

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY – 519 SOUTH DUFF AVENUE

BACKGROUND:

Application for a proposed plat of survey has been submitted for:

- Conveyance division of land (per Section 23.307)
- Boundary line adjustment (per Section 23.308)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The subject site is located at:

Street Address: 519 South Duff Avenue

Assessor's Parcel #'s: 0911176005, 0911176020, 0911176035, 0911176040,
0911176050, 0911176060

Legal Description: Attached on proposed plat of survey

Owners: Nancy Bundy, Floyd Penkhus, Mark Penkhus, Stephen Penkhus

Enclosed are copies of the existing conditions and the proposed plat of survey. Nancy Bundy owns one parcel fee simple and the rest she has under contract from the other owners. In order to combine, the ownership will have to be in one name first.

Pursuant to Section 23.307(4)(c), a preliminary decision of approval for the proposed plat of survey has been rendered by the Planning & Housing Department, subject to the following condition:

1. That prior to recordation, the applicant shall submit evidence to the Planning Director that the buyer has acquired all parcels fee simple.

The preliminary decision of approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.

- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

Under Section 23.307(5), the Council shall render by resolution a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey, which combines five lots into one lot, if the Council agrees with the Planning & Housing Director's preliminary decision.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.307 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

MANAGER'S RECOMMENDED ACTION:

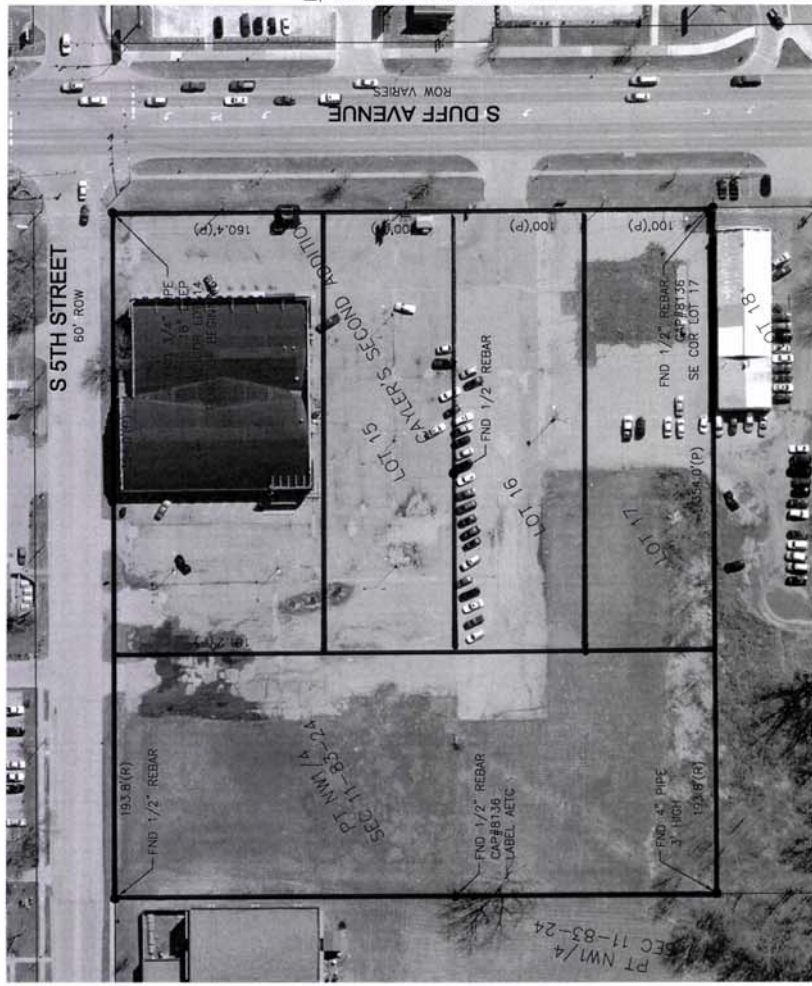
The Planning & Housing Director has determined that the proposed plat of survey, which combines five lots into one lot, satisfies all code requirements, and has accordingly rendered a preliminary decision to approve the proposed plat of survey.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to adopt the resolution approving the proposed plat of survey. Approval of the resolution will allow the applicant to prepare the official plat of survey incorporating all conditions of approval specified in the resolution. It will further allow the prepared plat of survey to be reviewed and signed by the Planning & Housing Director confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

It should be noted that according to Section 23.307(10), the official plat of survey shall not be recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office, and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA, 50111, PH: 369-4400 FAX: 369-4410

PLAT OF SURVEY - EXISTING



DESCRIPTION:

ALL OF LOTS 14, 15, 16 AND 17, CAYLER'S SECOND ADDITION, AN OFFICIAL PLAT, AND PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF AMES, STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 00°30'44" EAST ALONG THE EAST LINE OF SAID CAYLER'S SECOND ADDITION, 460.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 89°32'47" WEST ALONG THE NORTH LINE OF LOT 18, CAYLER'S SECOND ADDITION, 547.28 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE NORTH 00°27'27" WEST, 461.10 FEET TO THE SOUTH LINE OF S. 5TH STREET; THENCE NORTH 89°38'15" EAST ALONG SAID SOUTH LINE AND THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 546.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.79 ACRES (252,011 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

LEGEND:

- | | | |
|--|-------|-----|
| SECTION CORNER AS NOTED | FOUND | SET |
| 1/2" REBAR, YELLOW CAP #16747 (UNLESS OTHERWISE NOTED) | ● | ○ |
| PLATTED BEARING & DISTANCE | P | |
| MEASURED BEARING & DISTANCE | M | |
| RECORDED BEARING & DISTANCE | R | |
| DEEDED BEARING & DISTANCE | D | |
| CENTERLINE | --- | |
| SECTION LINE | ---- | |
| EASEMENT LINE | ---- | |



