

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2021-9-159

APPROVING A FINAL PLAT

WHEREAS, a final plat of Wilder First Addition (Case #JF21-0013) to Linn County, Iowa, containing five (5) lots, numbered Lot 1, Lot 2, Lot 3, Lot A and Lot B has been filed for approval, a subdivision of real estate located in Section 19, Township 83 North, Range West of the 5th P.M., Linn County, Iowa, described as follows:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 19; THENCE S88°43'25"E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 356.06 FEET TO THE NORTHEAST CORNER OF PARCEL A, PLAT OF SURVEY NO. 2458 AS RECORDED IN BOOK 10761, PAGE 338 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND THE POINT OF BEGINNING; THENCE CONTINUING S88°43'25"11E ALONG SAID NORTH LINE, 309.06 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE S0°14'04"W ALONG THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID NORTHEAST QUARTER, 2639.02 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE S0°02'55"W ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 40.02 FEET; THENCE N88°40'48"W ALONG THE NORTH BOUNDARY OF JERABEK'S FIRST ADDITION TO LINN COUNTY, IOWA AS RECORDED IN BOOK 1717, PAGE 40 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER AND A WESTERLY EXTENSION THEREOF, 664.34 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE N0°07'31"E ALONG SAID WEST LINE, 40.26 FEET TO THE CENTER OF SAID SECTION 19; THENCE S88°39'33"E ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 66.01 FEET TO THE EAST RIGHT OF WAY OF WILDER DRIVE; THENCE N0°12'57"E ALONG SAID EAST RIGHT OF WAY, 2563.35 FEET TO THE SOUTH LINE OF SAID PARCEL A; THENCE S88°43'25"E ALONG SAID SOUTH LINE, 290.05 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL A; THENCE N0°12'57"E ALONG THE EAST LINE OF SAID PARCEL A, 75.01 FEET TO THE POINT OF BEGINNING.

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 16, 2021 as last amended on July 19, 2021 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 shall be limited to a single shared access with 410 Wilder Drive. Lot 2 and Lot 3 shall be limited to one shared access.
2. Dedication of road right-of-way, County Standard Specifications, Section 5. Forty feet of right-of-way on Wilder Drive 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. Entrance permits and E-911 address signs to be applied for at Linn County Secondary Road Department prior to entrance modifications, relocation, or construction (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.
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. Submit a site plan showing the potential location of proposed structures, septic systems and wells to NRCS office prior to approval.
4. 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. All conditions of rezoning case JR21-0007 shall be met prior to approval of final plat bound copies. Rezoning case JR21-0007 will be finalized when final plat bound copies are ready to be approved by the Linn County Board of Supervisors.
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. Twelve original signed plat drawings
 - xii. A covenant for a secondary road assessment
8. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **JULY 19, 2022** as 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 September 29, 2022 to be valid.

Passed and approved this 29th day of September, 2021

Linn County Board of Supervisors

Stacey Walls

Chair

[Signature]

Vice Chair

Louis P. Zumbard

Supervisor

Aye: 3

Nay: 0

Abstain: 0

Absent: 0

Attest:

Joel Miller by Rebecca Sloop, Deputy
Joel Miller, Linn County Auditor

Linn County Engineer

Brad Ketels

Digitally signed by Brad Ketels
Date: 2021.09.28 10:33:26
-05'00'

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 Sloop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Sloop, Deputy
on this 29 day of Sept., 2021.

Amanda Hoy
Notary Public State of Iowa

