

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-7-109

APPROVING A FINAL PLAT

WHEREAS, a final plat of BAYOU LANE ADDITION (Case #JF18-0018) to Linn County, Iowa, containing four (4) lots, numbered Lot 1 (one), Lot A, Outlot A and Outlot B has been filed for approval, a subdivision of real estate located in the SENW of Section 20, Township 85 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the Center of Section 20, Township 85 North, Range 8 West of the Fifth Principal Meridian; thence N88°20'41"E along the north line of Government Lot 3 of said Section 20, a distance of 84.05 feet; thence S0°53'45"E along the west line of the east 37 acres of said Government Lot 3, a distance of 1319.53 feet to the south line of said Government Lot 3; thence S88°27'00"W along said south line, 92.87 feet; thence S88°34'30"W along said south line of Government Lot 3, a distance of 630.79 feet to the Original Meander Line of the Left Bank of the Red Cedar River; thence N15°23'51"W along said Original Meander Line, 1355.41 feet; thence N33°23'51"W along said Original Meander Line, 396.00 feet; thence N61°23'51"W along said Original Meander Line, 148.04 feet; thence N0°44'09"W along the west line of Government Lot 2, a distance of 931.70 feet; thence N88°34'35"E along the north line of said Government Lot 2, a distance of 948.92 feet; thence S0°57'01"E, 333.01 feet; thence N88°34'35"E, 77.06 feet to the northwesterly right of way of Lewis Access Road; thence S48°12'25"W along said northwesterly right of way, 915.56 feet to the current left bank of the Cedar River; thence S41°47'35"E, 200.00 feet to the southeasterly right of way of Lewis Access Road; thence N48°12'25"E along said southeasterly right of way, 825.64 feet; thence S0°57'01"E along the west line of the east 7 acres of said Government Lot 2, a distance of 793.21 feet; thence N88°46'15"E along the north line of said Government Lot 3, a distance of 228.04 feet to the point of beginning.

Excepting the following described tract:

Commencing at the Center of Section 20, Township 85 North, Range 8 West of the Fifth Principal Meridian; thence N88°20'41"E along the north line of Government Lot 3 of said Section 20, a distance of 84.05 feet; thence S0°53'45"E along the west line of the east 37 acres of said Government Lot 3, to the left bank of the Cedar River and the point of beginning; thence continuing S0°53'45"E along said west line to the south line of said Government Lot 3; thence S88°27'00"W along said south line to the right bank of the Cedar River; thence northwesterly along said right bank to the Original Meander Line of the Left Bank of the Red Cedar River; thence N15°23'51"W along said Original Meander Line, to a point on said Original Meander; thence N33°23'51"W along said Original Meander Line, 396.00 feet; thence N61°23'51"W along said Original Meander Line, 148.04 feet; thence N0°44'09"W along the west line of Government Lot 2, to said left bank of the Cedar River; thence southeasterly along said left bank to the point of beginning.

Said parcel contains 29.82 acres, 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 November 21, 2018 as last amended on DECEMBER 17, 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). All approved entrances shall be brought into conformance with County standards. One entrance per parcel is allowed. An additional access may be allowed with justification and permit.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5.
3. 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

1. No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

1. Clarify plans to address potential wetland area with NRCS.

LINN COUNTY CONSERVATION DEPARTMENT

1. No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

1. No conditions to be met.

LINN COUNTY 911 COORDINATOR

1. No conditions to be met.

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. This plat lies within the 2-mile jurisdiction of the City of Center Point. 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.
4. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
5. 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.
6. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **DECEMBER 17, 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.

Aye: 3
Nay: 0
Abstain: 0
Absent: 0

Attest:

Joel Miller by Rebecca Shoop, Deputy
Joel Miller, Linn County Auditor

Linn County Engineer

Brad Ketels
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:

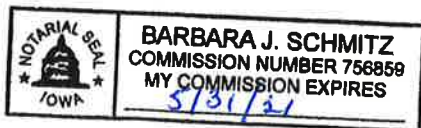
3 Aye 0 Nay 0 Abstain 0 Absent

Joel Miller by Rebecca Shoop, Deputy
Joel Miller

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

on this 17 day of July, 2019.

Barbara J. Schmitz
Notary Public State of Iowa



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
 - 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 drawings
 - 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.

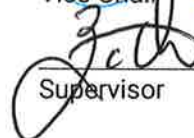
NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded July 17, 2020 to be valid.

Passed and approved this 17 day of July, 2019.

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor