

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2021-1-11

APPROVING A FINAL PLAT

WHEREAS, a final plat of MROCH VILLAGE (Case #JF20-0014) to Linn County, Iowa, containing three (3) lots, numbered Lot 1 (one), Lot 2 (two), & Lot 3 (three) has been filed for approval, a subdivision of real estate located in the NENE of Section 18, Township 83 North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the Northeast Corner of Section 18, Township 83 North, Range 6 West, of the Fifth Principal Meridian, Linn County, Iowa; Thence S89°11'13"E, along the North Line of the Northeast Quarter of said Section 18, a distance of 40.01 feet, to its intersection with the Northerly Projection of the East Line of Lot 1 of Auditor's Plat No. 54, in accordance with the Plat thereof Recorded in Book 1863 at Page 386 of the Records of the Linn County Recorder's Office; Thence S00°14'27"E, along said Northerly Projection, 70.59 feet, to its intersection with the South Line of Acquisition Parcel No. 4, in accordance with the Plat thereof Recorded in Book 2087 at Page 688 of the Records of the Linn County Recorder's Office; Thence S00°14'27"E, along the East Line of said Lot 1, a distance of 432.45 feet; Thence Southeasterly, 498.97 feet, along said East Line on a 758.11 foot radius curve, concave Northeasterly, whose 490.01 foot chord bears S19°05'46"E; Thence S73°51'41"W, along said East Line, 123.07 feet; Thence S00°14'27"E, along said East Line, 156.57 feet, to the Southeast Corner thereof; Thence S89°20'16"E, along the South Line of said Lot 1, a distance of 529.67 feet; Thence N00°16'36"W, along said South Line, 497.12 feet; Thence N89°17'36"W, along said South Line, 728.90 feet, to the Southwest Corner thereof; Thence N00°21'12"W, along the West Line of said Lot 1, a distance of 553.15 feet, to its intersection with the South Line of said Acquisition Parcel No. 4; Thence N79°52'56"E, along said South Line, 172.49 feet; Thence N89°58'03"E, along said South Line, 399.31 feet; Thence S87°09'48"E, along said South Line, 200.59 feet; Thence N89°57'42"E, along said South Line, 450.26 feet, to the Point of Beginning. Said Tract of Land contains 22.71 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 November 16, 2020 as last amended on DECEMBER 21, 2020 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. Lot 1 shall be limited to a single access onto Lakeside Road. Lot 2 and Lot 3 shall be limited to a single shared access onto Rosedale Road.

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2. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
3. E-911 address sign is required to be located at new residential driveway entrance. Contract the Linn County Secondary Road Department at 319-892-6400 for E-911 and entrance permits.

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. 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.
4. Submit storm water pollution prevention plan for review and acceptance prior to any site grading activities.

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. 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 Cedar Rapids and as per the 28E Agreement between the City and the County, will require City approval or a waiver of the right to review.
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 21, 2021** 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.
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

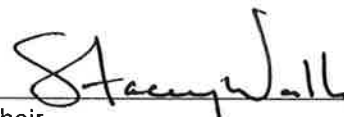
- v. Resolution of the Planning and Zoning Commission
- vi. Resolution of the Board of Supervisors
- vii. Resolution of approval or waiver of review by applicable municipalities
- viii. Treasurer's certificate
 - i. Agricultural Land Use Notification. The landowner shall ensure that such notification 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 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 January 27, 2022 to be valid.

Passed and approved this 27th day of January, 2021

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

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:

___ Aye ___ Nay ___ Abstain ___ 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 27 day of Jan., 2021.

Amanda Hoy
Notary Public State of Iowa

