

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2018-8-99

APPROVING A FINAL PLAT

WHEREAS, a final plat of MIDAMERICAN FIRST ADDITION (Case #JF17-0011) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Outlot A and Lot A, has been filed for approval, a subdivision of real estate located in the SW SW of Section 7, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the Southwest Corner of Section 7, Township 83 North, Range 6 West of the Fifth Principal Meridian; thence N1°08'05"W along the west line of the Southwest Quarter of said Section 7, a distance of 821.37 feet to the westerly extension of the south line of Lot 2, Morris Second Addition to Linn County, Iowa; thence N88°51'55"E, 40.00 feet to the east right of way of East Post Road; thence continuing N88°51'55"E along said south line of Lot 2 and its westerly extension, 150.00 feet; thence S1°08'05"E along the west boundary of Lot 1 of said Morris Second Addition, 200.00 feet; thence S88°51'55"W along the north line of Morris First Addition and its westerly extension, 150.00 feet to said east right of way of East Post Road; thence N1°08'05"W along said east right of way, 200.00 feet to the point of beginning. Said parcel contains 0.69 acre, 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 15, 2017 as last amended on DECEMBER 7, 2017 have been addressed:

LINN COUNTY ENGINEERING DEPARTMENT

1. Entrance permit required for new entrances and existing unpermitted entrances, Sec.11 and the Unified Development Code, Article 4, Sec. 8B § 9(e). 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. 60' of right-of-way on East Post Road adjacent to development shall be dedicated to Linn County for road purposes.
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. 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 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.

[Signature]
Supervisor

Shay Walk
Supervisor

Supervisor

Aye: 4
Nay: 0
Abstain: 0
Absent: 1

Attest:

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

Linn County Interim Engineer

Brad Ketels

State of Iowa)
) SS
County of Linn)

I, Joel Miller, County Auditor of Linn County, Iowa, and Clerk to the Board of Supervisors, 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:

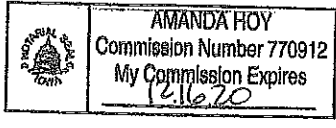
4 Aye 0 Nay 0 Abstain 1 Absent

Joel Miller by Rebecca Shoap, Deputy
Joel Miller

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

on this 1 day of Aug., 2018.

Amanda Hoy
Notary Public State of Iowa



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 Marion. 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. All conditions of rezoning case JR17-0003 shall be met prior to approval of final plat bound copies.
7. Rezoning case JR17-0003 will be finalized when final plat bound copies are ready to be approved by the Linn County Board of Supervisors.
8. One original and 3 complete copies of the final plat bound documents that must include the following:
 - (a) 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
 - (b) 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
 - (c) Surveyor's certificate
 - (d) Auditor's certificate
 - (e) Resolution of the Planning and Zoning Commission
 - (f) Resolution of the Board of Supervisors
 - (g) Resolution of approval or waiver of review by applicable municipalities
 - (h) 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 5, Section 1, § 8 of the Unified Development Code.
 - (j) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - (k) Three (3) copies of the surveyor's drawing
 - (l) A covenant for a secondary road assessment
9. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **FEBRUARY 19, 2019** as per Article 4, Section 8A (7), and shall be recorded within 1 year of that approval, as per Article 4, Section 8B(6) of the UDC.

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 to be valid.

Passed and approved this 1st day of August, 2018.

Linn County Board of Supervisors


Chair


Vice Chair