RECEIVED
 APR 27 2011
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING

DATE OF SURVEY:
 FEBRUARY, 2011

EXISTING DEEDS:
 BOOK 2006, PAGE 15292
 BOOK 2003, PAGE 4237

OWNER:
 NANCY S. BUNDY
 3012 BRIGGS CIRCLE
 AMES, IOWA 50010

1/2
1:100.00

CAYLER'S 2ND ADDITION AND PART OF SEC 11-83-24

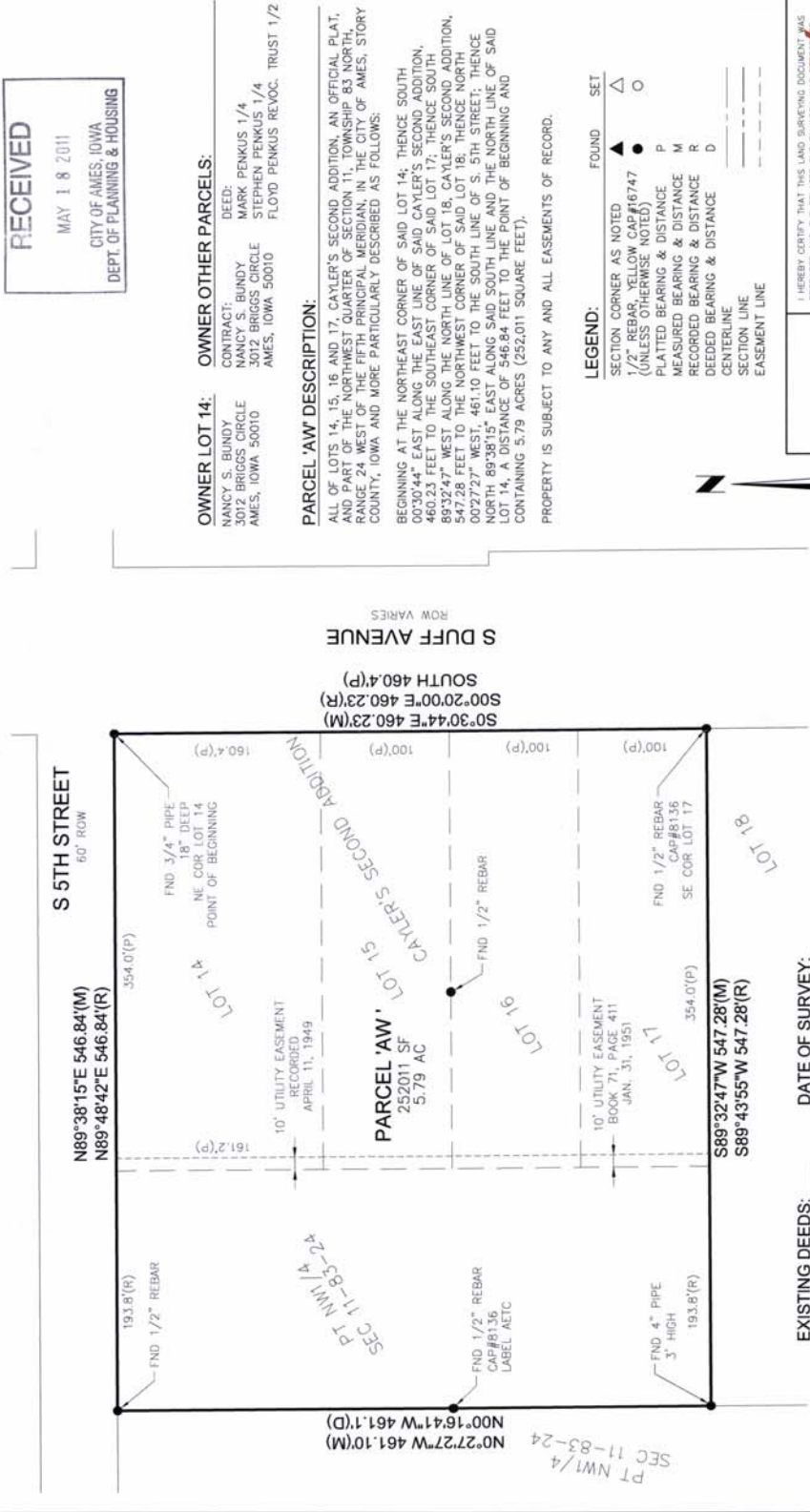
AMES, IOWA
CIVIL DESIGN ADVANTAGE

3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: (515) 369-4400 FAX: (515) 369-4410

TECH: _____
 ENGINEER: _____

RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA, 50111, PH: 369-4400 FAX: 369-4410

PLAT OF SURVEY



RECEIVED
MAY 18 2011
CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

OWNER LOT 14:
NANCY S. BUNDY
3012 BRIGGS CIRCLE
AMES, IOWA 50010

OWNER OTHER PARCELS:
CONTRACT:
NANCY S. BUNDY MARK PENKUS 1/4
3012 BRIGGS CIRCLE STEPHEN PENKUS 1/4
AMES, IOWA 50010 FLOYD PENKUS REVOC. TRUST 1/2

PARCEL 'AW' DESCRIPTION:
ALL OF LOTS 14, 15, 16 AND 17, CAYLER'S SECOND ADDITION, AN OFFICIAL PLAT, AND PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF AMES, STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 00°30'44" EAST ALONG THE EAST LINE OF SAID CAYLER'S SECOND ADDITION, 800.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 89°38'15" WEST ALONG THE WEST LINE OF SAID LOT 17, 546.84 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE NORTH 00°30'44" WEST 461.10 FEET TO THE SOUTH LINE OF S. 5TH STREET; THENCE NORTH 89°38'15" EAST ALONG SAID SOUTH LINE AND THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 546.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.79 ACRES (252,011 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

LEGEND:

SECTION CORNER AS NOTED	FOUND	SET
1/2" REBAR YELLOW CAP#16747 (UNLESS OTHERWISE NOTED)	●	○
PLATTED BEARING & DISTANCE	P	
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
CENTERLINE	---	
SECTION LINE	----	
EASEMENT LINE	----	

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

PRELIMINARY
NOT FOR CONSTRUCTION

DATE: 16/47
PLAT LICENSE REFERENCE DATE IS DECEMBER 31, 2012
PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET

EXISTING DEEDS:
INSTRUMENT # 2006-15292
INSTRUMENT # 2003-04237

DATE OF SURVEY:
FEBRUARY, 2011

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON RESOLUTION NUMBER _____ I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL.

PLANNING & HOUSING DIRECTOR