

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 4316 ONTARIO STREET (SAWYER SCHOOL)**

**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 platting of a conveyance parcel to create a legalized lot for permitting purposes. This property is owned by Ames Community School District. (See Attachment A, Location Map.) The lot is located along the south side of Ontario Street at the corner of Ontario Street and North Dakota, the current site of Sawyer School. The Plat of Survey will officially plat the existing boundaries of the parcel to create a single 10.84 acre lot. (See Attachment B, Plat of Survey.)**

The current parcel also includes a portion of street right of way at the centerline of Ontario Street. The Public Works Department has asked that the right-of-way portion of the property be transferred to the City for public right of way 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 by quit claim deed. The deed is scheduled for approval at the Ames Community School District Board meeting scheduled for Monday, January, 26, 2015. A draft of the deed is attached for reference (Attachment D). If the School Board does not approve the quit claim deed as scheduled, action on this Plat of Survey will not be recommended. 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 City will record the Acquisition Plat and the signed Quit Claim Deed thereby transferring the right of way to public property. 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 approve the Plat of Survey and the acquisition of the Right of Way

in order to plat the property at 4316 Ontario Street and take ownership of that portion of the Right of Way for Ontario Street with the following approvals:

- a. The City Council can adopt a resolution approving the proposed Plat of Survey for 4316 Ontario Street, and
  - b. The City Council can adopt a resolution approving the Acquisition Plat for street Right of Way on Ontario Street, 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 4316 Ontario Street, the Acquisition Plat, and the quit claim deed for conveyance of street right-of-way to the City of Ames.

**ADDENDUM  
PLAT OF SURVEY FOR 4316 ONTARIO STREET**

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: Ames Community School District  
Street Address: 4316 Ontario Street  
Assessor's Parcel #: 0905100010

**Legal Description Parcel N:** The West 723 feet of the Northwest Fractional Quarter of the Northwest Fractional Quarter, except the North 35.00 feet thereof, and except the West 40.00 feet of that part lying South of the North 35.00 feet thereof, and the West 723 feet of the North 459.2 feet of the Southwest Quarter of the Northwest Fractional Quarter, except the West 40.00 feet thereof, all in Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Iowa; and the East 20 feet of Lot 9, Sixth Addition to Ontario Heights Subdivision to Ames, Story County, Iowa, and all together being more particularly described as follows: Commencing at the Northwest Corner of said Section 5; thence S00°02'23"E, 35.00 feet along the West line of said Section 5; thence S89°06'19"E, 40.01 feet to the intersection of the East line of North Dakota Avenue with the South line of Ontario Street and point of beginning; thence S89°06'19"E, 683.02 feet along the South line of Ontario Street to the Northwest Corner of Lot 1 in Ontario Heights Subdivision, Fourth Addition to Ames, Iowa; thence S00°00'45"W, 660.29 feet to the Northwest Corner of Lot 11 in said Sixth Addition to Ontario Heights Subdivision; thence S00°01'13"W, 152.69 feet to the Southeast Corner of said Lot 9; thence N89°04'17"W, 20.00 feet along the South line of said Lot 9; thence N00°00'19"E, 124.89 feet; thence N89°04'33"W, 662.36 feet along the North line of said Sixth Addition to Ontario Heights Subdivision said point being on the East line of North Dakota Avenue; thence N00°02'23"W, 687.75 feet along said line to the point of beginning, containing 10.84 acres.

**Public Improvements:**

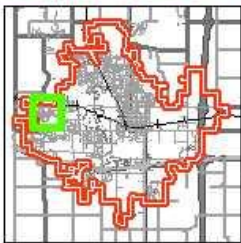
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- 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 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

