

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-2-37

APPROVING A FINAL PLAT

WHEREAS, a final plat of Lang's Family Farm Second Addition (Case #JF18-0015) to Linn County, Iowa, containing four (4) lots, numbered lot 1 and lot 2, and lettered lot A and lot B, has been filed for approval, a subdivision of real estate located in the SWNW of Section 32, Township 85 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing at the Center of said Section 32; thence S88°51'59"W along the south line of Lang's Family Farm First Addition to Linn County, 351.03 feet to the Point of Beginning; thence S88°51'59"W along the south line of the SE 1/4 NW 1/4 of said Section 32, 935.49 feet to the east line of Lang's First Addition to Linn County; thence N00°28'57"W along the east line of said Addition, 457.00 feet; thence S88°51'59"W along the north line of said Addition, 196.32 feet; thence S01°50'16"E along the west line of said Addition, 457.01 feet to the south line of said SW NW 1/4; thence S88° 51'59"W along said south line, 109.39 feet; thence N02°06'06"W, 1323.40 feet to the north line of said SW 1/4 NW thence N88°56'08"E along said north line and continuing along the north line of said SE 1/4 NW 1/4, 1581.46 feet to the east line of said SE 1/4 NW 14; thence S02°06'06"E along said east line, 821.41 feet to the north line of said Lang's Family Farm First Addition; thence S88°51'59"W along said north line, 349.62 feet; thence S01°56'21"E along the west line of said Addition, 500.05 feet to the Point of Beginning containing 41.98 acres which includes 0.96 acres of road right of way.

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 19th, 2018 as last amended on October 4, 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. Lot 2 shall be limited to two accesses.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on Springville Road adjacent to development shall be dedicated to the County for road purposes.
3. Final plat will not be approved until the road plans are approved as required in County Standard Specifications and Unified Development Code, Article IV, Section 107-72, §(2)(e)(14).
4. Road agreement for road improvement and / or trees / brush within County right-of-way. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

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. 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.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY 911 COORDINATOR

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. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
4. 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.
5. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **OCTOBER 15, 2019** 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.
6. 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 February 27th, 2020 to be valid.

Passed and approved this 27th day of February, 2019.

Linn County Board of Supervisors

Stacey Walk
Chair

[Signature]
Vice Chair

[Signature]
Supervisor

Aye: 3

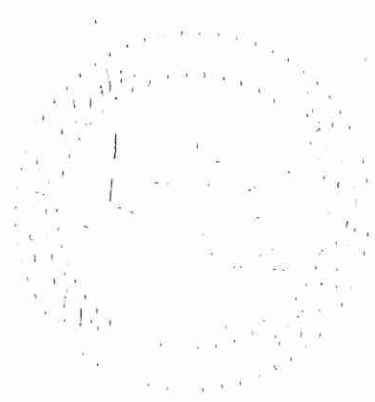
Nay: 0

Abstain: 0

Absent: 0

Attest:

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



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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:

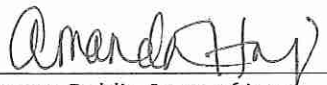
3 Aye 0 Nay 0 Abstain 0 Absent



Joel Miller

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

on this 27 day of February, 2019.



Notary Public State of Iowa

