

A RESOLUTION APPROVING THE VACATION OF A RECORDED UTILITY EASEMENT

RESOLUTION # 2020-2-26

WHEREAS, Paul J Macon and Brian S Otey, are the owners of record (Owners) of Lots 2 & 3 (Lots), Cottage Grove Woods 1st Addition to Linn County, Iowa (Subdivision);

AND WHEREAS, the Owners of Lots 2 & 3 desire to submit a Minor Boundary Change application for purposes of adjusting the property line between Lots 2 & 3 to accommodate construction of an accessory structure which lies in the existing utility easement and across the existing property line.

AND WHEREAS, there is a 30' platted utility easement (Easement) between the Lots as part of the Subdivision;

AND WHEREAS, as a result of the Minor Boundary Change process, the Easement will no longer be necessary and the Owners have requested the Easement be vacated;

AND WHEREAS, Alliant Energy, MidAmerican Energy, IMON Communication, Mediacom, CenturyLink & the City of Cedar Rapids have reviewed the request to vacate the Easement and have determined they have no objection;

AND WHEREAS, such requests are allowed under Section 107-72, § (2) h. 6. iii. of the Linn County Unified Development Code by Resolution of the Board of Supervisors upon recommendation by the Technical Review Committee and Planning & Zoning Commission;

AND WHEREAS, no objections to the proposed vacation have been expressed by the Technical Review Committee;

AND WHEREAS, on February 17, 2020 the proposed vacation was recommended for approval by the Planning & Zoning Commission;

AND WHEREAS, on February 24, 2020 the proposed vacation was reviewed by the Board of Supervisors, Linn County, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Linn County, Iowa, that said Easement is hereby vacated.

EFFECTIVE DATE. This resolution is effective upon adoption.

2020-2-26

Passed and approved this 26th day of February 2020.

Linn County Board of Supervisors

Stacey Walker
Stacey Walker, Chairperson

Ben Rogers
Ben Rogers, Vice Chairperson

Brent Gleson
Brent Gleson, Supervisor

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

Attest:

Joel D. Miller by Rebecca Schoop, Deputy
Joel D. Miller, Linn County Auditor

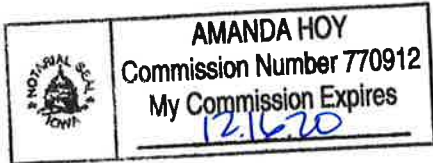
STATE OF IOWA)
) SS
COUNTY OF LINN)

I, Joel D. 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, AND 0 ABSENT FROM VOTING.

Joel D. Miller by Rebecca Schoop, Deputy
Joel D. Miller

Subscribed and sworn to before me by the aforesaid Joel D. Miller, by Rebecca Schoop, Deputy
on this 26 day of February, 2020.



Amanda Hoy
NOTARY PUBLIC, STATE OF IOWA