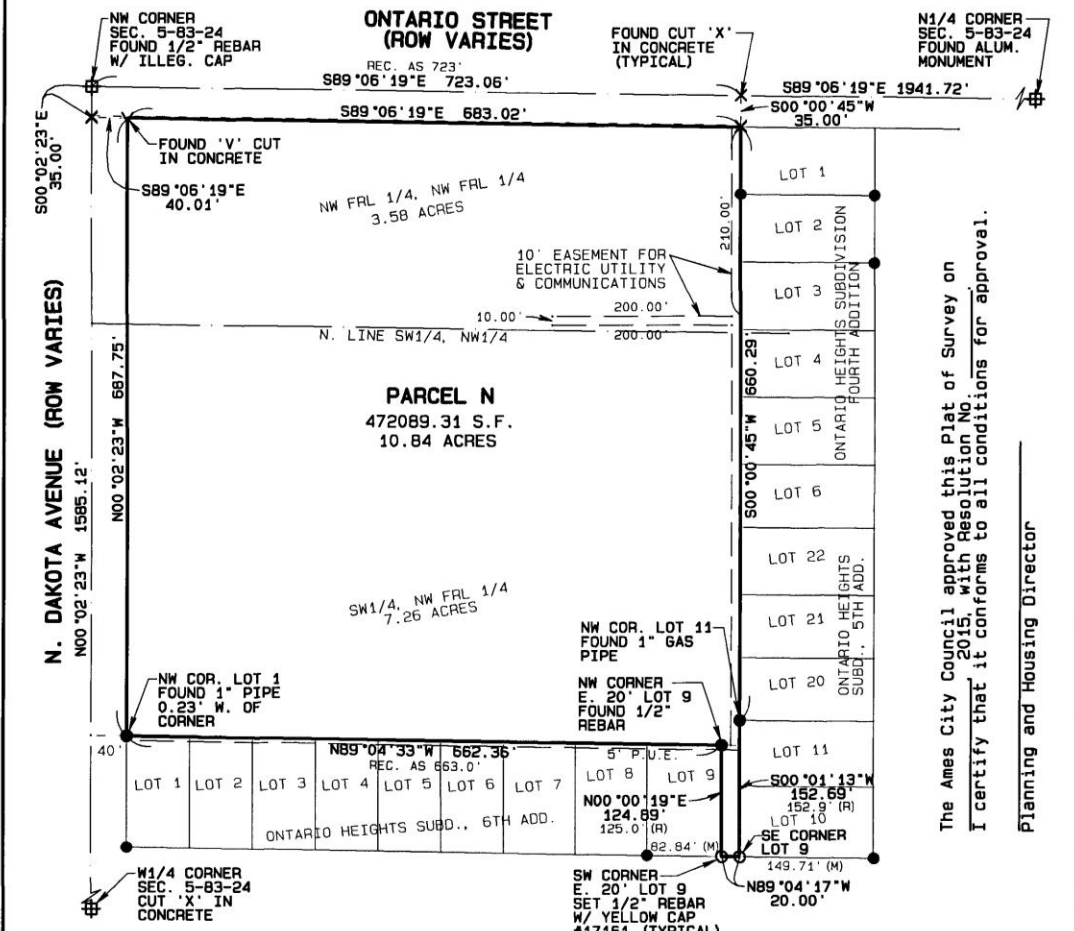


Location Map  
4316 Ontario Street  
Sawyer School

# ATTACHMENT B PROPOSED PLAT OF SURVEY

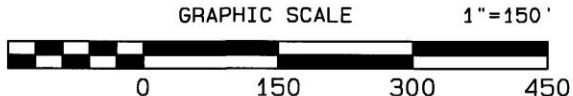
R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

## PLAT OF SURVEY



The Ames City Council approved this Plat of Survey on 1/12/15, with Resolution No. 1515. I certify that it conforms to all conditions for approval.  
Planning and Housing Director

**Survey Description-Parcel 'N':**  
The West 723 feet of the Northwest Fractional Quarter of the Northwest Fractional Quarter, except the North 35.00 feet thereof, and except the West 40.00 feet of that part lying South of the North 35.00 feet thereof, and the West 723 feet of the North 459.2 feet of the Southwest Quarter of the Northwest Fractional Quarter, except the West 40.00 feet thereof, all in Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Iowa; and the East 20 feet of Lot 9, Sixth Addition to Ontario Heights Subdivision to Ames, Story County, Iowa, and all together being more particularly described as follows: Commencing at the Northwest Corner of said Section 5; thence S00°02'23"E, 35.00 feet along the West line of said Section 5; thence S89°06'19"E, 40.01 feet to the intersection of the East line of North Dakota Avenue with the South line of Ontario Street and point of beginning; thence S89°06'19"E, 683.02 feet along the South line of Ontario Street to the Northwest Corner of Lot 1 in Ontario Heights Subdivision, Fourth Addition to Ames, Iowa; thence S00°00'45"W, 660.29 feet to the Northwest Corner of Lot 11 in said Sixth Addition to Ontario Heights Subdivision; thence S00°01'13"W, 152.69 feet to the Southeast Corner of said Lot 9; thence N89°04'17"W, 20.00 feet along the South line of said Lot 9; thence N00°00'19"E, 124.89 feet; thence N89°04'33"W, 662.36 feet along the North line of said Sixth Addition to Ontario Heights Subdivision, said point being on the East line of North Dakota Avenue; thence N00°02'23"W, 687.75 feet along said line to the point of beginning, containing 10.84 acres.



PROPRIETOR:  
AMES COMMUNITY SCHOOL DISTRICT  
SURVEY REQUESTED BY: GERRY PETERS

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.

