

LINN COUNTY BOARD OF SUPERVISORS

RESOLUTION # 2021-10-160

APPROVING A FINAL PLAT

WHEREAS, a final plat of Heal First Addition (Case #JF21-0012) to Linn County, Iowa, containing two (2) lots, numbered Lot 1 and Lot 2 has been filed for approval, a subdivision of real estate located in Section 13, Township 82 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 NW ¼ NE ¼; thence S01 °21 '19"E along the east line of said NW¼ NE ¼, 101.32 feet to the south right of way line of US Highway No. 30 and the Point of Beginning of the North tract; thence continuing S01 °21 '19"E, 768.36 feet to the east right of way line of Lisbon Boulevard; thence N40°43'00"W along said east right of way line, 134.36 feet; thence N62°47'19"W along said east right of way line, 371.85 feet; thence N08°55'42"W along said east right of way line, 103.92 feet; thence N32°59'40"W along said east right of way line, 204.72 feet; thence N79°09'58"W along said east right of way line, 59.80 feet; thence N12°10'58"W along said east right of way line, 199.98 feet to said south right of way line; thence S87°06'16"E along said south right of way line, 201.68 feet; thence N86°36'05"E along said south right of way line, 428.05 feet to the Point of Beginning; AND Commencing as a point of reference at the NE corner of said NW ¼ NE ¼; thence S01 °21 '19"E along the east line of said NW¼ NE ¼, 1119.36 feet to the south right of way line of Lisbon Boulevard and the Point of Beginning of the South tract; thence S01 °47'46"E along the east line of said NW¼ NE¼, 205.45 feet to the SE corner of said NW¼ NE¼; thence S87°16'37"W along the south line of said NW¼ NE ¼, 663.69 feet to the west line of the East½ said NW¼ NE ¼; thence N01 °23'31 "W along said west line, 702.25 feet to the west right of way line of said Lisbon Boulevard; thence S50° 42'05"E along the west right of way line of said Lisbon Boulevard, 136.28 feet; thence N81 °44'00"E along the west right of way line of said Lisbon Boulevard, 49.95 feet; thence S64 °59'29"E along the west right of way line of said Lisbon Boulevard, 187 .32 feet; thence S48°40'17"E along the west right of way line of said Lisbon Boulevard, 464.64 feet to the Point of Beginning, all containing 14.17 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 June 16, 2021 as last amended on June 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 is allowed one access from Lisbon Boulevard and a second access from Business 30 with justification. Lot 2 shall be limited to one access from Lisbon Boulevard.

2. Road agreement with conditions similar to final plat cases. County Standard Specifications, Section 1.
3. 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.

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 Lisbon and 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.
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. The final plat bound documents must be approved by the Linn County Board of Supervisors on or before **JULY 19, 2022** 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.
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
 - i. 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.
 - ii. Restrictive covenants or deed restrictions, as separate instruments, not combined with any other instrument
 - iii. Twelve original signed plat drawings
 - iv. A covenant for a secondary road assessment


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 October 6, 2021 to be valid.

Passed and approved this 6th day of October, 2021

Linn County Board of Supervisors


Chair


Vice Chair


Supervisor

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

Attest:

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

Linn County Engineer

Brad Ketels Digitally signed by Brad Ketels
Date: 2021.10.05 09:20:08
+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 Shoop, Deputy
Joel Miller

Subscribed and sworn to before me by the aforesaid Joel Miller, by Rebecca Shoop, Deputy
on this 6 day of Oct., 2021.

Karen L Nesheim
Notary Public State of Iowa

9-8-23