

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-2-27

APPROVING A FINAL PLAT

WHEREAS, a final plat of Walnut Acres (Case #JF18-0017) to Linn County, Iowa, containing three (3) lots, numbered lot 1 and 2, and outlot A, has been filed for approval, a subdivision of real estate located in the SESE of Section 01, Township 84 North, Range 05 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the South Quarter Corner of Section 1, Township 84 North, Range 5 West, of the Fifth Principal Meridian; Thence N00 °44'35" W, along the West Line of Lot 17 of the Subdivision of a Part of Lots 13 and 14 of Irregular Survey of the SE 1\4 of said Section 1, in accordance with the Recorded Plat thereof, 377.52 feet, to the Northwest Corner thereof; Thence N89 °08'50"E, along the North Line of said Lot 17, 1157.78 feet, to the Northeast Corner thereof, and the Southeast Corner of Lot 2 of Hilzendager First Addition, in accordance with the Recorded Plat thereof; Thence N00 °20'17" W, along the East Line of said Lot 2, a distance of 617.16 feet, to the Southwest Corner of Parcel "A" of Plat of Survey No. 2254, in accordance with the Recorded Plat thereof; Thence N89 °40'44"E, along the South Line of said Parcel "A" 81.77 feet, to the Southeast Corner thereof; Thence N00 °19'16" W, along the East Line of said Parcel "A", 327.94 feet, to the Northeast Corner thereof, and a Point on the South Line of said Hilzendager First Addition; Thence N89 °54'02"E, along said South Line, the Southerly Line of Lot 5 of Deer Ridge Estates Second Addition, in accordance with the Recorded Plat thereof, and the North Line of Lot 6 of said Deer Ridge Estates Second Addition, 1170.44 feet, to the Northeast Corner of said Lot 6 and the Westerly Line of Parcel "A" of Plat of Survey No. 1460, in accordance with the Recorded Plat thereof; Thence S08 °39'18" W, along said Westerly Line of Parcel "A", 600.29 feet; Thence Southwesterly 689.19 feet, along said Westerly Line on a 1030.31 foot radius curve, concave Northwesterly, whose 676.41 foot chord bears S27 °49'05" W; Thence S46 ° 58'52"W, along said Westerly Line, 894.22 feet; Thence Southwesterly 32.35 feet, along said Westerly Line on a 734.96 foot radius curve, concave Southeasterly, whose 32.35 foot chord bears S45 °43'13"W, to its intersection with the South Line of the North 15 Acres of the Northwest Quarter of the Northeast Quarter of Section 12, Township 84 North, Range 5 West, of the Fifth Principal Meridian; Thence S89 °36'36" W, along said South. Line, 1304.00 feet, to the Southwest Corner thereof; Thence N01 °28'01 "W, along the West Line of said North 15 Acres, 491.09 feet, to the Point of Beginning. Said Tract of Land contains 60.44 acres, and is subject to easements 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 17, 2018 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). Parcels shall gain access via an access easement. The access easement shall meet County specifications and have a permit stating which parcels are allowed to access.
2. Road agreement for conditions applicable to Final Plat 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

No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

1. Show approximate location of natural drainage ways and a note restricting building within the natural drainage way should be shown on the final plat. Contact the NRCS office for widths and building restriction requirements.
2. Land disturbance greater than 1 acre in size, not associated with agricultural crop production, will require a NPDES permit granted by the Iowa Department of Natural Resources.
3. A site plan showing the footprint of proposed structures and septic systems and wells shall be submitted and accepted by the NRCS office prior to plat approval.

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. Various revisions to the site plan and final plat.
2. 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.
3. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
4. 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.
5. The final plat bound documents 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 UDC.
6. 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
- i. 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 UDC.
- ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
- iii. Three (3) copies of the surveyor's drawing
- iv. A covenant for a secondary road assessment


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 February 6th, 2020 to be valid.

Passed and approved this 6th day of February, 2019.

Linn County Board of Supervisors


Chair

Vice Chair

Supervisor

Aye: 2

Nay: 0

Abstain: 0

Absent: 1

Attest:

Joel Miller by Rebecca Sloop, Deputy
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:

2 Aye 0 Nay 0 Abstain 1 Absent

Joel Miller by Rebecca Sloop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Sloop, Deputy

on this 6 day of Feb., 2019.

Amanda Hoy
Notary Public State of Iowa

