

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 4130 LINCOLN SWING

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 a conveyance parcel to create a legalized lot for permitting purposes. This property is owned by GW College Park, LLC. (See Attachment A, Location Map.) The lot is located along the south side of Lincoln Swing, the current site of a mobile home park. Rezoning of the property to High Density Residential occurred in July of 2013. The Plat of Survey will officially plat the existing boundaries of the conveyance parcel to create a single 3.78 acre lot. (See Attachment B, Proposed Plat of Survey.)

The current north boundary of the parcel extends to the centerline of the Lincoln Swing. The existing right-of-way is a highway easement which was established with the DOT prior to annexation of the parcel. The Public Works Department has asked that the right-of-way portion of the property be transferred to the City at the time of platting of the lot. The area to be transferred is shown on the accompanying acquisition plat (Attachment C) and the property will be transferred to the City through the attached signed quit claim deed (Attachment D). No other improvements are needed or required in conjunction with the plat of survey for the property.

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. Once recorded the city with record the Acquisition Plan and the Quit claim deed thereby transferring the right of way to public property.

ALTERNATIVES:

1. The City Council can approve the Plat of Survey and the acquisition of the Right of Way in order to plat the property at 4130 Lincoln Swing and take ownership of that portion of the Right of Way for Lincoln Swing with the following approvals:

- a. The City Council can adopt a resolution approving the proposed Plat of Survey for 4130 Lincoln Swing, and
 - b. The City Council can adopt a resolution approving the Acquisition Plat for street Right of Way on Lincoln Swing, and
 - c. The City Council can adopt a resolution approving the Quit Claim Deed conveying street right of way from the property owner to the City of Ames.
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 for 4130 Lincoln Swing, the Acquisition Plat, and the quit claim deed for conveyance of street right-of-way to the City.

**ADDENDUM
PLAT OF SURVEY FOR 4130 LINCOLN SWING**

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: GW College Park, LLC

Street Address: 4130 Lincoln Swing

Assessor's Parcel #: 0908103140

Legal Description (Parcel ' N'): The East 289.5 feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter of the Northwest Quarter of Section 8. Township 83 North. Range 24 West of the 5th P.M. lying South of the centerline of the public street known as "Lincoln Swing., in the City of Ames, Iowa, except the South 442 feet thereof being more particularly described as follows: Beginning at the Northeast Corner of Lot 5 in Cochrane 's First Addition to Ames, Iowa: thence N89°28'58"W. 288 .84 feet to the Northwest Corner of said Lot 5; thence N00° 17' 25"W, 573.08 feet to the centerline of said Lincoln Swing and the beginning of a curve: thence following said centerline easterly and northeasterly, 277.72 feet along said curve having a radius of 1432.50 feet, concave to the north, a central angle of 11°06'29" and being subtended by a chord which bears N71°08'06"E, 277.29 feet; thence N65°34'39"E, 31.12 feet to the intersection of said centerline with the northerly extension of the West line of Beedle's Subdivision, Ames, Iowa; thence S00°05'05"E, 678.20 feet long the West line thereof to the point of beginning, containing 4.13 acres, which includes 0.35 acres of existing public right of way.

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 was requested that the right of way easement area be transferred to city public right of way. The attached acquisition plat and quit claim deed address the right of way request.

