

COUNCIL ACTION FORM

**SUBJECT: PUBLIC UTILITY EASEMENT VACATION –
MARY GREELEY SUBDIVISION (EAST 13TH STREET)**

BACKGROUND:

Staff has received a request from the attorney representing Mary Greeley Medical Center to vacate the public utility easement currently shown running north/south through the existing lot at 2322 East 13th Street on Attachment A. The vacation is requested in order for the property owner to move forward with a subdivision of the property with the intent of selling lots for future development. As a part of the final platting process, new public utility easements will be established as shown on Attachment B.

This request was originally scheduled to be presented to Council at the April 9, 2013 meeting. However, at that time staff had not yet received a response from all utility users as to the existence or potential use of the existing easement. Therefore, this item was pulled from the Council agenda.

Public Works staff has now received responses from all registered right-of-way users as to the extent of utilities in this immediate area and any intention to utilize the existing easement. The only affected utility is Alliant Energy. This is a service line to the existing building on the site, which is not required to be in an easement. None of the other utility owners have an existing use or any plans to utilize the existing easement.

ALTERNATIVES:

1. Approve the proposal to vacate the existing public utility easement at 2322 East 13th Street and set the date of public hearing for June 25, 2013.
2. Direct staff to pursue other options.

MANAGER'S RECOMMENDED ACTION:

By approving vacation of the easement at this time, Council will meet this property owner's need to move forward with the final platting process for the subdivision and the sale and improvements of the lots.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the vacation of the existing public utility easement at 2322 East 13th Street and setting the date of public hearing for June 25, 2013.

EAST 13TH STREET (95')

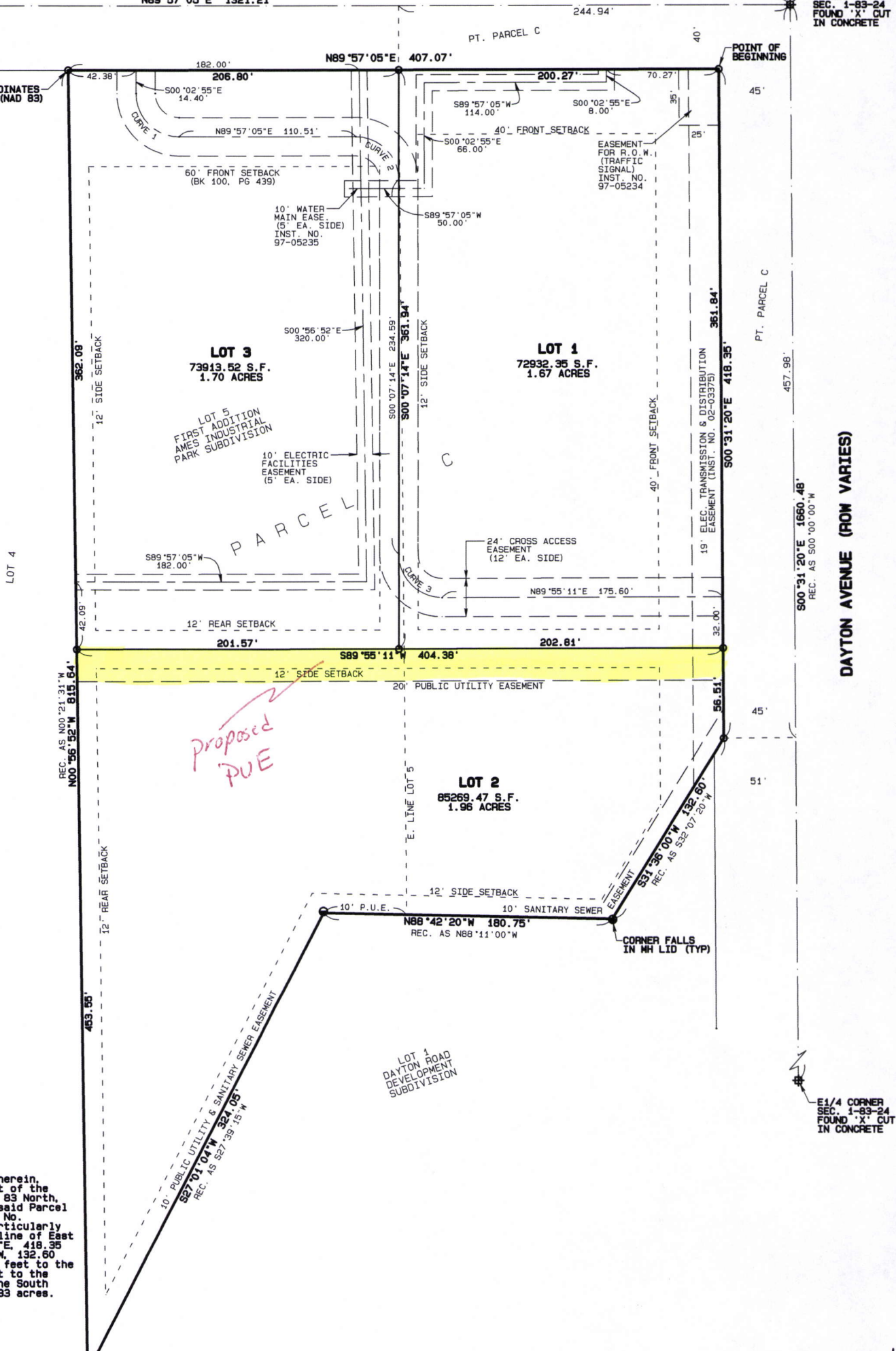
REC. AS S89°31'49"E
N89°57'05"E 1321.21'

