

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2019-6-95

APPROVING RESIDENTIAL PARCEL SPLIT

WHEREAS, a Residential Parcel Split of Hoke Farms Inc. Fourth Addition (Case # JPS19-0008) to Linn County, Iowa, containing one (1) lot, numbered lot 1, has been filed for approval, a subdivision of real estate located in the NENE 31-83-05 of Section 31, Township 83 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Commencing as a point of reference at the NE corner of said Section 31; thence S88°21' 33"W along the north line of said NE 1/4 NE 1/4, 646.43 feet to the Point of Beginning; thence S45°22'35"W, 358.20 feet; thence S33° 50'50"W, 79.04 feet; thence S08° 03'49"W, 299. 51 feet; thence S-ly on an arc of 438.74 feet of a 1008.00-radius curve to the right, having a chord length of 435.28 feet bearing S20°53'29"W; thence S31°41'12"W, 278.15 feet; thence S30° 48'47"W, 159.75 feet; thence S59°11'13"E, 22.00 feet; thence S30°48'47"W, 333.70 feet to the north right of way line of W. Mount Vernon Road; thence N63°59'19"W along said north right of way line, 50.18 feet to the SE corner of Parcel A, Plat of Survey No. 2317; thence N30°48'47" along the east line of said Parcel A, 497.87 feet; thence N31°41'21"E along said east line, 279.18 feet; thence N-ly along said east line on an arc of 426.47 feet of a 980.00-foot radius curve to the left, having a chord length of 423.11 feet bearing N20°53'38"E; thence N08°03'49"E along said east line, 299.42 feet; thence N00° 54'06"W along said east line, 60.11 feet; thence S89°05'52"W along said east line, 122.00 feet; thence N00°54'08"W along said east line, 493.73 feet; thence N87°55'56"E, 599.47 feet; thence S02°04'04"E, 116.25 feet; thence S45°22'35"W, 204.96 feet to the Point of Beginning, containing 6.29 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 April 17th, 2019 as last amended on MAY 20, 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. Road agreement with conditions applicable to residential parcel split cases. County Standard Specifications, Section 1.
3. E-911 address sign is required to be located at driveway entrance.
4. Street designation signs and E-911 address signs to be applied for at Linn County Secondary Roads Department, 319-892-6400.

IOWA DEPARTMENT OF TRANSPORTATION

1. 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.

LINN COUNTY CONSERVATION DEPARTMENT

No conditions to be met.

LINN COUNTY EMERGENCY MANAGEMENT

No conditions to be met.

LINN COUNTY PLANNING AND DEVELOPMENT – ZONING DIVISION

1. All side and rear yard setbacks must be met for all structures involved in this proposal.
2. Various revisions to the site plan and final plat.
3. 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.
4. 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.
5. Approval of utility and drainage easements by the appropriate companies with all easements marked on the final plat bound copies.
6. The remaining land of the parent parcels in the NE ¼ NE ¼ Sec 31-83-5 and SE ¼ NE ¼ Sec 31-83-5 will result in a parcel of less than 35 acres. Either combine the remaining land to an adjacent parcel 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 and will require the note: "This parcel may only be developed in accordance with all development regulations in effect at the time development is proposed" on the plat.
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. 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
 - (ix) 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 Unified Development Code.
 - (x) Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - (xi) Three (3) copies of the surveyor's drawing
 - (xii) A covenant for a secondary road assessment

9. Final plat bound copies must be approved by the Linn County Board of Supervisors on or before **MAY 20, 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 Unified Development Code.

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 June 26th, 2020 to be valid.

Passed and approved this 26th day of June, 2019

Linn County Board of Supervisors

Chair



Vice Chair



Supervisor


Aye: 2


Nay: 0

Abstain: 0

Absent: 1

Attest:


Joel Miller, Linn County Auditor


Rebecca Skoop,
Deputy