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



4130 Lincoln Swing Location Map

ATTACHMENT B PROPOSED PLAT OF SURVEY

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

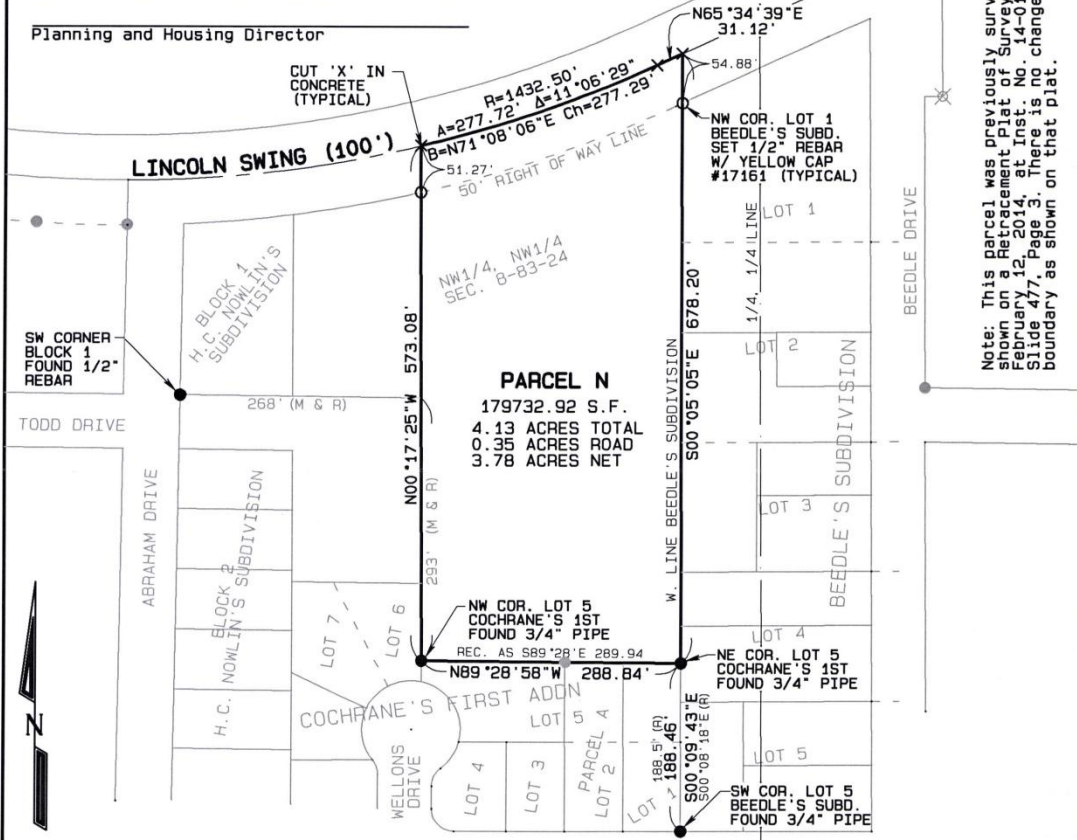
PLAT OF SURVEY

N. LINE SEC. 8-83-24

LINCOLN WAY

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

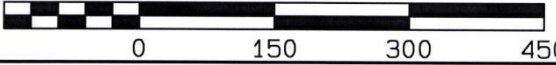
Planning and Housing Director



Note: This parcel was previously surveyed and shown on the Placement Plat of Survey, filed on 5/12/2014, 9th Inst. No. 14-01122 and in 5/16/47 Page 3. There is no change in the boundary as shown on that plat.

Survey Description-Parcel 'N':
 The East 289.5 feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 83 North, Range 24 West of the 5th P.M., lying South of the centerline of the public street known as "Lincoln Swing", in the City of Ames, Iowa, except the South 442 feet thereof; being more particularly described as follows: Beginning at the Northeast Corner of Lot 5 in Cochrane's First Addition to Ames, Iowa; thence N89°28'58"W, 288.84 feet to the Northwest Corner of said Lot 5; thence N00°17'25"W, 573.08 feet to the centerline of said Lincoln Swing and the beginning of a curve; thence following said centerline easterly and northeasterly, 277.72 feet along said curve having a radius of 1432.50 feet, concave to the north, a central angle of 11°06'29" and being subtended by a chord which bears N71°08'06"E, 277.29 feet; thence N65°34'39"E, 31.12 feet to the intersection of said centerline with the northerly extension of the West line of Beedle's Subdivision, Ames, Iowa; thence S00°05'05"E, 678.20 feet along the West line thereof to the point of beginning, containing 4.13 acres, which includes 0.35 acres of existing public right of way.

GRAPHIC SCALE 1"=150'



PROPRIETOR: GW COLLEGE PARK, L.L.C.
 SURVEY REQUESTED BY: ALEX GALYON

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.



