October, 2019

LINN COUNTY BOARD OF SUPERVISORS

Stacey Walker, Chair

Ben Rogers, Vice Chair

Brent Oleson, Supervisor

LINN COUNTY ENGINEER

Brad Ketels, County Engineer

ATTEST:

Joel Miller, Linn County Auditor

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

_____ Aye _____ Nay _____ Abstain and _____ Absent from Voting.