NE CORNER
PARCEL C 6
SEC. 1-83-24
FOUND 'X' CUT
IN CONCRETE

NW CORNER
NE 1/4, NE 1/4
SEC. 1-83-24
FOUND ALUM.
MONUMENT

STATE PLANE COORDINATES
IOWA NORTH ZONE (NAD 83)
N = 347573.52
E = 4898641.54

CURVE 1	CURVE 2	CURVE 3
R=27.00'	R=27.00'	R=27.00'
A=42.41'	A=42.38'	A=42.39'
Δ=90°00'00"	Δ=89°55'41"	Δ=89°57'34"
B=S45°02'55"E	B=S45°05'05"E	B=S45°06'01"E
Ch=38.18	Ch=38.16	Ch=38.17



SURVEY DESCRIPTION - GREELEY SUBDIVISION:
A subdivision of Parcel C, except public right-of-way contained therein, in Lot 5, First Addition Ames Industrial Park Subdivision and part of the Northeast Quarter of the Northeast Quarter of Section 1, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, said Parcel C as shown on the Plat of Survey filed on March 28, 1996 at Inst. No. 96-02672 and in Book 13, Page 212, said subdivision being more particularly described as follows: Beginning at the intersection of the South line of East 13th Street with the West line of Dayton Avenue; thence S00°31'20"E, 418.35 feet along the West line of said Dayton Avenue; thence S31°36'00"W, 132.60 feet; thence N88°42'20"W, 180.75 feet; thence S27°01'04"W, 324.05 feet to the Southwest Corner of said Parcel C; thence N00°56'52"W, 815.64 feet to the Northwest Corner thereof; thence N89°57'05"E, 407.07 feet along the South line of East 13th Street to the point of beginning, containing 5.33 acres.

- NOTES:**
- THERE IS A 16.5' WIDE EASEMENT FOR THE BENEFIT OF NORTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN BK 96, PG 408, CROSSING THAT PART OF PARCEL C LYING EAST OF LOT 5, FIRST ADDITION AMES INDUSTRIAL PARK SUBDIVISION WHICH CAN'T BE SHOWN ON THIS PLAT BECAUSE THERE IS NOT A DESCRIPTION OF THE EASEMENT ROUTE.
 - THAT PART OF PARCEL C LYING IN THE PUBLIC RIGHT OF WAY WAS ACQUIRED BY THE CITY OF AMES PER RIGHT OF WAY DEDICATION FILED ON MAY 29, 1997 AT INST. NO. 97-05236.
 - SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.

