

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2020-3-41

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of STONER FARM FIRST ADDITION (Case # JPS19-0020) to Linn County, Iowa, containing one (1) lot, numbered lot 1 has been filed for approval, a subdivision of real estate located in the SW SE Section 13, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

STONER FARM FIRST ADDITION TO LINN COUNTY, IOWA is that part of the West Half of the Southeast Quarter of Section 13, Township 83 North, Range 5 West of the Fifth P.M., Linn County, Iowa, described as follows:

Commencing at the North Quarter Corner of said Section 13; thence South $0^{\circ} 52' 30''$ East 3809.37 feet along the West line of the East Half of said Section 13 to the point of beginning; thence North $89^{\circ} 00' 32''$ East 108.00 feet; thence North $57^{\circ} 09' 11''$ East 140.00 feet; thence South $89^{\circ} 33' 53''$ East 165.00 feet to a point of intersection with the Westerly right of way line of Highway 1; thence South $9^{\circ} 34' 21''$ West 335.00 feet along said Westerly right of way line to the beginning of a 25526.70 foot radius curve concave Southeasterly; thence Southwesterly through a central angle of $0^{\circ} 08' 40''$ an arc distance of 64.36 feet (chord bearing South $9^{\circ} 30' 00''$ West 64.36 feet); thence North $85^{\circ} 07' 12''$ West 321.00 feet to a point of intersection with the West line of the East Half of the Southeast Quarter of said Section 13, thence North $0^{\circ} 52' 30''$ West 290.00 feet along said West line to the point of beginning, containing 2.83 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 SEPTEMBER 18, 2019 as last amended on OCTOBER 21, 2019 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400

1. No conditions to be met.

IOWA DEPARTMENT OF TRANSPORTATION

1. Iowa Department of Transportation will only allow entrance permits for the existing residence and existing field entrance.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. 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. If applicable, correction of certain deficiencies may require permits, inspections and final approval from the Building Division of Linn County Planning & Development.

NATURAL RESOURCES CONSERVATION SERVICE

1. No conditions to be met.

LINN COUNTY CONSERVATION DEPARTMENT

1. No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

1. 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. The remaining land of the parent parcel in the NW ¼ SE ¼ 13-83-5 and the SW ¼ SE ¼ 13-83-5 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.
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 **OCTOBER 21, 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 **MARCH 25, 2021** to be valid.

Passed and approved this 25TH day of MARCH, 2020.

Linn County Board of Supervisors



Chair




Vice Chair



Supervisor

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

Attest:


Joel Miller, Linn County Auditor
Deputy

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:

3 Aye 0 Nay 0 Abstain 0 Absent

Joel Miller by Rebecca Shoap,
Joel Miller Deputy

Subscribed and sworn to before me by the aforesaid Joel Miller.

on this 25th day of March, 2020.

by Rebecca Shoap,
Deputy

Amanda Hoy
Notary Public State of Iowa

