

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 138 AND 142 HYLAND AVENUE**

**BACKGROUND:**

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

**The proposed Plat of Survey is for the consolidation of two lots, 138 and 142 Hyland Avenue, along the east side of Hyland Avenue, north of Lincoln Way.** (See Attachment A, Location Map) The properties are owned by Hunzies 4, LLC. **The Plat of Survey consolidates the two existing properties into one new Parcel F for the purpose of redevelopment of the property for a new apartment complex.** See Attachment B, Proposed Plat of Survey.

The Electric Department has asked that a five foot electric easement be established along the east property line of Parcel F for the existing power pole and overhead lines. This is shown on the plat. No other improvements are needed or required in conjunction with the merger of the lots.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey, and the Planning and Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. 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.

**ALTERNATIVES:**

1. The City Council can adopt the resolution approving the proposed plat of survey.
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.

**CITY MANAGER'S RECOMMENDED ACTION:**

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM  
PLAT OF SURVEY FOR 138 AND 142 HYLAND AVENUE**

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 site is located at:

Owner: Hunzies 4, LLC

Existing Street Addresses: 138 and 142 Hyland Avenue  
New Street Address: 140 Hyland Avenue

Assessor's Parcel #: 0409353180 and 0409353190

Legal Descriptions:

138 Hyland Avenue: The W ½ of Sublot 5 of Lot 13 of the W ½ of the SW ¼ of Sec. 4-83-24, City of Ames, Story County, Iowa

142 Hyland Avenue: The South 40 feet of the W ½ of Sublot 4 of Lot 13 of the W ½ of the SW ¼ of Sec. 4-83-24, City of Ames, Story County, Iowa

**Public Improvements:**

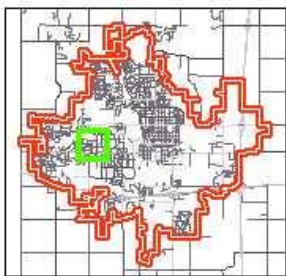
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- 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.

It is requested that a five foot electric easement be approved for the existing power pole and overhead lines along the east property line of the new Parcel F.

Note: The official plat of survey is not 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**



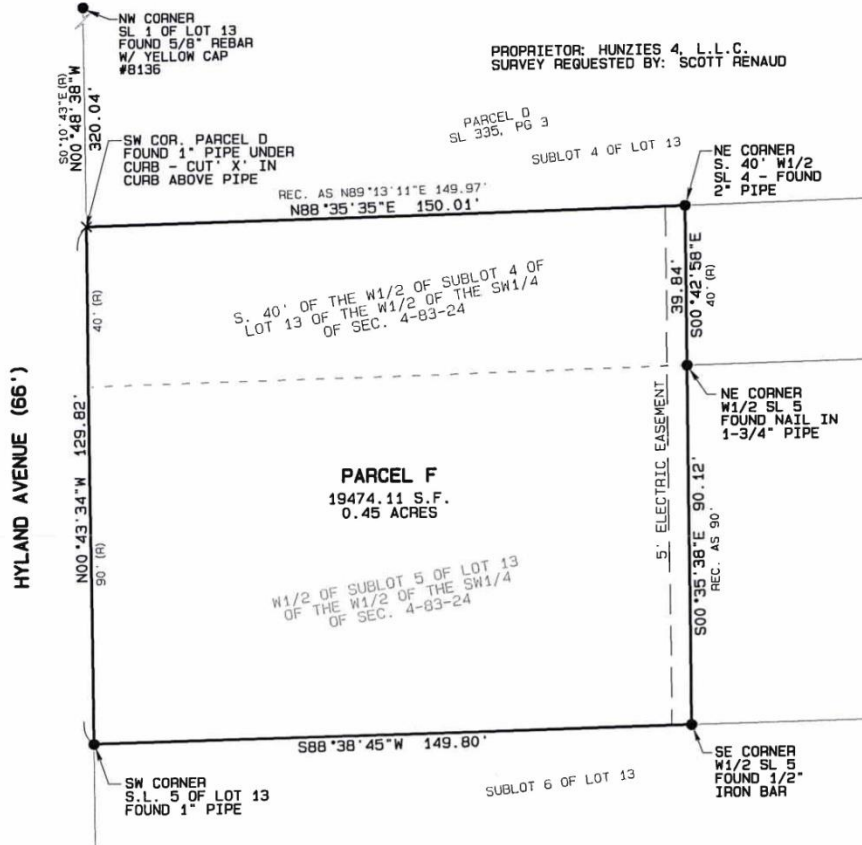
**Location Map  
138 and 142 Hyland Avenue**



# ATTACHMENT B PROPOSED PLAT OF SURVEY

R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

## PLAT OF SURVEY



**Survey Description-Parcel 'F':**  
The West Half of Sublot 5 and the South 40 feet of the West Half of Sublot 4, all in Lot 13 of the Subdivision of the West Half of the Southwest Quarter of Section 4, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the Southwest Corner of said Sublot 5; thence N00°43'34"W, 129.82 feet along the West line of said Sublots 5 and 4 to the Northwest Corner of said South 40 feet of the West Half of Sublot 4, said point also being the Southwest Corner of Parcel D as filed in Slide 335, Page 3; thence N88°35'35"E, 150.01 feet to the Northeast Corner of said South 40 feet of the West Half of Sublot 4; thence S00°42'58"E, 39.84 feet to the Northeast Corner of said West Half of Sublot 5; thence S00°35'38"E, 90.12 feet to the Southeast Corner thereof; thence S88°38'45"W, 149.80 feet to the point of beginning, containing 0.45 acres.

GRAPHIC SCALE      1"=30'

The Ames City Council approved this Plat of Survey on \_\_\_\_\_, 2014, with Resolution No. \_\_\_\_\_. I certify that it conforms to all conditions for approval.

\_\_\_\_\_  
Planning and Housing Director

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.

Date: \_\_\_\_\_

R. Bradley Stumbo License #17161  
My license renewal date is December 31, 2015  
Job #16648 Date: 3/21/14 Page 1 of 1  
Fieldwork Completed: 1/31/14