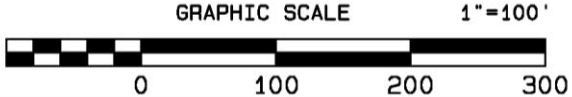
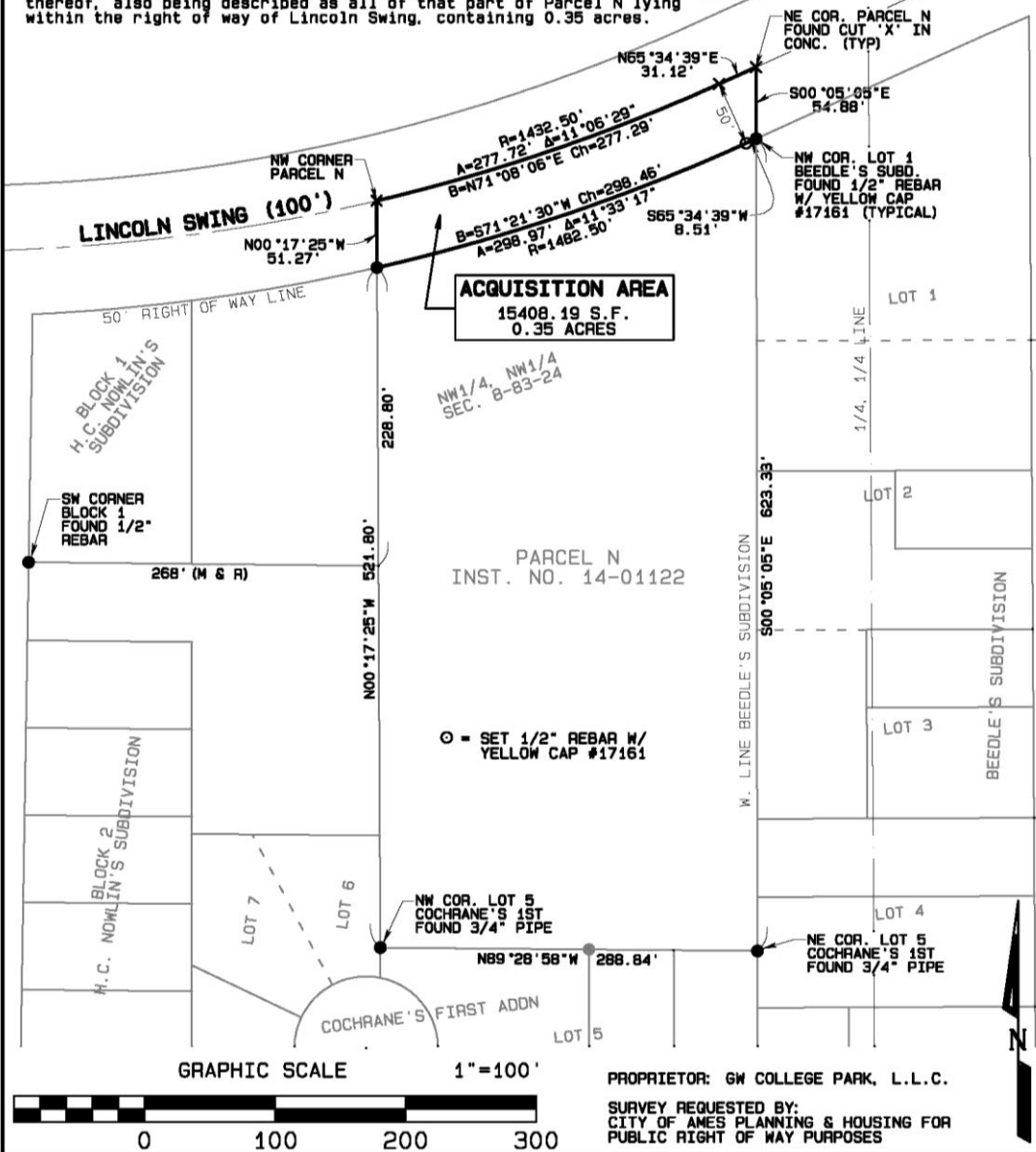
Date: _____
 R. Bradley Stumbo License #17161
 My license renewal date is December 31, 2015
 Job #16636 Date: 4/15/14 Page 1 of 1
 Fieldwork Completed: 2/05/14

ATTACHMENT C ACQUISITION PLAT

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

ACQUISITION PLAT

Survey Description-Acquisition Area:
The North 50.00 feet of Parcel N in the Northwest Quarter of the Northwest Quarter of Section 8, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, measured at right angles from the North line thereof, also being described as all of that part of Parcel N lying within the right of way of Lincoln Swing, containing 0.35 acres.



PROPRIETOR: GW COLLEGE PARK, L.L.C.
SURVEY REQUESTED BY:
CITY OF AMES PLANNING & HOUSING FOR
PUBLIC RIGHT OF WAY PURPOSES

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 Date: _____
My license renewal date is December 31, 2015
Job #16636ACQ Date: 5/07/14 Page 1 of 1



ATTACHMENT "D"

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

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; (515) 239-5146
Return document to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010
Address tax statement to: City of Ames, 515 Clark Ave., Ames, IA 50010

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That GW College Park, L.L.C., in consideration of good and valuable consideration, does hereby Quit Claim unto the City of Ames, Iowa, all the right, title and interest in the following described real estate situated in Story County, Iowa, to-wit:

The North 50.00 feet of Parcel N in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa.

This deed is exempt from transfer tax pursuant to Iowa Code section 428A.2(6).

Words and phrases herein, including the acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

**GW COLLEGE PARK, L.L.C.
GRANTOR**

By _____
Alex P. Galyon, Manager and Member

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on _____, 2014, by Alex P. Galyon, Manager of GW College Park, L.L.C.

Notary Public in and for the State of Iowa