

**LINN COUNTY BOARD OF SUPERVISORS**

**RESOLUTION #** 2020-3-40

**APPROVING A FINAL PLAT**

**WHEREAS**, a final plat of JACKSON ACRES FIRST ADDITION (Case #JF19-0007) to Linn County, Iowa, containing three (3) lots, numbered Lot 1, Lot 2 and Lot A has been filed for approval, a subdivision of real estate located in the SW SW of Section 16, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the SW Corner of said Section 16; thence N00° 36' 59"W along the west line of the SW 1/4 of said Section 16, 137262 feet; thence S89° 37' 22"E along the south right of way line of Dee Lane and its westerly extension, 389.65 feet; thence S76° 58' 21"E along said right of way line, 286.73 feet; thence S00° 46' 28"E, 1289.82 feet; thence S88° 39' 59"W along the south line of said Section 16, 671.84 feet to the Point of Beginning, containing 20.75 acres which includes 1.60 acres of road right of way. For a more definite location and description, reference is made to a plat hereto attached and made a part hereof. Said Jackson Acres First Addition to Linn County, Iowa, is divided into three (3) lots numbered Lot 1 and Lot 2 and Lot A. The number of the lots is designated on the plat by figures near the center of the lots. The dimensions of the lots, width of the roads, easements and the distances from the government lines and corners are as shown in feet and decimals thereof on said plat. Lot A, Springville Road, is for street-right-of-way purposes and all public easements with their purpose noted are now being dedicated. The public easements included on the final plat are being dedicated by the owner for the purposes shown.

**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 NOVEMBER 20, 2019 as last amended on DECEMBER 16, 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.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. A minimum of 50' of right-of-way on Springville Road and 40' of right-of-way on Dee Lane adjacent to the 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 a new residential driveway entrance.

**IOWA DEPARTMENT OF TRANSPORTATION**

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

**LINN COUNTY PUBLIC HEALTH DEPARTMENT**

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

**LINN COUNTY CONSERVATION DEPARTMENT**

1. No conditions to be met.

**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. 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 **DECEMBER 16, 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.
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

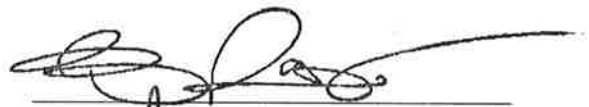
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby

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.

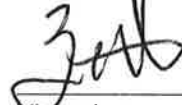
**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded **MARCH 25, 2021** to be valid.

**Passed and approved this 25th day of March, 2020.**

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 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 Shoop,  
Joel Miller Deputy

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Shoop,  
\_\_\_\_\_, Deputy  
on this 25th day of March, 2020.

Amanda Hoy  
\_\_\_\_\_  
Notary Public State of Iowa

