

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-8-118

APPROVING A FINAL PLAT

WHEREAS, a final plat of KRAMER FARMLAND FIRST ADDITION (Case #JF19-0002) to Linn County, Iowa, containing three (3) lots, numbered Lot 1 and lettered Lot A and Outlot A, has been filed for approval, a subdivision of real estate located in the NENE of Section 26, Township 84 North, Range 08 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the SE corner of said NE 1/4 NE 1/4; thence S87°10'17"W along the south line of said NE 1/4 NE 1/4, 142.55 feet; thence S87°52'25"W along said south line, 178.87 feet; thence S88°08'15"W along said south line, 575.83 feet; thence S88°04'21"W along said south line, 420.45 feet to the SW corner of said NE 1/4 NE 1/4; thence N01°49'32"W along the west line of said NE 1/4 NE 1/4, 1322.51 feet to the NW corner of said NE 1/4 NE 1/4; thence N87°55'36"E along the north line of said NE 1/4 NE 1/4, 189.93 feet; thence S01°49'46"E, 233.09 feet to the north right of way line of Blairs Ferry Road; thence S56°42'09"E along said north right of way line, 115.71 feet to the centerline of Elf Lane; thence N85°13'51"E along said centerline, 74.42 feet; thence N66°54'58"E, along said centerline 289.00 feet; thence N87°55'51"E along said centerline, 690.02 feet to the east line of said NE 1/4 NE 1/4; thence S01°47'41"E along the east line of said NE 1/4 NE 1/4, 556.00 feet; thence S88°12'13"W, 170.00 feet; thence S01°47'47"E, 178.00 feet; thence N88°12'13"E, 170.00 feet to the east line of said NE 1/4 NE 1/4; thence S01°47'41"E along the east line of said NE 1/4 NE 1/4, 396.65 feet to the Point of Beginning, containing 33.72 acres which includes 7.37 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 May 15, 2019 as last amended on June 17, 2019 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. One entrance per parcel is allowed.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. 40' of right-of-way on Elf Lane adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
4. E-911 address sign is required to be located at driveway entrance.

IOWA DEPARTMENT OF TRANSPORTATION

1. Not within the jurisdiction of the Iowa Department of Transportation.

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LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. 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.

LINN COUNTY CONSERVATION DEPARTMENT

1. No conditions or comments.

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. Prior to submittal of final plat bound documents, an access easement shall be added to the existing driveway at the northwest corner of Lot 1 on the Site Plan and Final Plat.
6. The remaining land of the parent parcel will result in less than 35 acres. Either combine the remaining land 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.
7. 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.
8. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before JUNE 17, 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.
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
 - 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 to be valid.

Passed and approved this 14 day of August, 2019.

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

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

Attest:

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

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, Deputy
Joel Miller

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

on this 14 day of Aug., 2019.

Amanda Hoy

Notary Public State of Iowa

