

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 230 S. DUFF 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 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, non-conforming lot 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 vacant property on the northeast corner of South Duff and Southeast 3rd Street, the site of a new restaurant and the adjacent property to the east (see Attachment A). **The Plat of Survey shifts the boundary between those two properties, because the access drive will be owned by the restaurant. This drive will still provide access for the car wash to the north and the industrial facility to the east. An existing and a new easement provide for the shared access.** The easement does not require City Council approval, but the easement document will need to be reviewed by the Planning and Housing Director before the Plat of Survey is recorded. The proposed Plat of Survey is Attachment B.

Approval of the resolution will allow the applicant to prepare the official plat of survey, and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, 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 with the condition that the signed access easement document be reviewed by the Planning and Housing Director before the Plat of Survey is recorded.
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.

MANAGER'S RECOMMENDED ACTION:

The Planning & Housing Department has determined pursuant to 23.308(4)(c), that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey. **Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolutions approving the proposed plat of survey with the condition that the signed access easement document be reviewed by the Planning and Housing Director before the Plat of Survey is recorded.**

**ADDENDUM
PLAT OF SURVEY FOR 230 S. DUFF 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: Valley Bank & JMH Corporation
Street Address: 230 S. Duff Ave. & 217 High St.
Assessor's Parcel #: 09-11-204-005 & 09-11-204-055

Legal Description Parcel G:

PARCEL "G" LOCATED IN PARCEL "E" IN BLOCK 4 OF KINGSBURY'S ADDITION TO THE CITY OF AMES AND ALSO IN PARCEL "AQ" IN LOT "M", BEING A PART OF LOT 2 IN THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11 AND A PART OF PARCEL "N" IN LOT 1 OF THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, ALL IN TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "E" IN BLOCK 4 OF KINGSBURY'S ADDITION TO THE CITY OF AMES AS SHOWN IN INSTRUMENT NO. 2008-00002384 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, N89°57'58"W 144.04' ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL "E"; THENCE, N87°54'23"W 108.05' ALONG SAID SOUTHERLY BOUNDARY LINE; THENCE, N57°59'40"W 27.24' ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID PARCEL "E", SAID POINT ALSO BEING THE EAST RIGHT OF WAY LINE OF S. DUFF AVENUE, AS PRESENTLY ESTABLISHED; THENCE, N0°31'55"W 160.73' ALONG SAID EAST RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF SAID PARCEL "E"; THENCE, S89°08'14"E 322.93' ALONG THE NORTH LINE OF SAID PARCEL "E" EXTENDED; THENCE, S0°33'51"E 134.07'; THENCE, S89°26'09"W 8.22'; THENCE, S0°33'51"E 12.12'; THENCE, S8°47'17"E 19.70' TO THE SOUTH BOUNDARY LINE OF SAID PARCEL "AQ"; THENCE, S89°56'21"W 42.60' ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID PARCEL "AQ" AND THE EAST LINE OF SAID PARCEL "E"; THENCE, S0°33'51"E 8.55' ALONG SAID EAST LINE TO THE POINT OF BEGINNING. PARCEL "G" CONTAINS 1.28 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

Legal Description Parcel AZ:

DESCRIPTION PARCEL "AZ"

PARCEL "AZ" LOCATED IN PARCEL "AQ" IN LOT "M", BEING A PART OF LOT 2 IN THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11 AND A PART OF PARCEL "N" IN LOT 1 OF THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, ALL IN TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF PARCEL "AQ" AS DESCRIBED IN INSTRUMENT NO. 2010-00012298 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, N1°03'38"E 269.04'; THENCE, N89°14'50"W 181.03'; THENCE, S0°48'11"W 65.71'; THENCE, N89°20'59"W 185.13' TO THE EAST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL "D" AND RECORDED IN INSTRUMENT NO. 01-05349 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, S0°33'50"E 41.65' TO THE SOUTHEAST CORNER OF SAID PARCEL "D", THE AFORESAID ALL BEING ALONG THE BOUNDARY OF SAID PARCEL "AQ"; THENCE, S89°08'14"E 48.01'; THENCE, S0°33'51"E 134.07'; THENCE, S89°26'09"W 8.22'; THENCE, S0°33'51"E 12.12'; THENCE, S8°47'17"E 19.70' TO THE SOUTH LINE OF SAID PARCEL "AQ"; THENCE, N89°56'21"E 317.43' ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. PARCEL "AZ" CONTAINS 1.81 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

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:

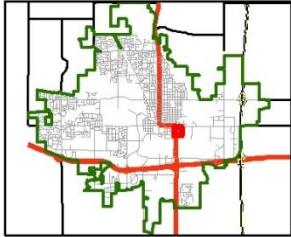
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

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
230 S. Duff & 217 High**



**ATTACHMENT B
PROPOSED PLAT OF SURVEY**

(SEE NEXT PAGE)

