

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY – 129 SOUTH DUFF AVENUE

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: 129 South Duff Avenue

Assessor's Parcel #: 09-11-127-065, 09-11-127-085, 09-11-127-075

Legal Description: Lots 9 & 10 Block 1 Blacks
2nd Addition, S 120 feet of Vacated Alley Blacks 2nd
Addition & Lots 11, 12 & 13 Block 1 Isaac Blocks'
Addition

Owner: MacDonald's Real Estate Company

A copy of the proposed plat of survey is attached for Council consideration. **This plat combines contiguous parcels to allow minor expansion of the MacDonald's Restaurant and the addition of a second drive-through service lane.**

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, without conditions:

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. It will further allow the prepared plat of survey to be reviewed and signed by the Planning & Housing Director and 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.

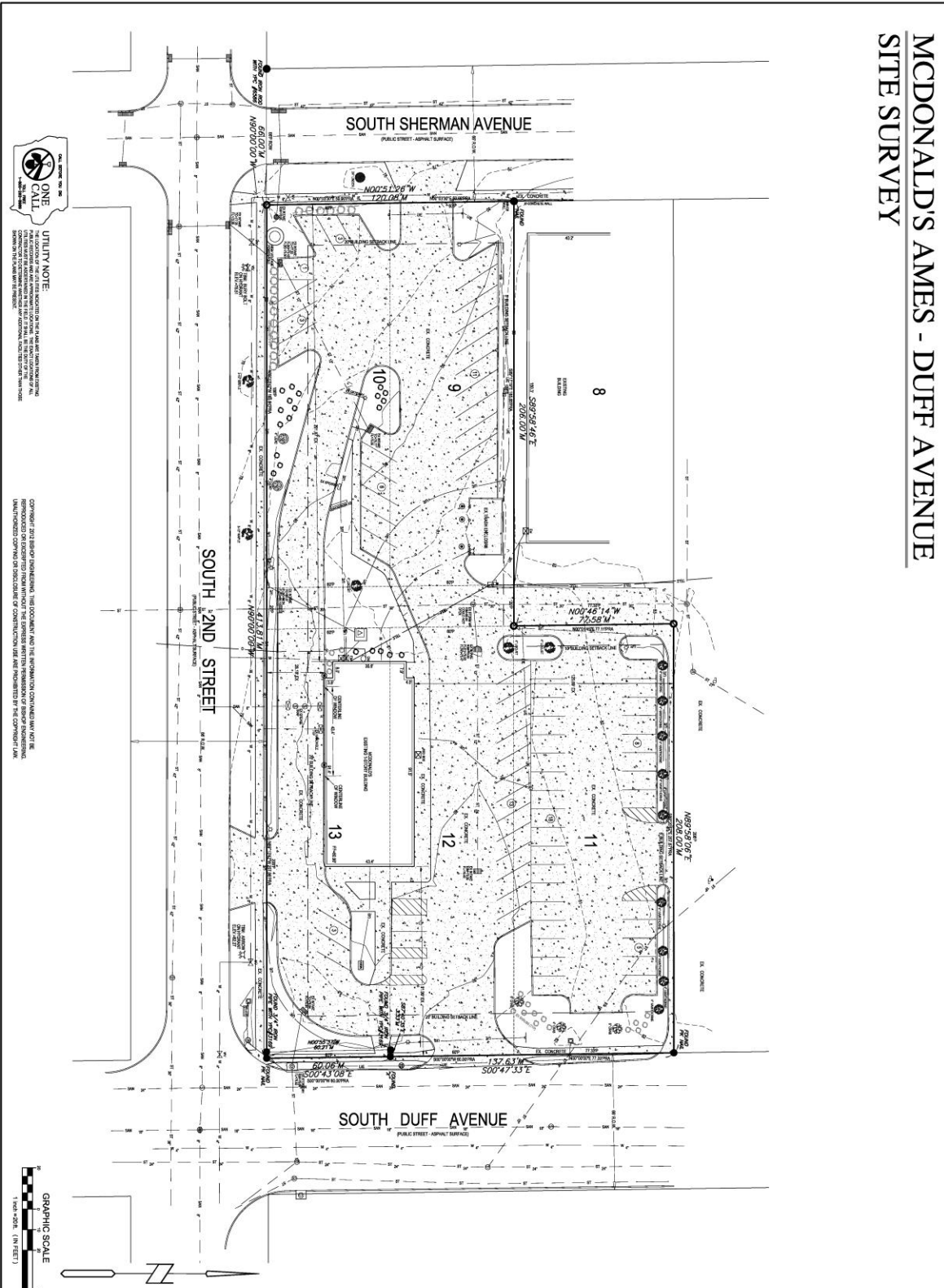
Attachment A



Location Map
129 S. Duff Avenue



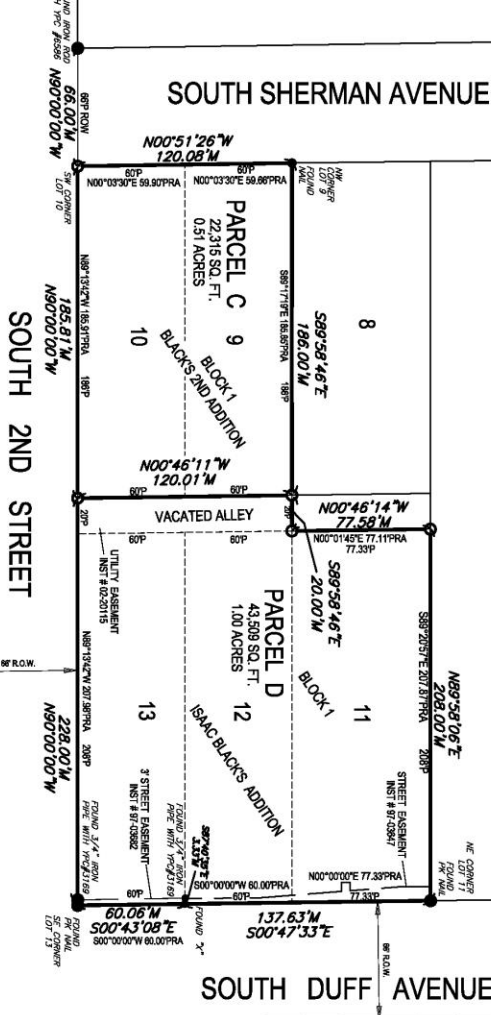
MCDONALD'S AMES - DUFF AVENUE SITE SURVEY



<p>M:\Land Projects 2012\120121 Ames Duff Ave\dwg\SITE SURVEY.dwg 8/22/2012 3:06:37 PM CDT</p>		<p>MCDONALD'S AMES 129 S. DUFF AVENUE, AMES, IOWA</p>	<p>Bishop Engineering "Planning Your Successful Development" 3501 104th Street Des Moines, Iowa 50322-3823 Phone: (515) 279-1467 Fax: (515) 279-6121 Civil Engineering & Land Surveying Established 1959</p>
<p>PROJECT NUMBER: 120121</p>	<p>DATE: 08/22/2012</p>		
<p>C0.2</p>			<p>SITE SURVEY</p>

PLAT OF SURVEY

PARCELS "C" AND "D"



SURVEY LEGEND

- PROPERTY CORNER - FOUND AS NOTED
- PROPERTY CORNER - PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID # 14775 OR AS NOTED
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- D DEEDED DISTANCE
- P.R.A. PREVIOUSLY RECORDED AS
- R.O.W. RIGHT-OF-WAY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON 2012 WITH RESOLUTION NUMBER _____ I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL.

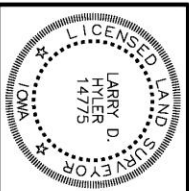
PLANNING & HOUSING DIRECTOR

BAR SCALE



OWNER/ PREPARED FOR:
MCDONALD'S REAL ESTATE COMPANY

SITE ADDRESS:
129 S DUFF AMES, IA



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

SIGNED: LARRY D. HYLER, L.S. 14775 DATE: _____

PRELIMINARY DRAFT

