

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1203-1215 CARROLL AVENUE AND 119 EAST 12th STREET

BACKGROUND:

The owner of these properties, Clinic Building Company (McFarland Clinic), is requesting approval of a Plat of Survey to combine four complete platted lots and portions of two other platted lots through the process of a boundary line adjustment. The boundary line adjustment is accomplished with the approval of a Plat of Survey. In this particular case, these parcels/lots (see *Attachment A*) are being combined to form Parcel "F", which includes approximately 0.82 acres. A copy of the proposed Plat of Survey is included as *Attachment B*. This plat is necessary for the approval of a Minor Site Development Plan for an office supporting medical use on this single platted parcel.

Electric Services has requested an easement five feet wide for an existing underground electric line along the north property line. The easement document has been prepared by the City and signed by the property owner (See *Attachment C*). This easement needs to be recorded with the Story County Recorder's Office along with the Plat of Survey once approved by the City Council.

There is also an existing electrical easement in the center of the plat which no longer contains electrical lines and is no longer needed. On this same agenda, City Council is being asked to set a date for a public hearing to vacate this easement.

It has been determined that the existing parcels in the proposed plat are conforming conveyance parcels. Therefore, pursuant to Section 23.307(4), a preliminary decision approval for the proposed Plat of Survey has been rendered by the Planning & Housing Department.

ALTERNATIVES:

1. The City Council can approve the proposed Plat of Survey 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 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

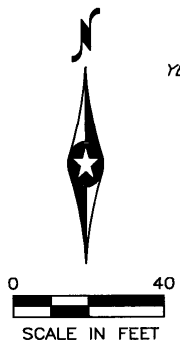
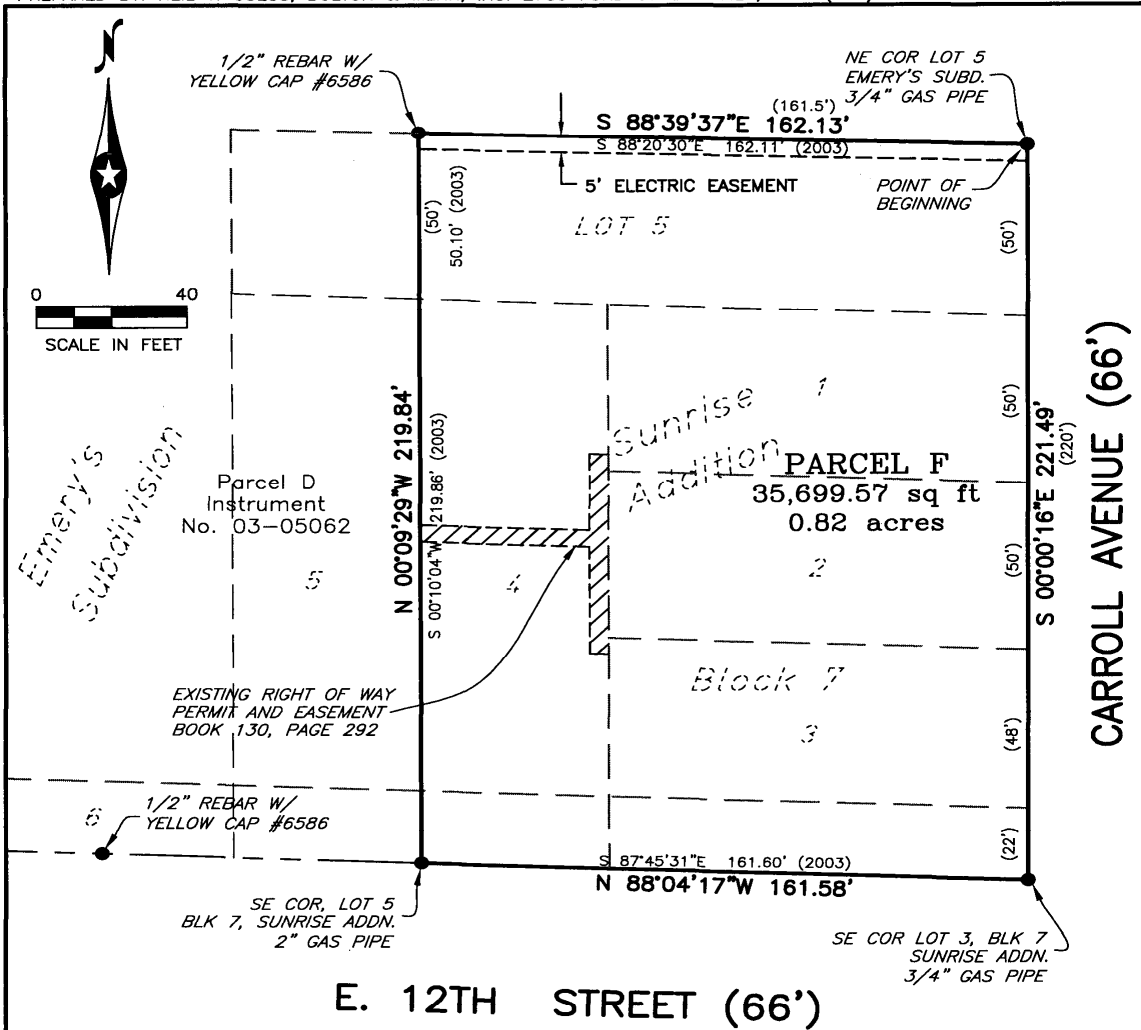
MANAGER'S RECOMMENDED ACTION:

The Planning & Housing Director has determined that the proposed Plat of Survey satisfies all code requirements. The Director has rendered a preliminary decision to approve the proposed Plat of Survey.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the proposed Plat of Survey.

Attachment B Proposed Plat of Survey

PREPARED BY: NEIL T. GUESS, BOLTON & MENK, INC. 2730 FORD STREET AMES, IOWA (515) 233-6100



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- LEGEND**
- 3/4" IRON PIPE MONUMENT SET WITH PLASTIC PIPE CAP MARKED BY REG. NO. 9958 (SET)
 - MONUMENT FOUND
 - (2003) DIMENSION FROM PLAT OF SURVEY RECORDED AS INSTRUMENT NO. 03-05062, DATED MARCH 17, 2003
 - (50') ORIGINAL PLATTED DIMENSION FROM PLAT OF SUNRISE ADDN & EMER'S SUBD.

SHEET 1 OF 2



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Neil T. Guess, P.E./LS Date
License No. 9958
My License Renewal Date is December 31, 2011
Pages or sheets covered by this seal:

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<p>PLAT OF SURVEY CITY OF AMES, IOWA</p> <p>BOLTON & MENK, INC. Consulting Engineers & Surveyors 2730 FORD STREET, AMES, IOWA 50010 (515) 233-6100 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA</p>	<p>PARTS OF BLOCK 7, SUNRISE ADDITION AND LOT 5 EMERY'S SUBDIVISION, CITY OF AMES STORY COUNTY, IOWA</p> <p>FOR: CLINIC BUILDING COMPANY</p>
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FIELD BOOK: IA MISC DRAWN BY: JDL 1.0, 02-83-24 (01)

Attachment B Proposed Plat of Survey

PREPARED BY: NEIL T. GUESS, BOLTON & MENK, INC. 2730 FORD STREET AMES, IOWA (515) 233-6100

SURVEY DESCRIPTION:

That part of Lots 1, 2, 3 and 4, Block 7, Sunrise Addition and the East 161.5 feet of the North 50 feet of Lot 5 in Emery's Subdivision, City of Ames, according to the recorded plats thereof, City of Ames, Story County, Iowa, described as follows:

Beginning at the Northeast corner of said Lot 5; thence South 00° 00' 16" West, on the east line of said Lot 5 and the east line of said Block 7, a distance of 221.49 feet to the Southeast corner of Lot 3, said Block 7; thence North 88° 04' 17" West, on the south line of said Block 7, a distance of 161.58 feet to the southwest corner of Lot 4, said Block 7; thence North 00° 09' 29" West, along the west line of said Lot 4 and its northerly extension, a distance of 219.84 feet to the north line of said Lot 5; thence South 88° 39' 37" East, on the north line of said Lot 5, a distance of 162.13 feet to the point of beginning.

Said parcel contains 0.82 acres of land.