OWNER/DEVELOPER:
CITY OF AMES, IOWA
C/O/D/3 MARY GREELEY MEDICAL CENTER
1111 DUFF AVENUE
AMES, IA 50010

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- STREET CENTERLINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION CORNER FOUND OR SET AS NOTED
- FOUND IRON PIN OR PIPE AS NOTED
- SET 1/2" REBAR W/ YELLOW CAP #17161

GRAPHIC SCALE 1"=50'

0 50 100 150

STUMBO & ASSOCIATES
LAND SURVEYING
510 S. 17TH STREET, SUITE #102 • AMES, IOWA 50010
PH. 515-233-3684 • FAX 515-233-4403

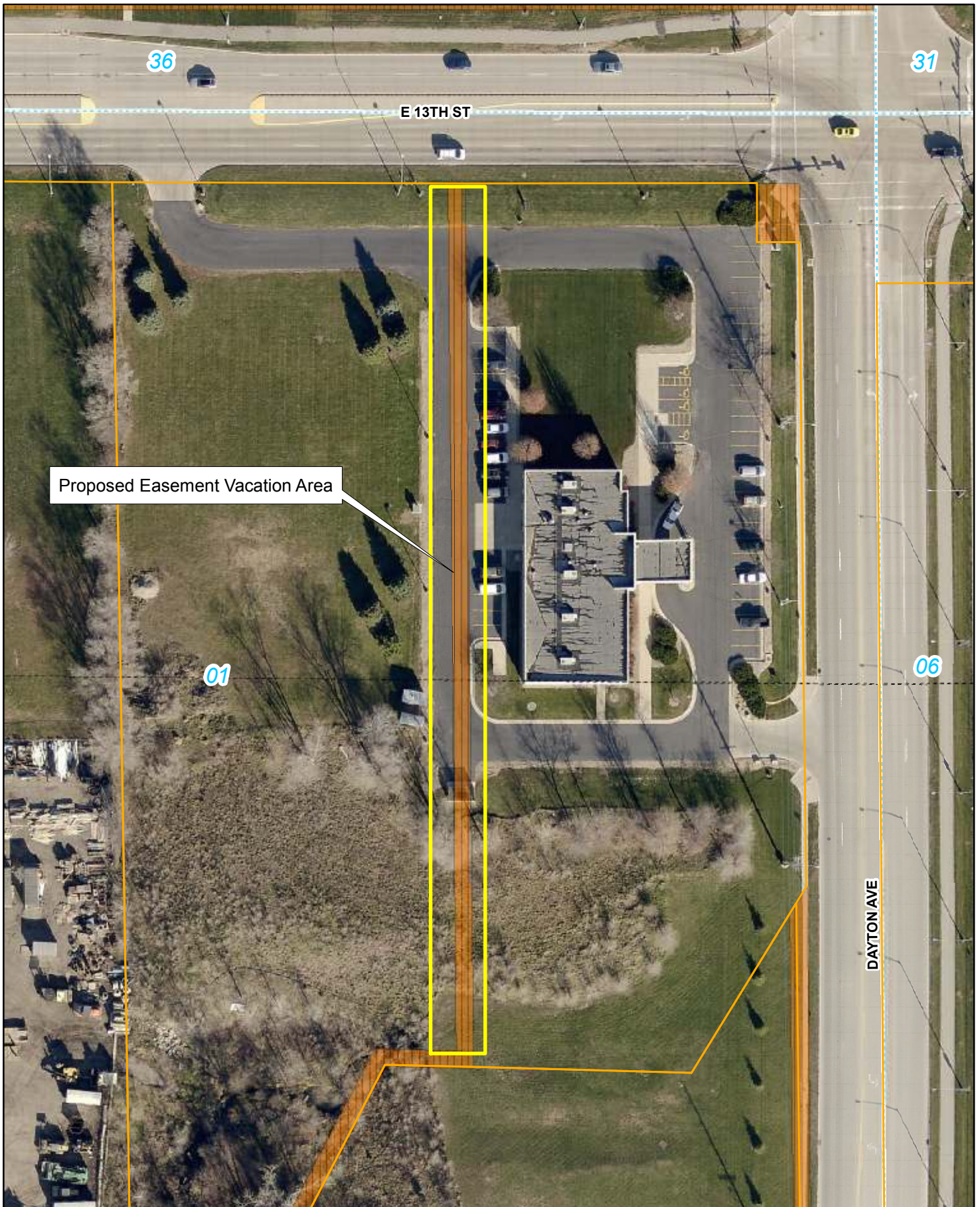
FINAL PLAT
MARY GREELEY SUBDIVISION
JOB #13139FP DATE: 3/06/13 PAGE 1 of 1



Certification: 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 Land Surveyor under the laws of the State of Iowa.

DRAFT

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2013



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



E. 13th and Dayton Easement Vacation
Mary Greely Subdivision



Scale: 1 in = 75 ft

Date: 3/20/2013