

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY – NE ¼ SECTION 29-84-24**

**BACKGROUND:**

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

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- 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: 3601 and 3699 George Washington Carver Road (in unincorporated Story County)

Assessor's Parcel #: 0529200460, 0529200410, 0529200210, 0529200305

Legal Description: Four parcels in the NE ¼ of Section 29, Township 84 North, Range 24 West of the 5<sup>th</sup> P.M., Story County

Owner: James Athen Revocable Trust I and Phyllis Athen Revocable Trust

**A copy of the proposed plat of survey is attached for Council consideration. The proposed plat combines three parcels into a single parcel and creates another parcel from a conveyance parcel. On March 6, 2012, the City Council referred a request to consider these parcels for an Urban Fringe Amendment that may lead to annexation. This plat of survey is independent of that request.**

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department, subject to the following conditions:

1. None

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:**

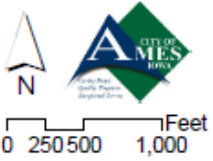
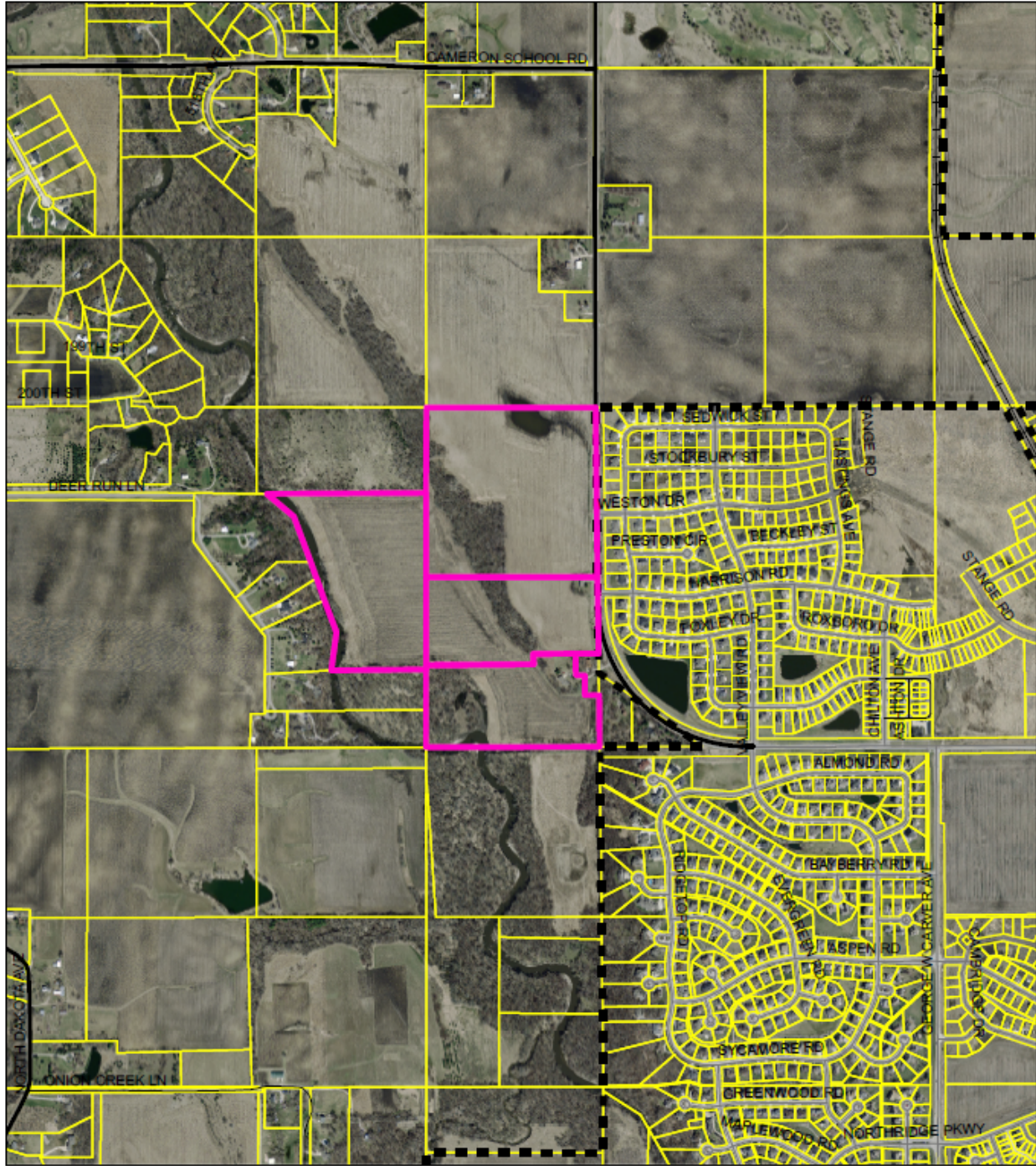
1. The City Council can adopt the resolution approving the proposed plat of survey if the Council agrees with the Planning & Housing Director's preliminary decision.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described 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 satisfies all code requirements, and has accordingly rendered a preliminary decision to approve the proposed plat of survey.