ALTERNATE DESCRIPTION: PARCEL F

Parcel 'F' in Sunrise Addition and Emery's Subdivision, Ames, Story County, Iowa, as shown on the "Plat of Survey" filed in the Office of the Recorder of Story County, Iowa, on _____, 2011 and recorded as Instrument No. _____, Slide _____, Page _____.

The Ames City Council approved this plat of survey on _____, 2011, with Resolution Number _____. I certify that it conforms to all conditions of approval.

Planning & Housing Director

SHEET 2 OF 2

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FIELD BOOK: IA MISC DRAWN BY: JDL 1.0, 02-83-24 (01)

END INSTRUMENT

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FOR NUMBER: A12 103773

Attachment C Electrical Easement

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER

Prepared by: Mark Imhoff, P.E., City of Ames Electric Engineering Division, 502 Carroll Avenue, Ames, Iowa 50010 (Phone: 515-239-5175)
Return to Ames City Clerk, Box 811, Ames, IA 50010

CITY OF AMES ELECTRIC FACILITIES EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That (I/we), **Clinic Building Company**, its successors and assigns, (do/does) hereby grant, bargain and convey to the City of Ames, Iowa, a municipal corporation, a perpetual right of way and easement, with the right, privilege and authority to said municipal corporation, its successors, licensees, assigns and lessees, to locate, relocate, replace, construct, reconstruct, repair, operate, maintain, patrol and/or remove an underground line or lines of poles plus all relevant wires and fixtures, for the purpose of transmitting and/or distributing electric and telecommunications in, on, through, over, under and across the following described land in the County of Story, State of Iowa:

DESCRIPTION: The North 5 feet of Parcel 'F' in Sunrise Addition and Emery's Subdivision, Ames, Story County, Iowa.

(See attached plat marked and made a part hereof.)

together with (a) the right, privilege and authority to trim, cut and remove from said premises any trees, overhanging branches or other obstructions within a radius of 10 (ten) feet from said line or lines of poles, wires and fixtures, as located, (b) the right of ingress and egress to, from and over the above-described premises for doing anything necessary or useful for the enjoyment of the easement herein granted, and (c) all other rights, easements, privileges and appurtenances, in or to said lands, which may be required for the full enjoyment of the rights herein granted, together with the right to assign or grant partially or wholly to others the right or license to use the easement herein granted or any part thereof for the uses and with the rights herein specified.

Grantor(s) warrant(s) that (he, she, it, they) (has, have) good title to the above described premises and that there are no encumbrances which will limit or interfere with the rights granted herein to Grantee.

The Grantor(s), (his, her, its, their) tenants, heirs, successors and assigns shall have the right to use and enjoy said premises fully, except for the rights and privileges hereinbefore granted to the Grantee; provided however, that no buildings, structures or improvements either permanent or temporary in nature, nor shall the terrain be altered without prior written consent of Grantee, nor shall any other utilities be placed in, on, through, over or across the easement without Grantee's prior written consent; that the use of said premises shall at all times be subject to such acts and uses by Grantee as may be necessary for the purposes herein set forth.

The foregoing rights are granted upon the express condition that the City of Ames, Iowa, will assume all liability for all damages to the above described property caused by the City's failure to use due care in its exercise of the rights, privileges and authorities granted.

**Attachment C
Electrical Easement**

Dated at Ames, Iowa, this 1st day of SEPTEMBER, 2011.

Jim Dohrmann

Jim Dohrmann

ALL PURPOSE ACKNOWLEDGMENT

STATE OF Iowa)
COUNTY OF Story) ss:

On this 1st day of September, A.D. 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared
Jim Dohrmann

to me personally known
or proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Linda D. Donohue (sign in ink)
Linda D. Donohue (print/type name)
Notary Public in and for the State of Iowa
(Notary Seal)

CAPACITY CLAIMED BY SIGNER:

INDIVIDUAL
 CORPORATE
Title(s) of Corporate Officer(s):
TREASURER
Clinic Building Co.
 Corporate Seal is affixed
 No Corporate Seal procured
 PARTNER(s): Limited Partnership
 General Partnership
 Attorney-In-Fact
 Executor(s) or Trustee(s)
 Guardian(s) or Conservator(s)
 Other: _____

SIGNER IS REPRESENTING:

List name(s) of person(s) or entity(ies)

