

**COUNCIL ACTION FORM**

**SUBJECT:** PUBLIC UTILITY EASEMENT VACATION – 4540 MORTENSEN ROAD

**BACKGROUND:**

The law firm representing the property owner at 4540 Mortensen Road has made a request to vacate the public utility easement currently running through the existing lot shown on Attachment A. The vacation is requested in order for the property owner to move forward with the process to develop the site.

Public Works staff received responses from all registered right-of-way users as to the extent of utilities in this immediate area, including any intention to utilize the existing easement. All have responded that they do not have facilities in the existing easement, and will place any needed future utilities within the new easements. These new easements, if necessary, will be defined during the site plan review process.

**ALTERNATIVES:**

1. Set August 12, 2014, as the date of public hearing for the proposed vacation of the existing public utility easement at 4540 Mortensen Road.
2. Direct staff to pursue other options.

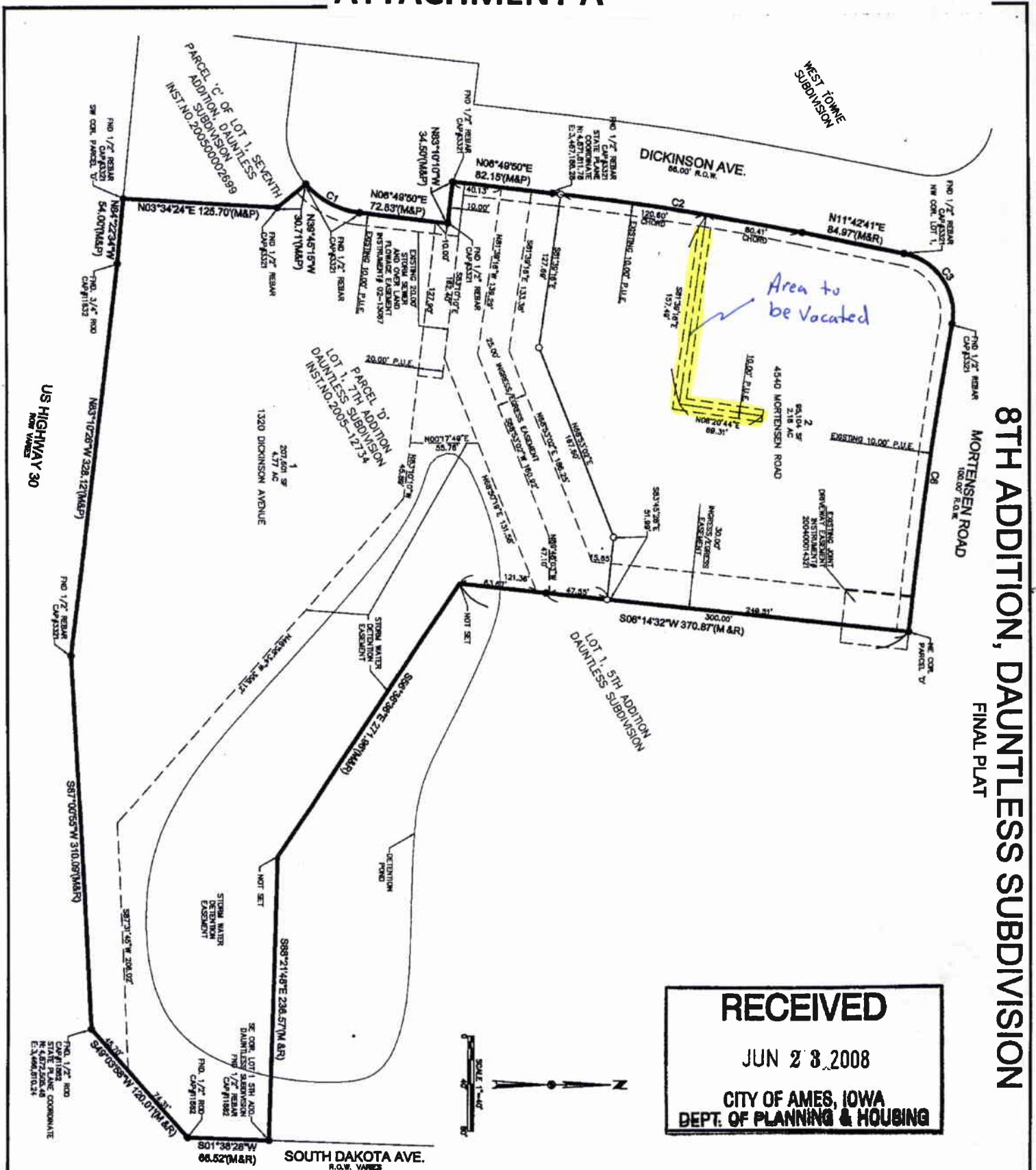
**MANAGER'S RECOMMENDED ACTION:**

By moving forward with the process to approve the vacation of the easement, Council will meet this property owner's need to move forward with development of their existing site. The property owner will provide any new easements that better fit the site at no charge to the City, should they be determined to be necessary during the City's site plan approval process.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting August 12, 2014, as the date of public hearing for the proposed vacation of the existing public utility easement at 4540 Mortensen Road.

Instrument: 2008- 00007779  
Date: Jul 11, 2008 12:54:33P  
Rec Fee: .00 E-Com Fee: .00  
Aud Fee: .00 Trans Tax: .00  
Rec Management Fee: .00  
Non-Standard Page Fee: .00  
Filed for record in Story County, Iowa  
Susan L. Vande Kamp, County Recorder

ATTACHMENT A



