RESOLUTION APPROVING A MODIFICATION TO EASEMENT

RESOLUTION # 2021-4-55

WHEREAS, B. Hancock Construction, Inc., owner; Case JM21-0001, is requesting the Linn County Board of Supervisors’ permission to modify an existing drainage easement located at 1422 Timberlake Drive, Cedar Rapids, IA,

AND WHEREAS, the Linn County Technical Review Committee recommends the drainage easement as recorded on Lot 18 of Timberlake First Addition (Book 5451 Page 234) in 2003 be reduced in length by sixty-three (63) feet,

AND WHEREAS, said easement modification request and attachments thereto have been examined by the Linn County Board of Supervisors at a public meeting on April 19, 2021, all interested persons having been heard,

AND WHEREAS, the Linn County Board of Supervisors approve the application, Case JM21-0001, subject to the following conditions:

LINN COUNTY PLANNING & DEVELOPMENT – Zoning Division

1. Show location of all existing and proposed structures with distances to property boundaries.

2. The property owner shall sign an “Acceptance of Conditions” form which provides assurance that all conditions will be met prior to the Board of Supervisors Resolution of Approval, and specifically agrees to hold Linn County harmless from any and all damages or claims for damages that might arise or accrue by reason of approval of the drainage easement modification by the Linn County Board of Supervisors. Further, by signing the “Acceptance of Conditions” form, the property owner shall agree to allow employees of the County reasonable access to the property for inspection and for submission of documents to verify any additional information.

LINN COUNTY PLANNING & DEVELOPMENT – Building Division

1. All required permits shall be secured prior to commencement of construction activities.
LINN COUNTY ENGINEERING

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.

NATURAL RESOURCES CONSERVATION SERVICE

1. Show the proposed drainage easement on site plan.
2. Show on the site plan, or provide documentation regarding the projected lowest floor elevation in proximity to the water.
3. A site plan showing the footprint of proposed structures and septic systems and wells.
4. 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.
5. Submit erosion and sediment control plan for review and acceptance.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Board of Supervisors, of Linn County, Iowa, that said easement modification shall not be changed or altered in any way, without the approval of the Linn County Board of Supervisors. Said easement modification shall be recorded in order to be valid.

Passed and approved this 21st day of April, 2021.

Linn County Board of Supervisors

Chair

Vice Chair

Supervisor

Aye: 3
Nay: 0
Abstain: 0
Absent: 0
Attest:

Joel Miller by Rebecca Sloop
Deputy

Joel Miller, Linn County Auditor

State of Iowa  )
County of Linn  )

SS

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 and 0  Absent from voting.

Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, on this 21st day of April, 2021.

Notary Public State of Iowa

AMANDA HOY
Commission Number 770912
My Commission Expires 12/16/2023