

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2020-5-64

APPROVING A FINAL PLAT

WHEREAS, a final plat of ROLLING ACRES GREENS FIRST ADDITION (Case #JF20-0001) to Linn County, Iowa, containing five (5) lots, numbered Lots 1, 2, 3, 4 and lettered Lot A has been filed for approval, a subdivision of real estate located in the NE NW of Section 5, Township 85 North, Range 5 West of the 5th P.M., Linn County, Iowa, described as follows:

Beginning at the N $\frac{1}{4}$ Corner of said Section 5; thence N89⁰52'52"E along the north line of said NE FRL $\frac{1}{4}$, 515.56 feet; thence S00⁰33'04"W, 1790.88 feet; thence S87⁰12'57"W, 870.57 feet to the centerline of Rolling Acres Road; thence N21⁰34'05"W along said centerline, 281.91 feet; thence N19⁰36'05"W along said centerline, 1389.90 feet; thence NW-1/4 along said centerline on an arc of 169.75 feet of a 282.00-foot radius curve to the left, having a chord length of 167.20 feet, bearing N32⁰14'35"W; thence N44⁰53'05"W, along said centerline 181.48 feet; thence S89⁰31'46"E along the north line of said NW FRI- $\frac{1}{4}$, 1158.43 feet to the Point of Beginning, containing 50.99 acres which includes 1.85 acres of road right of way.

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 JANUARY 15, 2020 as last amended on FEBRUARY 17, 2020 have been addressed:

LINN COUNTY SECONDARY ROAD DEPARTMENT, 892-6400

1. Entrance permit required for new entrances and existing unpermitted entrances, County Standard Specifications 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. Two shared entrances are allowed. One shared entrance shall be located between Lot 1 and Lot 2. The second shared entrance shall be located between Lot 3 and Lot 4. No other entrances are allowed.
2. Dedication of road rights-of-way, County Standard Specifications, Section 5. Forty feet of right-of-way on Rolling Acres Road adjacent to 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 signs are required at the time entrance permits are applied for at the Secondary Road Department.

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.
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. Applicant shall complete and submit a Land Disturbing Affidavit to the Linn Soil and Water Conservation District as required by Iowa Code.
4. No offsite fill to be allowed onto proposed lots for any purpose including but not limited to altering lot grades or elevations.
5. No additional subsurface drainage installation or open ditch construction that would outlet directly into existing surface ditches.
6. A vegetative management plan consisting of a native grass and forb matrix shall be submitted and approved for the area identified as the "normal area of flooding" within the proposed stormwater management easement area as identified on Lots 1 and 4.
7. An Acknowledgement of Responsibility shall be recorded with the bound documents indicating that the following conditions will be met prior to construction/issuance of a building permit on any of the lots:
 - a. A plan for maximum hard surface area including proposed lot grades will be developed and approved for each lot prior to construction and/or commencement of any earth disturbing activities.
 - b. Stormwater management plan to be developed and approved for each lot prior to construction and/or commencement of any earth disturbing activities. Plan shall include infiltration of the water quality volume as described in the Iowa Stormwater Management Manual.
 - c. A stormwater pollution prevention plan will be developed and approved prior to construction and/or commencement of any earth disturbing activities.

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. Accessory structures located on the proposed lots shall be used for personal storage or agriculture, and shall not be used for any unapproved commercial use(s).
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 Center Point. 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 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.

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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
 - 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 UDC.
 - 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 district

8. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **FEBRUARY 17, 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.

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.

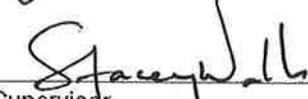
NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said plat and plat proceedings shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said plat and plat proceedings shall be recorded May 13th, 2021 to be valid.

Passed and approved this 13th day of May, 2020

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

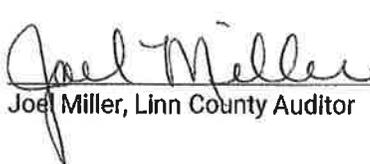
Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:


Joel Miller, Linn County Auditor


Deputy

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 Shoop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Shoop,
on this 13 day of May, 2020. Deputy

Amanda Hoy
Notary Public State of Iowa