8TH ADDITION, DAUNTLESS SUBDIVISION  
FINAL PLAT

RECEIVED  
JUN 23 2008  
CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING

PLAT DESCRIPTION:

THIS PLAT IS A PART OF LOT ONE (1), EIGHTH ADDITION, DAUNTLESS SUBDIVISION, STORY COUNTY, IOWA, AS SHOWN ON THE PLAT OF SAID EIGHTH ADDITION, DAUNTLESS SUBDIVISION, STORY COUNTY, IOWA, ON OCTOBER 1, 2003, AS NOTED ON THE RECORDS OF SAID COUNTY.

BULK REGULATIONS:

MINIMUM LOT AREA: 10,000 SQ. FEET (MINIMUM BUILDING FOOTPRINT: 1,000 SQ. FEET)  
MINIMUM BUILDING HEIGHT: 10 FEET  
MINIMUM SETBACK: 10 FEET  
MINIMUM FRONT YARD SETBACK: 10 FEET  
MINIMUM SIDE YARD SETBACK: 10 FEET  
MINIMUM REAR YARD SETBACK: 10 FEET  
MINIMUM LOT AREA: 10,000 SQ. FEET (MINIMUM BUILDING FOOTPRINT: 1,000 SQ. FEET)

ZONING:

ONE (1) SINGLE-FAMILY RESIDENTIAL UNIT AND ONE (1) COMMERCIAL UNIT PER LOT.

OWNER:

DAUNTLESS SUBDIVISION, LLC

APPLICANT / DEVELOPER:

DAUNTLESS SUBDIVISION, LLC

ENGINEER/SURVEYOR:

DAUNTLESS SUBDIVISION, LLC

DATE OF SURVEY:

JULY 11, 2008

NOTES:

THE DIMENSIONS ARE BASED ON THE FIELD SURVEY AND THE PLAT WHICH HAVE BEEN REVIEWED BY THE CITY OF AMES AND FOUND TO BE CORRECT.

CURVE DATA:

CHORD	LENGTH	DELTA	BEARING	CHORD
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00
100.00	100.00	90.00	N 00° 00' 00" E	100.00

LEGEND:

SECTION	CONVEYANCE	REMARKS
1	DAUNTLESS SUBDIVISION	100.00' X 100.00'
2	DAUNTLESS SUBDIVISION	100.00' X 100.00'
3	DAUNTLESS SUBDIVISION	100.00' X 100.00'
4	DAUNTLESS SUBDIVISION	100.00' X 100.00'
5	DAUNTLESS SUBDIVISION	100.00' X 100.00'
6	DAUNTLESS SUBDIVISION	100.00' X 100.00'
7	DAUNTLESS SUBDIVISION	100.00' X 100.00'
8	DAUNTLESS SUBDIVISION	100.00' X 100.00'
9	DAUNTLESS SUBDIVISION	100.00' X 100.00'
10	DAUNTLESS SUBDIVISION	100.00' X 100.00'



DAUNTLESS SUBDIVISION, LLC  
DATE: JULY 11, 2008

8TH ADDITION, DAUNTLESS SUBDIVISION  
FINAL PLAT



5501 NW 112th SUITE G GRIMES, IOWA 50111  
PH: (515) 369-4400 Fax: (515) 369-4410  
ENGINEER: — TECH: —

REVISIONS	DATE