PLAT OF SURVEY

DESCRIPTION PARCEL *G*
 PARCEL *G* LOCATED IN PARCEL *E* IN BLOCK 4 OF KINGSBURY'S ADDITION TO THE CITY OF AMES AND ALSO IN PARCEL *AQ* IN LOT *M*, BEING A PART OF LOT 2 IN THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11 AND A PART OF PARCEL *N* IN LOT 1 OF THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, ALL IN TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL *E* IN BLOCK 4 OF KINGSBURY'S ADDITION TO THE CITY OF AMES AS SHOWN IN INSTRUMENT NO. 2008-00002384 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, N89°57'58"W 144.04' ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL *E*; THENCE, N87°54'23"W 108.05' ALONG SAID SOUTHERLY BOUNDARY LINE; THENCE, N57°59'40"W 27.24' ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID PARCEL *E*, SAID POINT ALSO BEING THE EAST RIGHT OF WAY LINE OF S. DUFF AVENUE, AS PRESENTLY ESTABLISHED; THENCE, N0°31'55"W 160.73' ALONG SAID EAST RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF SAID PARCEL *E*; THENCE, S89°08'14"E 322.93' ALONG THE NORTH LINE OF SAID PARCEL *E* EXTENDED; THENCE, S0°33'51"E 134.07'; THENCE, S89°26'09"W 8.22'; THENCE, S0°33'51"E 12.12'; THENCE, S8°47'17"E 19.70' TO THE SOUTH BOUNDARY LINE OF SAID PARCEL *AQ*; THENCE, S89°56'21"W 42.60' ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID PARCEL *AQ* AND THE EAST LINE OF SAID PARCEL *E*; THENCE, S0°33'51"E 8.55' ALONG SAID EAST LINE TO THE BEGINNING. PARCEL *G* CONTAINS 1.28 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

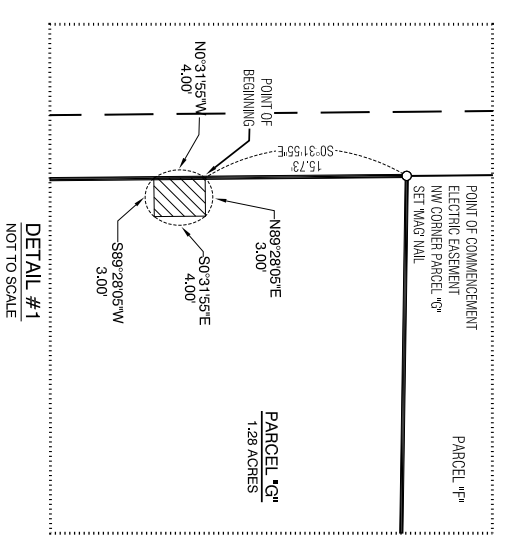
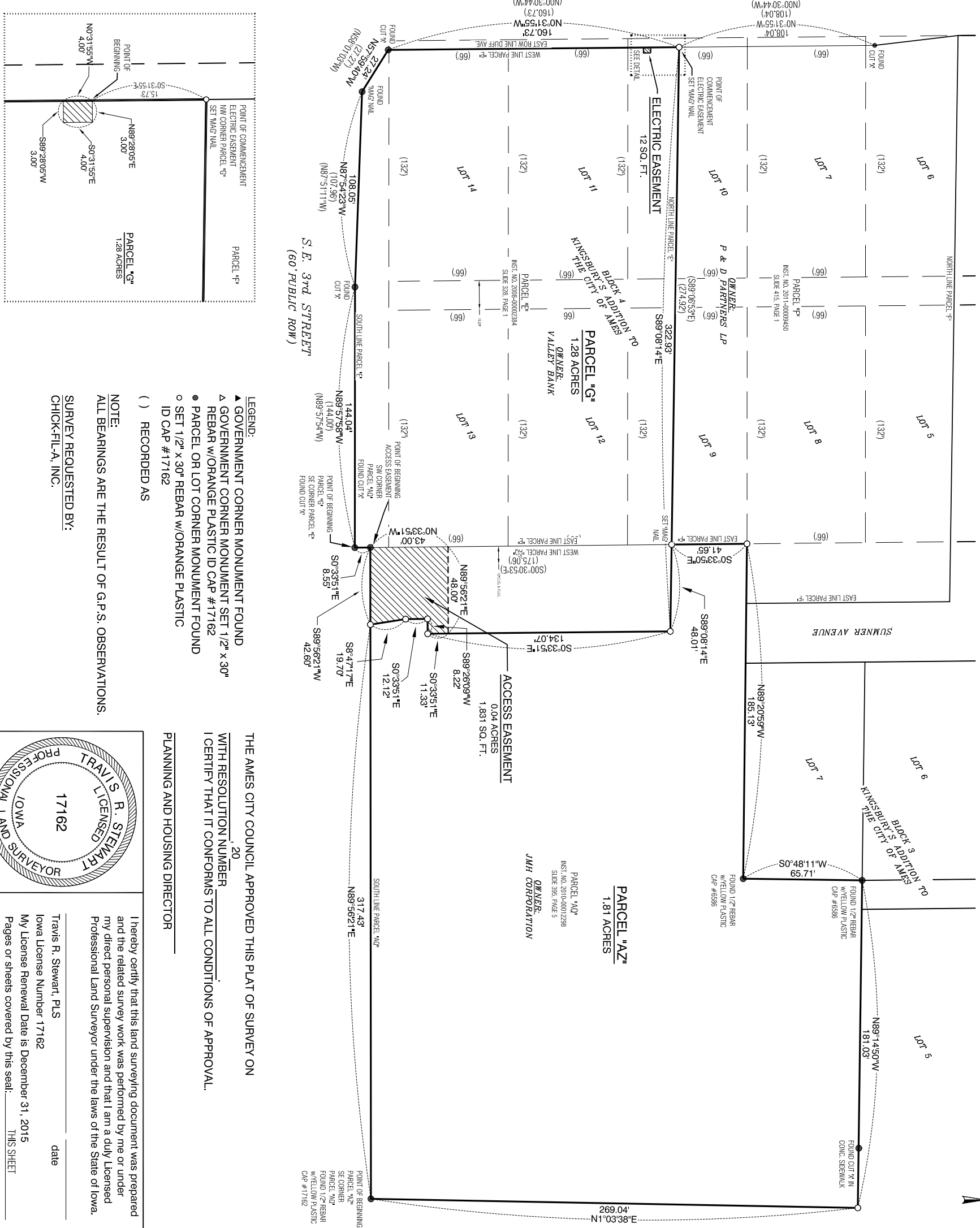
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DESCRIPTION ACCESS EASEMENT
 AN ACCESS EASEMENT LOCATED IN PARCEL *AQ* IN LOT *M*, BEING A PART OF LOT 2 IN THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11 AND A PART OF PARCEL *N* IN LOT 1 OF THE SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, ALL IN TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL *AQ* AND RECORDED IN INSTRUMENT NO. 2010-00012298 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, N0°33'51"W 43.00'; THENCE, N89°56'21"E 48.00'; THENCE, S0°33'51"E 11.33'; THENCE, S89°26'09"W 8.22'; THENCE, S0°33'51"E 12.12'; THENCE, S8°47'17"E 19.70' TO THE SOUTH LINE OF SAID PARCEL *AQ*; THENCE, S89°56'21"W 42.60' ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. ACCESS EASEMENT CONTAINS 0.04 ACRES OR 1,831 SQUARE FEET. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

