

**COUNCIL ACTION FORM**

**SUBJECT: PUBLIC UTILITY AND DRIVE EASEMENT VACATION – WESTWOOD VILLAGE**

**BACKGROUND:**

The property owner of 145 Marshall recently added a new apartment building to Lot 6. During the review process, it was determined that a public utility easement and a driveway easement on the property are no longer needed due to the ownership and configuration of the new building. The drive easement is also not required due to the fact that all adjacent lots are owned by the same entity.

Public Works staff contacted all registered right-of-way users of the existing Public Utility Easement to determine the extent of utilities in the immediate area. All users have indicated that there are no known utilities in the area and the utilities do not have plans to locate facilities in the existing easement.

The attached map provides more information on the affected area, as well as descriptions of the easements.

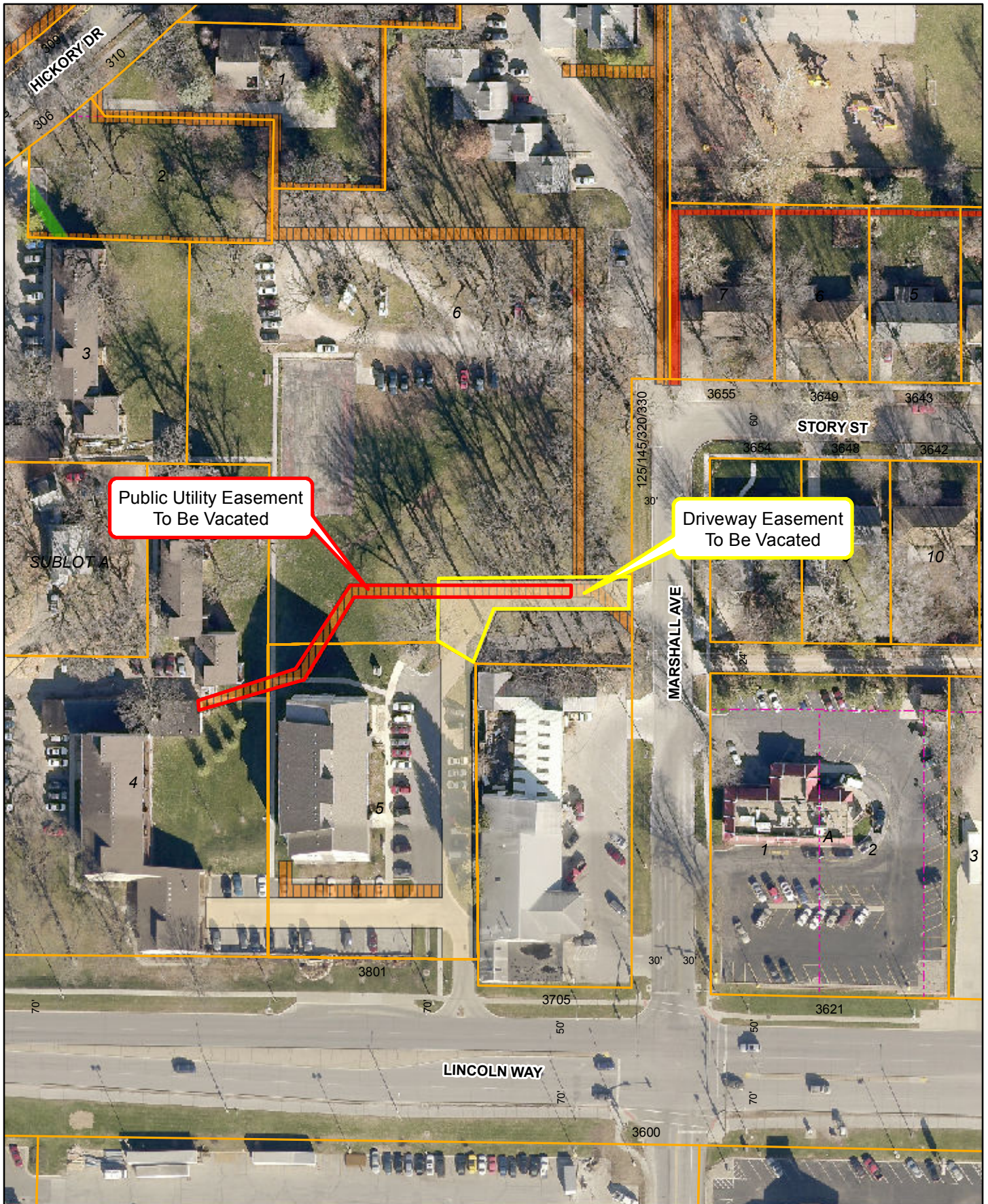
**ALTERNATIVES:**

1. Approve the vacation of the easements as shown and described in Attachment A, and set the date of public hearing for January 13, 2015.
2. Direct staff or the property owner to pursue other options.

**MANAGER'S RECOMMENDED ACTION:**

These easements are no longer required to serve their intended purpose.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving vacation of the easements as shown and described in Attachment A, and setting the date of public hearing for January 13, 2015.



Public Utility Easement  
To Be Vacated

Driveway Easement  
To Be Vacated

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.



Westwood Village  
Easement Vacations  
Attachment A



Scale: 1 in = 100 ft  
Date: 12/8/2014

## **Public Utility and Drive Easement Vacation Descriptions - Westwood Village Attachment A**

### **Utility Easement:**

A strip of land 10.00 feet in width across Lots 4, 5 and 6 in the Replat of Westwood Village, City of Ames, Story County, Iowa, being described as follows: Commencing at the Southeast Corner of said Lot 6; thence N00°00'45"E, 52.44 feet along the East line thereof; thence N89°56'17"W, 44.99 feet to the point of beginning; thence continuing N89°56'17"W, 167.24 feet; thence S30°16'57"W, 73.51 feet; thence S73°03'36"W, 87.00 feet; thence N00°03'43"E, 10.46 feet; thence N73°03'36"E, 80.03 feet; thence N30°16'57"E, 75.34 feet; thence S89°56'17"E, 172.98 feet; thence S00°00'00"W, 10.00 feet to the point of beginning.

### **Drive Easement:**

A part of Lot 6 in the Replat of Westwood Village, City of Ames, Story County, Iowa, being described as follows: Commencing at the Southeast Corner of said Lot 6; thence N00°00'45"E, 43.90 feet along the East line thereof to the point of beginning; thence continuing N00°00'45"E, 24.00 feet; thence N89°56'17"W, 148.27 feet; thence S00°04'25"W, 48.65 feet to the South line of said Lot 6; thence S59°01'56"E, 32.83 feet along said line; thence N21°04'38"E, 44.46 feet; thence S89°56'17"E, 104.19 feet to the point of beginning.