

**LINN COUNTY BOARD OF SUPERVISORS**

**RESOLUTION #** 2021-2-22

**APPROVING A FINAL PLAT**

**WHEREAS**, a final plat of Hilltop Farm Second Addition (Case #JF20-0007) to Linn County, Iowa, containing seven (7) lots, numbered Lots 1, 2, 3, and 4 and lettered Lot A, Outlot B and Outlot C has been filed for approval, a subdivision of real estate located in the SWSW of Section 18, Township 83 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows:

Lot 1, "Auditor's Plat No. 509, Linn County, Iowa" except Lot 1, "Hilltop Farm First Addition to Linn County, Iowa"

**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 June 17, 2020 as last amended on July 20, 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 brought into conformance with County standards. Lot 1, Lot 2, Lot 3, and Lot 4 shall each be limited to a single access from Hilltop Farm Lane. Outlot A shall be accessed from Lot 1. Outlot B shall be accessed from Lot 4. Outlot C shall be accessed from Hilltop Farm Lane.
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. 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. Site investigation needed to determine if there is suitable location for house and septic on the lots.
2. 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.
3. 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.
4. Submit erosion and sediment control plan for review and acceptance.

5. Submit site grading plan showing existing and proposed surface grades.
6. Submit site plan showing potential location of home and septic and water well on lots 2, 3, and 4.
7. Submit storm water pollution prevention plan for review and acceptance prior to approval of plat and / or any site grading activities.
8. Applicant shall complete and submit a Land Disturbing Affidavit to the Linn County Soil and Water Conservation District as required by Iowa Code.

**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. 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 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. 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
7. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **JULY 20, 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 by February 24, 2022 to be valid.

Passed and approved this 24th day of February, 2021

Linn County Board of Supervisors

Stacey Wall  
Chair

[Signature]  
Vice Chair

\_\_\_\_\_  
Supervisor

Aye: 2

Nay: 0

Abstain: 0

Absent: 1

Attest:

Joel Miller  
Joel Miller, Linn County Auditor  
Paul Beltz  
Deputy Auditor

Linn County Engineer

Brad Ketels  
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:

2 Aye 0 Nay 0 Abstain 1 Absent

Joel Miller by Paul Betsworth  
Joel Miller                      Deputy Auditor

Subscribed and sworn to before me by the aforesaid Joel Miller, Joel Miller  
on this 24 day of February, 2021.

Amanda Hoy  
Notary Public State of Iowa

