

~~ITEM # 18  
DATE: 9-08-15~~

### COUNCIL ACTION FORM

**SUBJECT: SET PUBLIC HEARING DATE TO DEED RIGHT OF WAY ACCESS TO WOODBRIDGE SUBDIVISION**

**BACKGROUND:**

In support of the ISU Research Park Phase III expansion, the City of Ames is developing projects for the utility installation and roadway paving. The utility project was bid in April 2015 and the contract was awarded to J&K Contracting in the amount of \$798,589. The roadway project was bid in May 2015 and the contract was awarded to Manatts, Inc in the amount of \$4,607,745.60.

As a part of the project, permanent property acquisitions are required from four property owners (Burgason, Wessex, Cammack and Hunziker). Of the four properties in question the project property acquisition team has come to terms with three of the four with one of the three donating the area to the City. A map of the general acquisition areas is shown in Attachment A. The cost of these acquisitions has been accounted for in all previously shown project cost estimates. It should be noted that temporary construction easements have been secured to allow for construction activities on these three properties.

The Burgason property at 2013 Oakwood Road (NW corner of University Avenue and Airport Road) was in the midst of sale during the ROW acquisition process. As part of the sale, the Burgason's attorney indicated that the project property acquisition cannot move forward without resolving an apparent access issue to the subdivision.

The present access issue to this area dates back to 1980. At that time, this area of the city was on the verge of developing and the city anticipated that the corner of University Blvd (formerly Elwood) and Oakwood/Airport Road would experience high volumes of traffic once the area developed. Because those anticipated high volumes can create ingress and egress safety concerns for driveways too near to each other and/or too near to the busy intersection, the City worked with the property owners at the time to limit the rights of direct access onto University and Oakwood Road from the surrounding properties. At the time, the City was given a deed that restricted most direct access onto those streets, but allowed four (4) exceptions giving two (2) direct access points onto University Blvd and two (2) direct access points onto Oakwood Road. This limited number of direct access points onto these roadways ensured separation between the access points and the intersection. Since 1980, this area has been sold and platted several times. As part of the platting process, a private paved drive was built so that lots that did not have a direct access point to either street would have ingress and egress to a street indirectly across that drive. The result is that the Burgason property has a direct access point onto Oakwood via the 1980 deed, but in practice, they are willing to have

access onto the private drive located west of their property. The location where that private drive connects with Oakwood Road does not coincide with one of the access points. However, the Burgasons have agreed to deed to the City one of the direct access points given them in the 1980 deed, if the City in turn grants to the subdivision a location for that direct access point that is changed to match the location of the private drive. The result will be that the City will deed ingress/egress rights to the subdivision for the private drive as shown in Attachment B. By eliminating one of the previous exceptions from the 1980 deed and giving ingress/egress rights to the private drive, the City will maintain the limited access points and desired separation.

**ALTERNATIVES:**

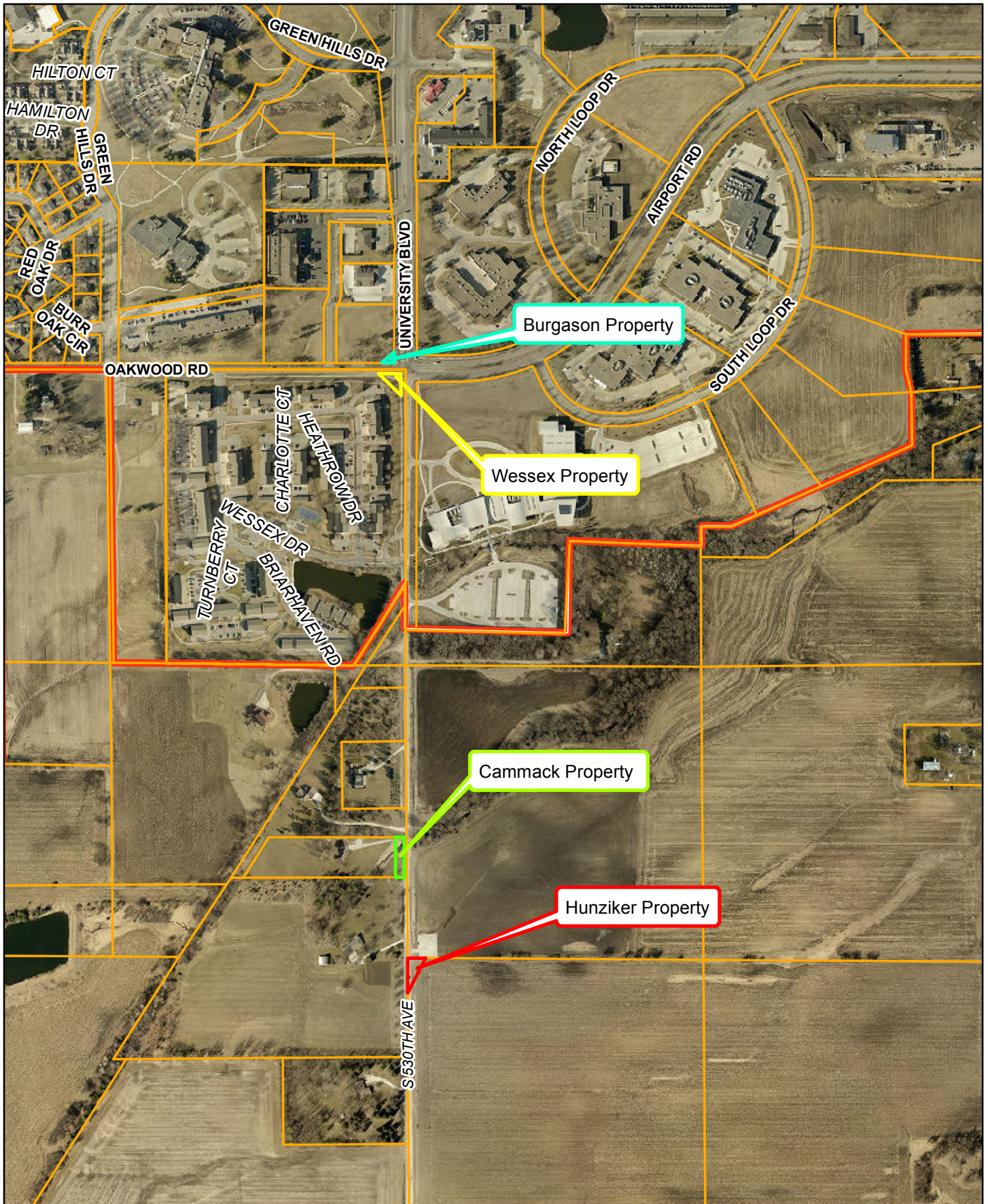
1. Initiate the process to deed ingress/egress rights to Woodbridge Subdivision by setting September 22, 2015 as the date of public hearing.
2. Direct staff to negotiate an engineering agreement with another consulting firm.