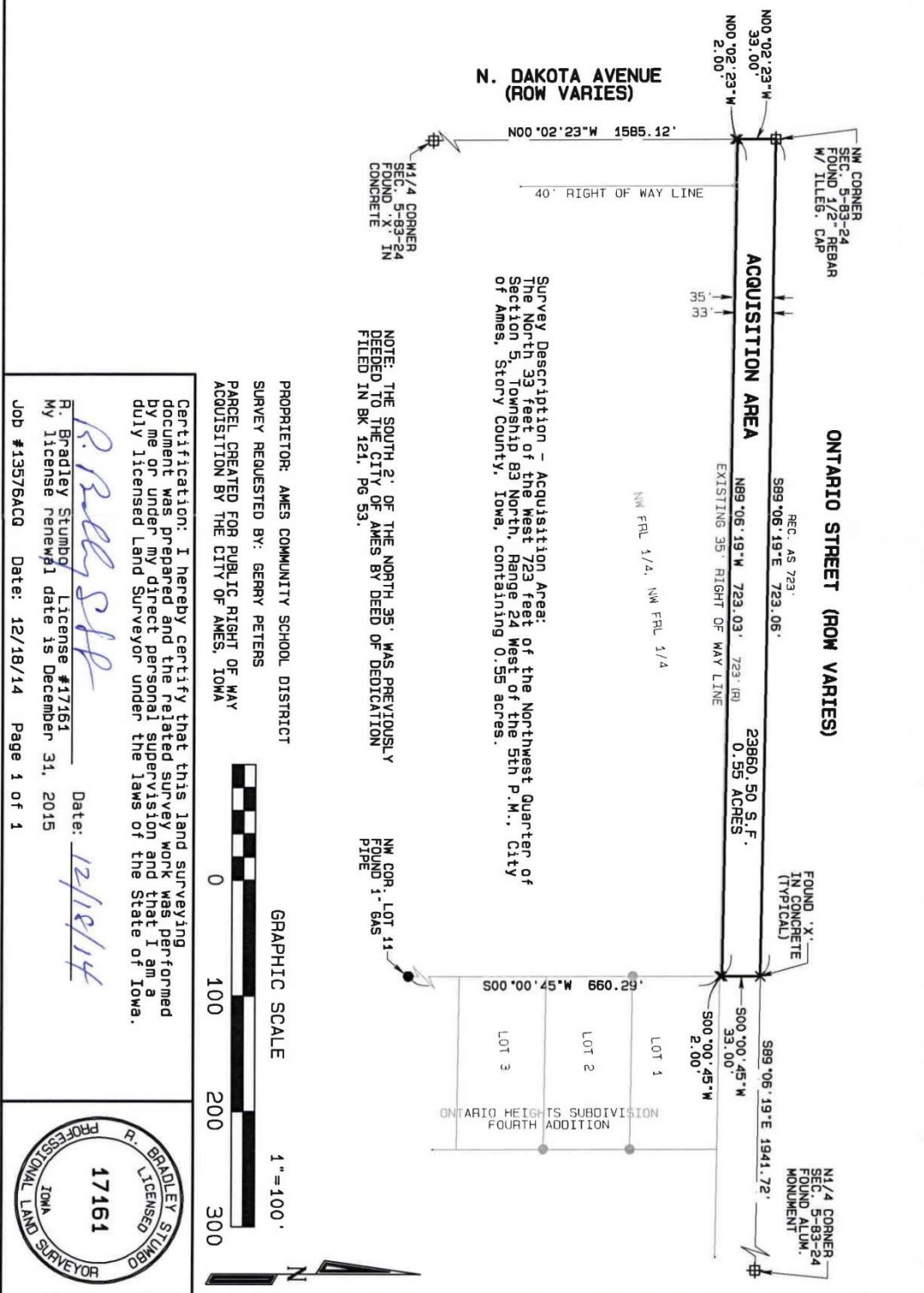


R. Bradley Stumbo License #17161 Date: \_\_\_\_\_  
My license renewal date is December 31, 2015  
Job #13576PSA Date: 1/12/15 Page 1 of 1  
Fieldwork Completed: 6/10/13

# ATTACHMENT C ACQUISITION PLAT

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

## ACQUISITION PLAT



**ATTACHMENT D  
DRAFT QUIT CLAIM DEED**

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**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

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**QUIT CLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS:**

That Ames Community School District, 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 33 feet of the West 723 feet of the Northwest Quarter of Section 5, Township 83 North, Range 24 West of the 5<sup>th</sup> 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.

**AMES COMMUNITY SCHOOL DISTRICT  
GRANTOR**

By \_\_\_\_\_  
Lucas Deardorff, Board President

By \_\_\_\_\_  
Karen Shimp, Board Secretary

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on \_\_\_\_\_, 2015, by Lucas Deardorff and Karen Shimp, as Board President and Board Secretary, respectively, of Ames Community School District.

\_\_\_\_\_  
Notary Public in and for the State of Iowa