

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-11-153

APPROVING FINAL PLAT

WHEREAS, a Final Plat of Wildrye Farms First Addition (Case # JF19-0006) to Linn County, Iowa, containing three (3) lots, numbered lots 1, 2 and 3, has been filed for approval, a subdivision of real estate located in the NENW 36-84-06 of Section 36, Township 84 North, Range 06 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing as a point of reference at the W 1/4 corner of said Section 36, thence N89°47'40"E along the south line of the NW 1/4, 2654.43 feet to the Center of said Section 36 and the Point of Beginning; thence N01°13'31"W along the west line of said SW 1/4 NE 1/4, 1329.31 feet to the NW corner of said SW 1/4 NE 1/4; thence S89°38'35"W along the south line of said NE 1/4 NW 1/4, 1183.80 feet to the south right of way line of Dubuque Road; thence N46°54'28"E along said south right of way line, 41.84 feet; thence N70°22'44"E along said south right of way line, 819.30 feet; thence N70°51'17" E along said south right of way line, 1924.56 feet to the NW corner of Parcel A of Plat of Survey #1841 ; thence S16°08'59"W along the west line of said Parcel A of said Plat of Survey #1841, 963.23 feet; thence S33 038'57"E along the west line of said Parcel A of said Plat of Survey #1841, 1577.08 feet to the SW corner of Parcel A of said Plat of Survey #841; thence S89°14'57"W along the south line of said Parcel A, Plat of Survey #325, 557.10 feet; thence S00°12'20"E, 5.94 feet to the south line of said SE 1/4 NE 1/4; thence S89°47'40"W along the south line of said SE 1/4 NE 1/4, 1457.12 feet the to the Point of Beginning, containing 74.09 acres

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 18, 2019 as last amended on October 21, 2019 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400

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. An additional access may be allowed with justification and permit.
2. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
3. Street designation sign required for private lane serving three properties.
4. E-911 address signs are required to be located at driveway entrances.
5. Entrance permits, street designation sign and E-911 address signs to be applied for at Linn County Secondary Road Department, 319-892-6400.

IOWA DEPARTMENT OF TRANSPORTATION

1. If any work is to be done in the State of Iowa right-of-way, contact the IDOT for additional permits.

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. 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.
3. Clarify plans to address potential wetland area with NRCS.

LINN COUNTY CONSERVATION DEPARTMENT

1. There is a significant forest resource that should be protected by restricting the clearing of trees in the floodplain. Limit trenching, grading, and construction activity over the root zones of trees to be saved.
2. There is a significant stream present. Prohibiting filling or building in the floodway should protect this stream. All building, clearing and construction activity should be restricted in the floodplain.

LINN COUNTY EMERGENCY MANAGEMENT

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 Springville, 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 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 **OCTOBER 21, 2020** 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 November 6th, 2020 to be valid.

Passed and approved this 6th day of November, 2019.

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

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

Attest:


Joel Miller, Linn County Auditor

Linn County Board of Supervisors

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November 6th, 2019

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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 Nay Abstain Absent

Joel Miller by Rebecca Skoop, Deputy
Joel Miller

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

Rebecca Skoop, Deputy

on this 10 day of November, 2019.

Amanda Hoy

Notary Public State of Iowa