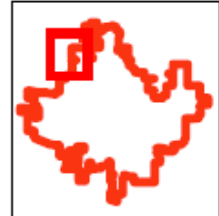
**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1**, which is to adopt the resolution approving the proposed plat of survey. Approval of the resolution will allow the applicant to prepare the official plat of survey incorporating all 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.

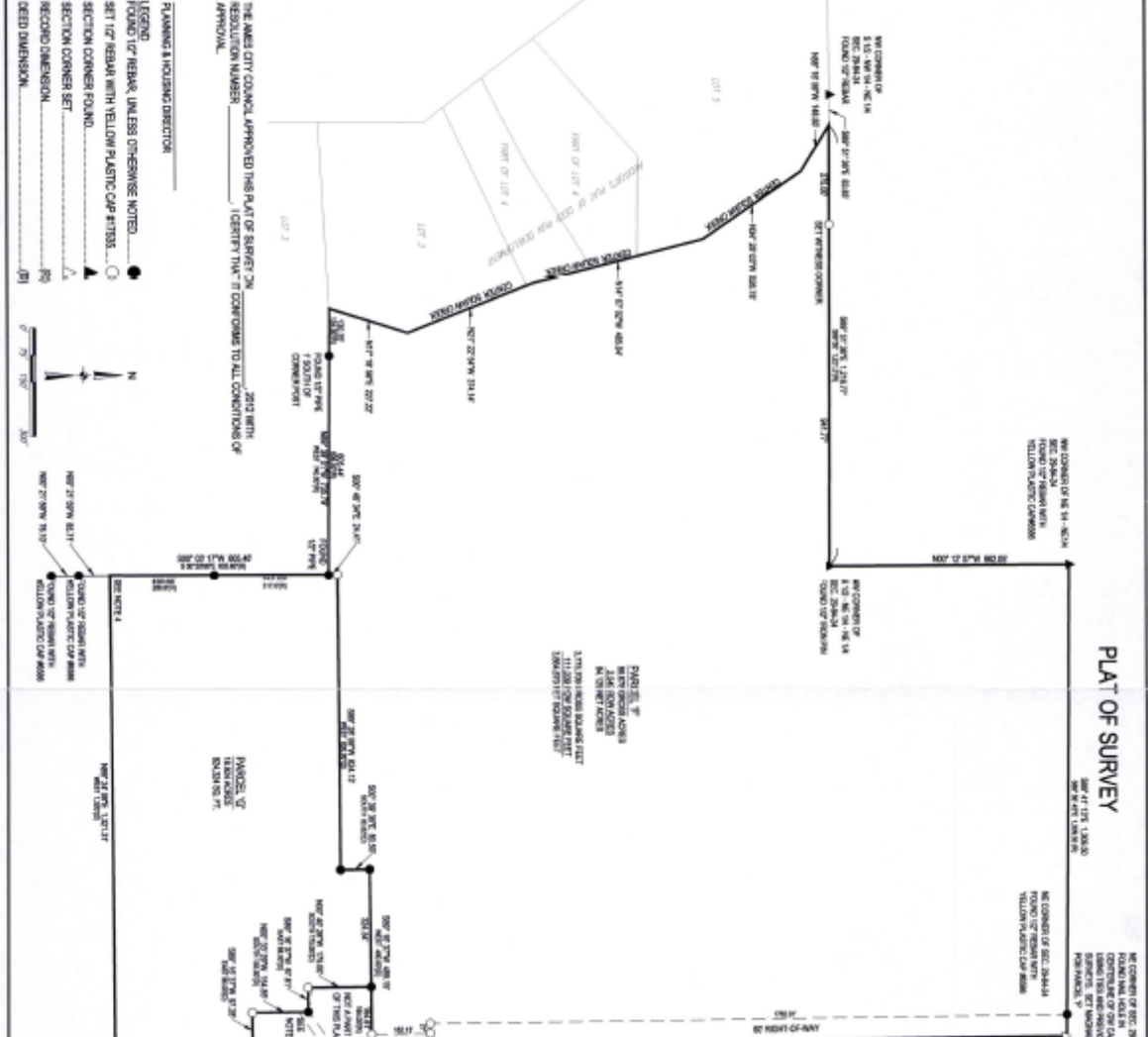
It should be noted that according to Section 23.307(10), the official plat of survey will not be recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office, and a digital image in Adobe PDF format has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



