

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2018-10-142

APPROVING A FINAL PLAT

**WHEREAS**, a final plat of Morf Second Addition (Case #JF18-0013) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Oulot A, and Lot A have been filed for approval, a subdivision of real estate located in the NENW of Section 7, Township 82 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the North Quarter Corner of Section 7, Township 82 North, Range 5 West of the Fifth Principal Meridian; thence S1°24'59"E along the east line of Lot D, Irregular Survey (being the east line of the Northwest Quarter) of said Section 7, G distance of 2439.24 feet to the centerline Of E. Bertram Road and the northerly boundary line of Auditor's Plat No. 488; thence N63°17'43"W along said centerline and northerly boundary, 145.63 feet to the Northwest Corner of said Auditor's Plat No. 488; thence S6°31'08"W along the westerly boundary of said Auditor's Plat No. 488, a distance of 282.06 feet to the south line of said Lot D (said Northwest Quarter); thence S88°58'21 " along said south line, 501.11 feet to the Southeast Corner of the west 1795.2 feet of said Lot D (as established by Plat of Survey No. 1762); thence NT09°38"W along the east line of said west 1795.2 feet (as established by Plat of Survey No. 1762), a distance of 2649.23 feet to the north line of said Lot D (said Northwest Quarter); thence N88°47'01 "E along said north line, 702.89 feet to the point of beginning.

**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 it's 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 18, 2018 as last amended on August 20, 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). 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. 40' of right-of-way on East Otter Road adjacent to development shall be dedicated to the County for road purposes.
3. Road agreement for conditions applicable to final plat cases. 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.
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.

**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.

**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 Mount Vernon. 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. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **AUGUST 20, 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.
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



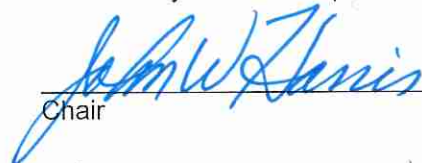
- v. Resolution of the Planning and Zoning Commission
- vi. Resolution of the Board of Supervisors
- vii. Resolution of approval or waiver of review by applicable municipalities
- viii. Treasurer's certificate
- i. Agricultural Land Use Notification. The landowner shall ensure that such notification 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 by October 3, 2019 to be valid.


**Passed and approved this 3<sup>rd</sup> day of October, 2018.**

Linn County Board of Supervisors

  
Chair

  
Vice Chair

  
Supervisor

Supervisor  
  
Supervisor

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

Attest:

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

Linn County Engineer

JK

Brad Ketels, Interim 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:

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,

on this 3rd day of October, 2018. Deputy

Amanda Hoy  
Notary Public State of Iowa

