

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2020-11-127

APPROVING A FINAL PLAT

WHEREAS, a final plat of CLARAMAE FARMS SECOND ADDITION (Case #JF20-0010) to Linn County, Iowa, containing two (2) lots, numbered Lot 1, Outlot A has been filed for approval, a subdivision of real estate located in the SENW of Section 12, Township 82 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

CLARAMAE FARMS SECOND ADDITION TO LINN COUNTY, IOWA is that part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 82 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section 12; thence North 88° 03' 50" East 1331.31 feet along the North line of said Southeast Quarter of the Northwest Quarter to the Northeast corner thereof; thence South 2° 00' 29" East 379.74 feet along the East line of the Northwest Quarter of said Section 12 to a point of intersection with the North line of the Chicago Northwestern Railway right of way; thence South 66° 02' 03" West 1435.85 feet along said North line to a point of intersection with the West line of the Southeast Quarter of the Northwest Quarter of said Section 12; thence North 1° 59' 02" West 918.31 feet along said West line to the first point of beginning, containing 19.838 acres.

ALSO:

Beginning at the Center of said Section 12; thence South 88° 22' 10" West 976.87 feet along the South line of the Southeast Quarter of the Northwest Quarter of said Section 12 to a point of intersection with the South line of the Chicago Northwestern Railway Company right of way; thence North 66° 02' 03" East 1053.25 feet along said South line to a point of intersection with the East line of the Southeast Quarter of the Northwest Quarter of said Section 12; thence South 2° 00' 29" East 400.27 feet along said East line to the second point of beginning, subject to easements, covenants and restrictions of record, containing 4.49 acres and comprising a total of 24.328 acres.

For the purpose of this description, the East line of the Northwest Quarter of said Section 12 is assumed to bear South 2° 00' 29" East.

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 August 19, 2020 as last amended on SEPTEMBER 21, 2020 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

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- brought into conformance with County standards. One entrance per parcel is allowed onto Old Bridge Road. An additional access may be allowed with justification and permit.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. Forty feet of right-of-way on Nursery Road and Old Bridge Road adjacent to development shall be dedicated to the County for road purposes.
 3. Daylight corner shall conform to County Standard Specifications, Fig. 15 for a collector roadway classification.
 4. Road participation shall be determined at the time the property is developed for any use or reason.
 5. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

1. No conditions to be met.

LINN COUNTY PUBLIC HEALTH DEPARTMENT

1. No conditions to be met.

NATURAL RESOURCES CONSERVATION SERVICE

1. No conditions to be met.

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. 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. 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.
6. 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.
7. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **SEPTEMBER 21, 2021** 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.

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8. 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

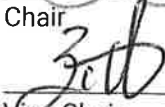
NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat is hereby approved. The Board of Supervisors and County Engineer are hereby authorized to enter approval upon the final plat resolution. The Board of Supervisors' Chairperson is also hereby authorized to sign said plat which executes an acceptance of dedication of property to the public, as shown on said plat.

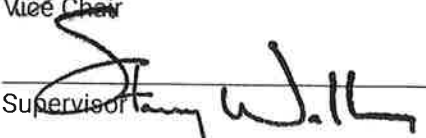
NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded November 25, 2021 to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

Passed and approved this 25 day of November, 2020

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

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Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:

Joel Miller by Rebecca Shoop, 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 Shoop, Deputy
Joel Miller

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

Amanda Hoy
Notary Public State of Iowa

