

RESOLUTION NO. 2315-12-90

WHEREAS, a revised Site Development Plan has been submitted by Cedar Rapids Partners for the property located west of Wiley Blvd. and 1st Avenue S.W., more fully described as follows:

(SEE ATTACHED LEGAL DESCRIPTION)

DOCUMENT NO. 3458  
RECORDING FEE 85.00

and

WHEREAS, said revised Site Development Plan meets the requirements of the applicable zoning district regulations, and

WHEREAS, THE City Planning Commission has reviewed said revised Site Development Plan and has recommended approval subject to all applicable conditions stated in Ordinance #11-82, and also subject to the following:

1. That the developer shall submit petitions for concrete sidewalks for Jacolyn Drive S.W. and 12th Avenue S.W., adjacent to this site.
2. That driveways for this development shall be named, as may be required by the Building Department and Fire Department, to provide adequate emergency services.
3. That the developer submit an overall sanitary and storm sewer plan.
4. That the developer submit an erosion control plan for this area certified by a registered civil engineer or landscape architect in the State of Iowa. The erosion control shall be implemented prior to any soil disturbing activities within this site.
5. That the developer shall be responsible for the cost of placing 8" thick concrete pavement on 1st Avenue at widths designated by the Traffic Engineering Department, except for the south half of the slab adjacent to the fire station site.
6. That prior to the acceptance of the final plat of this area, the developer shall submit an agreement to install their one-half slab of concrete pavement on 12th Avenue and on Jacolyn Drive at such time as directed by the City Council.
7. That the developer shall extend sanitary sewer to service the fire station site.
8. That the developer shall submit signed petitions for concrete sidewalks and concrete pavement for Wiley Blvd. S.W. adjacent to this site.
9. That in order to establish a vegetative character similar to adjacent residential neighborhoods, good quality 2" dbh shade trees, meeting City specifications, should be planted on 40' spacing along all public streets (1st Avenue, Wiley Blvd., 12th Avenue, and Jacolyn Drive). A minimum of at least one good quality 2" dbh shade tree should be planted on site for every 12 parking spaces.
10. That a Final Landscape Planting Plan shall be submitted and approved in accordance with the recommendations of the City Forester and Landscape Architect. All plantings shown on the approved Final Landscape Plan shall be installed prior to the issuance of any occupancy permits. However, the City Council may extend the time for completion if, in their opinion, there is just cause.
11. That the developer shall be limited to the construction of 112 units until such time as Wiley Blvd. S.W. has been widened and improved, including the installation of sidewalks, from Johnson Avenue N.W. to 16th Avenue S.W.

12. That the developer of this property shall be responsible for 25% of the cost of future traffic signals at the intersection of Wiley Blvd. and 1st Avenue West, with installation to occur at such time as deemed necessary by the City Council.

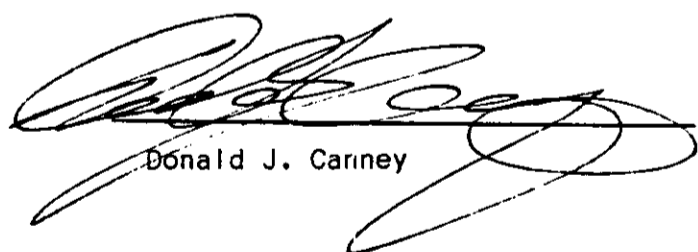
now therefore,

BE IT RESOLVED BY THE CITY COUNCIL that a portion of the original Site Development Plan approved by Ordinance #11-82, on February 10, 1982, is hereby repealed and the revised Site Development Plan for the property legally described above is approved in lieu thereof, and

BE IT FURTHER RESOLVED that the owner sign an acceptance of these conditions which shall then be recorded by the City Clerk in the Office of the Linn County Recorder, with all fees to be assessed to the petitioner.


Passed this 5th day of December, 1990.

Voting: Councilman Kramer moved the adoption of the resolution; seconded by Councilman Smith. Adopted, Yeas, Councilmen Kramer, Smith and Mayor Canney.

  
Donald J. Carney

MAYOR

ATTEST:

  
Lyle K. Hanson

CITY CLERK

That part of the Southeast Quarter of the Southwest Quarter, Section 25, Township 83 North, Range 8 West of the 5th P.M., Cedar Rapids, Linn County Iowa, described as follows: Commencing at a point of reference at the Southeast corner of said Southwest Quarter; thence North 0°00'00" East 974.90 feet along the East line of said Southwest Quarter (assumed bearing for this description only); thence North 90°00'00" West 50.00 feet to a point on the West right-of-way line of Wiley Boulevard S.W., said point being the TRUE POINT OF BEGINNING; thence South 0°00'00" East 312.51 feet along a line parallel with the East line of said Southwest Quarter and along the West right-of-way line of said Wiley Boulevard; thence North 90°00'00" West 200.59 feet to a point of curvature; thence on a curve to the left having a radius of 500.00 feet, a central angle of 22°29'23" a distance of 196.26 feet to a point of tangency; thence South 67°30'37" West 100.05 feet to a point of curvature; thence on a curve to the right having a radius of 500.00 feet, a central angle of 22°44'21" a distance of 198.44 feet to a point of tangency; thence North 89°45'02" West a distance of 599.43 feet to a point on the West Line of the Southeast Quarter of said Southwest Quarter; thence North 0°03'35" West 780.01 feet along the West line of the Southeast Quarter of said Southwest Quarter to a point of intersection with the North line of the Southeast Quarter of said Southwest Quarter; thence South 89°45'02" East 1,261.98 feet along the North line of the Southeast Quarter of said Southwest Quarter to a point of intersection with the West right-of-way line of said Wiley Boulevard, said point being 50.00 feet West of the East line of said Southwest Quarter; thence South 0°00'00" East 50.00 feet along said West right-of-way line to a point of curvature of a 450 foot radius curve concave Southerly; thence Southwesterly 152.92 feet along the arc of said curve (chord South 80°15'46" West 152.19 feet) to a point 200.00 feet West of the East line of said Southwest Quarter; thence South 0°00'00" East 274.26 feet along a line parallel with the East line of said Southwest Quarter; thence North 90°00'00" East 167.00 feet to the point of beginning and containing 20.70 acres more or less, subject to easements of record.

ACCEPTANCE OF RESOLUTION NO 2315-12-90

I/We hereby agree to the terms and conditions set out in the foregoing resolution and specifically agree to protect, defend and hold the City harmless from any and all damages or claims for damages that might arise or accrue by reason of the granting of the petition and the passage of this resolution.

Dated this 17 day of June, 1990. 1991



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Cedar Rapids Partners, L.P.  
Michael E. Dalton, Owner Agent  
President/ARtech, Inc.

STATE OF IOWA )  
 )  
COUNTY OF LINN )

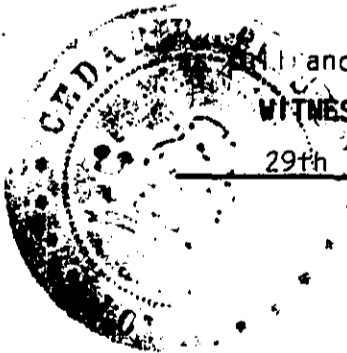
I, Lyle K. Hanson, City Clerk of the City of Cedar Rapids, Iowa, County and State aforesaid, do hereby certify that the foregoing is a true copy of:

Resolution No. 2315-12-90, passed by the City Council December 5, 1990.

Legal Description

Acceptance of Resolution No. 2315-12-90, submitted by Michael E. Dalton

FILED  
E.F. KANE  
COUNTY RECORDER  
91 AUG 1 12:55  
LINN COUNTY, IOWA



and complete as the same is of record and on file in my office.

WITNESS my hand and the Seal of said City this

29th day of July, 1991

Lyle K. Hanson, City Clerk

By Ann Ollinger, Deputy  
Ann Ollinger

FILED FOR RECORD  
12:55 PM  
AUG 01 1991  
D. E. Kane  
RECORDER LINN CO. IOWA