DESCRIPTION ELECTRIC EASEMENT
 AN ELECTRIC EASEMENT LOCATED IN PARCEL *G* IN BLOCK 4 OF KINGSBURY'S ADDITION TO THE CITY OF AMES IN SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL *G*; THENCE, S0°31'55"E 15.73' ALONG THE WEST LINE OF SAID PARCEL *G* TO THE POINT OF BEGINNING; THENCE, N89°28'05"E 3.00'; THENCE, S0°31'55"E 4.00'; THENCE, S89°28'05"W 3.00' TO THE WEST LINE OF SAID PARCEL *G*; THENCE, N0°31'55"W 4.00' ALONG SAID WEST LINE TO THE POINT OF BEGINNING. ELECTRIC EASEMENT CONTAINS 12 SQUARE FEET. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

S. DUFF AVENUE
 (132' PUBLIC ROW)

S. E. 3rd STREET
 (60' PUBLIC ROW)



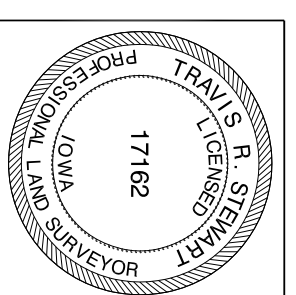
- LEGEND:
- ▲ GOVERNMENT CORNER MONUMENT FOUND
 - △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
 - PARCEL OR LOT CORNER MONUMENT FOUND
 - SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
 - () RECORDED AS

NOTE:
 ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

SURVEY REQUESTED BY:
 CHICK-FIL-A, INC.

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON _____ 20____
 WITH RESOLUTION NUMBER _____
 I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL.

 PLANNING AND HOUSING DIRECTOR



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 Professional Land Surveyor under the laws of the State of Iowa.

Travis R. Stewart, PLS _____ date
 Iowa License Number 17162
 My License Renewal Date is December 31, 2015
 Pages or sheets covered by this seal: _____ THIS SHEET

J:\76656.dwg\Survey\76656 PLAT.dwg - PLAT OF SURVEY - 01-21-15 - 3:44pm - wb278

GRAPHIC SCALE: 0, 60', 120', 180'

NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

DESIGNED: _____ DATE: 12-17-2014
 DRAWN: WLB
 CHECKED: _____ DATE: _____
 APPROVED: _____ DATE: _____

CGA
 Cripps/Edie/Carver Associates, Inc.
 18 East Main Street
 Marshalltown, Iowa 50158
 Project 76656
 www.cgaia.com

CHICK-FIL-A
 CITY OF AMES, STORY COUNTY, IOWA

PROJECT NO. 76656
 SHEET NO. 1