

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-2-31

APPROVING A FINAL PLAT

WHEREAS, a final plat of Novey Second Addition (Case #JF18-0011) to Linn County, Iowa, containing four (4) lots, numbered lot 1, lot 2, lot 3 and lettered outlot A has been filed for approval, a subdivision of real estate located in the SWSE of Section 23, Township 84 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Lot 1 of Novey First Addition to Linn County as is recorded in Book 9671 on pages 595-631 in the office of the Linn County Recorder 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 July 18th, 2018 as last amended on August 2, 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). Lot 1 shall be limited to a single access from Required Road. Lot 2 and Lot 3 shall be limited to one shared access from Feather Ridge Road.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. Existing ROW is sufficient for the final plat case.
3. Road agreement for road 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

No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

1. 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.
2. 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 approval.
3. Applicant shall complete and submit a Land Disturbing Affidavit to the Linn County Soil and Water Conservation District as required by Iowa Code.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

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.
3. Proposed driveway locations are required to be shown on the address plat for preliminary addressing. Actual address may change at time of driveway placement to reflect accurate address. Address assigned by Linn County Secondary Roads Department, 319-892-6400.

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 remaining land of the parent parcel will result in less than 35 acres. 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. All conditions of rezoning case JR18-0003 shall be met prior to approval of final plat bound copies.
8. Rezoning case JR18-0003 will be finalized when final plat bound copies are ready to be approved by the Linn County Board of Supervisors.
9. 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

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, P.E.

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

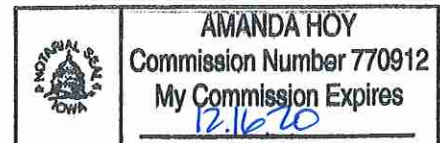
Joel Miller by Rebecca Shoop, Deputy
Joel Miller

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

Rebecca Shoop, Deputy

on this 21 day of February, 2019.

Amanda Hoy
Notary Public State of Iowa



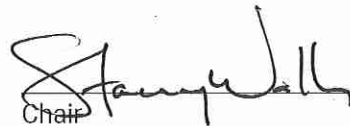
- vii. Resolution of approval or waiver of review by applicable municipalities
 - viii. Treasurer's certificate
 - ix. Agricultural Land Use Notification. The landowner shall ensure that such notification shall be attached to the deed and shall become a separate entry on the abstract of title for all the property that is subject of the permit or development as per Article V, Section 107-91, § (h) of the UDC.
 - 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
10. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 20, 2019** as 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.

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 February 20th, 2020 to be valid.

Passed and approved this 20th day of February, 2019.

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor