

RESOLUTION 1939

A RESOLUTION WAVING THE RIGHT TO A FORMAL REVIEW OF AN EXTRA-TERRITORIAL JURISDICTION SUBDIVISION WITHIN TWO MILES OF THE CORPORATE LIMITS OF WEST BRANCH WITH CONDITIONS – BROOKVIEW RIDGE.

WHEREAS, A Plat located on the premises described as: a parcel of realty lying south of County Road F44 (290th St.), east of Charles Ave., north of Interstate 80, and west of Auditor’s Parcel K, all located within portions of the NW¼, NW¼; N½ SW¼ NW¼; SE¼ SW¼ NW¼; S½ SW¼ SW¼ NW¼, and E½ NW¼, Section 9 T.79N., R.04W., of the Fifth P.M., Cedar County, Iowa, being the same realty as recorded in Book 1425 – Page 49, Cedar County Recorder’s Office; and

WHEREAS, the intent of this application for a Residential Subdivision is to accommodate a 9-lot Residential subdivision of which 8-lots are to be platted along the east of Charles Ave.; and

WHEREAS, the City of West Branch is poised to approve a wavier to its right for a formal review with the following conditions:

1. The developer / association agrees to voluntary annex into the City of West Branch in the event the City of West Brach were to ever surround the boarders of the Brookview Ridge subdivision; and
2. At which time, the developer / association agree to make the public improvement or bare the expense needed to meet current city public infrastructure standards; and

WHEREAS, this Plat application is considered an extra territorial jurisdiction Subdivision which falls within two miles of the Corporate Limits of West Branch and falls under West Branch Code Chapter 170.23 “The City may, by resolution, waive its right to review any subdivision outside its City limits or waive the requirements of any of its standards or conditions of approval, and if such resolution is made, shall certify the resolution, which shall be recorded with the plat...”; and

WHEREAS, this Plat application is currently undergoing a full former review by the Cedar County, Planning and Zoning Department; and

WHEREAS, it is now necessary to for the City Council to accept and approve this resolution; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of West Branch, Iowa hereby waives it’s right to review the plat located on the premises described as: a parcel of realty lying south of County Road F44 (290th St.), east of Charles Ave., north of Interstate 80, and west of Auditor’s Parcel K, all located within portions of the NW¼, NW¼; N½ SW¼ NW¼; SE¼ SW¼ NW¼; S½ SW¼ SW¼ NW¼, and E½ NW¼, Section 9 T.79N., R.04W., of the Fifth P.M., Cedar County, Iowa, being the same realty as recorded in Book 1425 – Page 49, Cedar County Recorder’s Office; and that the Mayor and City Clerk are hereby authorized and directed to certify this resolution and affix the same to said plat as provided by law.

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PASSED AND APPROVED this 5th day of October, 2020.


Roger Laughlin, Mayor

ATTEST:


Redmond Jones, City Administrator/Clerk