### Location Map

 Subject Parcels





**LEGAL DESCRIPTION - PARCEL E**  
 PARCEL E IN THE NORTHEAST QUARTER NE 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 24 WEST OF THE 5TH P.M. STONY CREEK, IOWA, AS SHOWN ON THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF STONY COUNTY, IOWA, ON \_\_\_\_\_ 2012, AS BEING \_\_\_\_\_ AND ON SLIDE \_\_\_\_\_ PAGE \_\_\_\_\_.

**ALTERNATE LEGAL DESCRIPTION - PARCEL E**  
 THAT PART OF THE NORTHEAST QUARTER NE 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 24 WEST OF THE 5TH P.M. STONY CREEK, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE S 89° 57' 30\"/>

**LEGAL DESCRIPTION - PARCEL G**  
 PARCEL G IN THE NORTHEAST QUARTER NE 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 24 WEST OF THE 5TH P.M. STONY CREEK, IOWA, AS SHOWN ON THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF STONY COUNTY, IOWA, ON \_\_\_\_\_ 2012, AS BEING \_\_\_\_\_ AND ON SLIDE \_\_\_\_\_ PAGE \_\_\_\_\_.

**ALTERNATE LEGAL DESCRIPTION - PARCEL G**  
 THAT PART OF THE NORTHEAST QUARTER NE 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 24 WEST OF THE 5TH P.M. STONY CREEK, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST CORNER OF SAID SECTION 28, THENCE N 0° 0' 0\"/>

**PROBRIETOR:**  
 JAMES ATHEN REVOCABLE TRUST 1  
 PHYLIS ATHEN REVOCABLE TRUST 1  
 3811 G.M. CARMER AVENUE  
 AMES, IA 50010

**REQUESTED BY:**  
 CHLOE WINKELACK  
 102 SOUTH 19th ST, SUITE A  
 AMES, IA 50010

**NOTES:**  
 1. THE EAST LINE OF THE NE 1/4 OF SEC. 28-34-24 IS ASSUMED TO BE AN 8 SURVEY T.E.  
 2. PARCELS F AND G ARE LOCATED IN THE NE 1/4 OF SECTION 28-34-24, WEST OF THE 5TH P.M. STONY CREEK, IOWA.  
 3. THE SURVEY WEITS CONSIDERED TO BE CORRECT.  
 4. ALL NEIGHBORING PARCELS SHOWN ON THIS PLAT ARE ASSUMED TO BE CORRECT.  
 5. EASEMENT TO NORTHERN NATIONAL GAS OVER THE EAST HALF OF THE NORTHEAST QUARTER FILED WHICH VOL. 108 IN BOOK 94 PAGE 195. IMPROVEMENTS EASEMENT, BOOK 148 PAGE 223.

**REMARKS:**

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

**PARCEL 'F' AND PARCEL 'G'**

**PLAT OF SURVEY**

Alfred Benesch & Company  
 223 South Walnut Avenue, Suite C  
 Ames, IA 50010  
 515.252.1111 Job No. \_\_\_\_\_

**LEGEND**

BOUND OF REBAR UNLESS OTHERWISE NOTED

SET OF REBAR WITH YELLOW PLASTIC CAP #1735X

SECTION CORNER FOUND

SECTION CORNER SET

RECORD DIMENSION

FIELD DIMENSION