LICENSE RENEWAL DATE: DEC. 31, 2012
PAGES OR SHEETS COVERED BY THIS SEAL: THIS PAGE ONLY

LEGAL DESCRIPTION:

PARCEL C
LOTS 9 AND 10 IN BLOCK 1, ALL IN BLACKS 2ND ADDITION TO AMES, AN OFFICIAL PLAT, AMES, STORY COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE N00°51'28"W, ALONG THE WEST LINE OF SAID LOTS 10 AND 9 A DISTANCE OF 120.08 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE S89°58'46"E ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 186.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE S00°46'11"E ALONG THE EAST LINE OF SAID LOTS 9 AND 10, A DISTANCE OF 120.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE N80°00'00"W ASSUMED FOR THIS DESCRIPTION ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 185.81 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 22,314 SQ. FT. OR 0.51 ACRES OF LAND MORE OR LESS.

PARCEL D
LOTS 11, 12, AND 13 IN BLOCK 1, AND THE SOUTH 120.00 FEET OF THE NORTH-SOUTH ALLEY LYING IN BLOCK 1, ALL IN ISAAC BLACKS ADDITION TO AMES AN OFFICIAL PLAT, AMES, STORY COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13; THENCE N80°00'00"W ASSUMED FOR THIS DESCRIPTION ALONG THE SOUTH LINE OF SAID LOT 13 AND ITS WESTERLY EXTENSION, A DISTANCE OF 228.00 FEET TO THE WEST LINE OF THE VACATED ALLEY; THENCE N00°46'11"W ALONG THE WEST LINE OF SAID VACATED ALLEY, A DISTANCE OF 120.01 FEET; THENCE S89°58'46"E, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE N00°46'11"W ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 77.38 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE N89°58'07"E ALONG THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 208.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 11; THENCE S00°47'33"E ALONG THE EAST LINE OF SAID LOTS 11 AND 12, A DISTANCE OF 137.83 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE S00°43'07"E ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 80.08 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 43,209 SQ. FT. OR 1.00 ACRES OF LAND MORE OR LESS.

FIELD WORK COMPLETED ON: 7-3-12

PROJECT NUMBER:	120121
SHEET NUMBER:	1 OF 1

McDONALD'S
129 S DUFF AMES, IA

PLAT OF SURVEY

Bishop Engineering
"Planning Your Successful Development"

3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-0467 Fax: (515)276-0217

Civil Engineering & Land Surveying Established 1959