**MANAGER'S RECOMMENDED ACTION:**

Staff will present all of the permanent property acquisitions to Council at future meeting

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.





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.

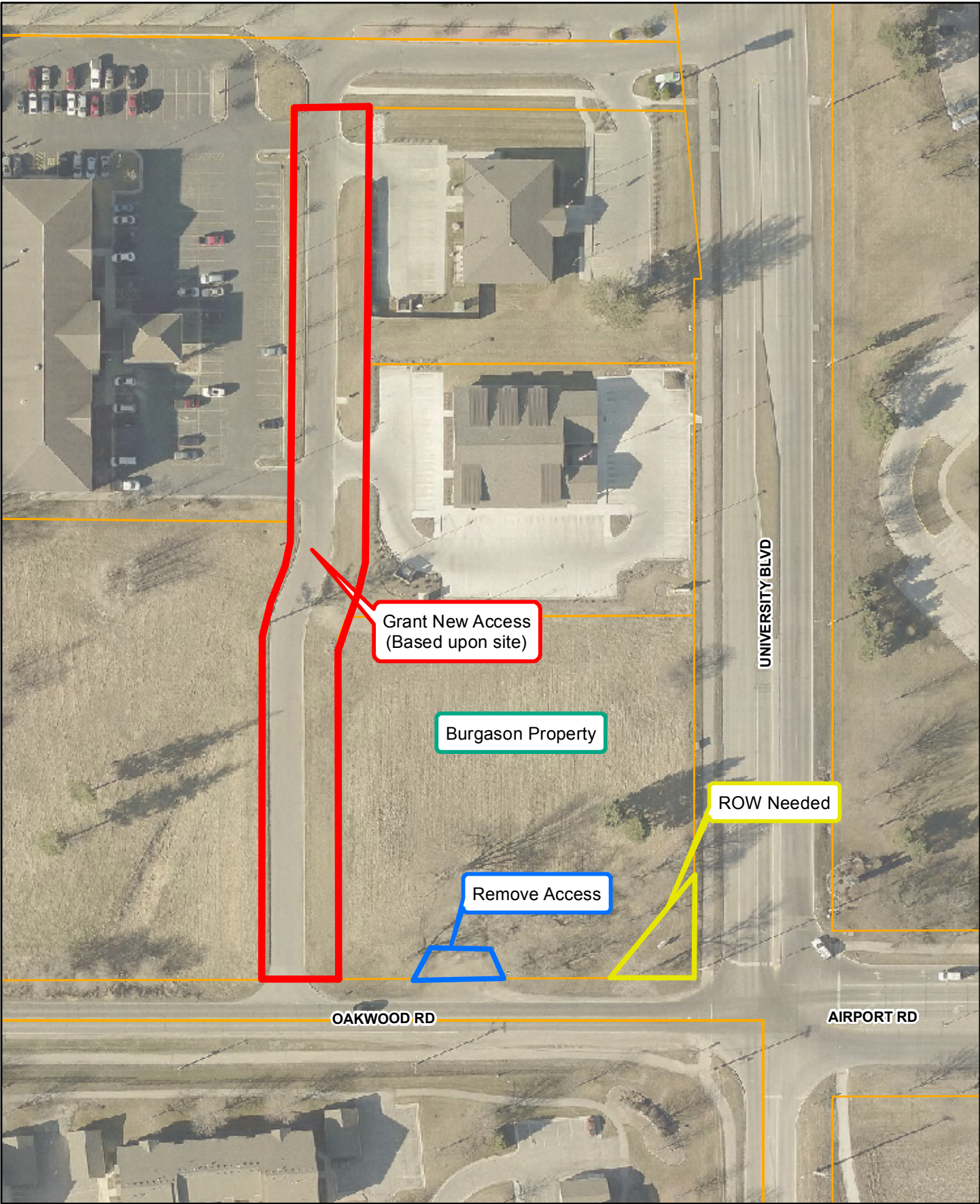


Attachment A  
 ISU Research Park Phase III  
 Acquisition Area Map



Scale: 1 in = 583 ft  
 Date: 8/28/2015





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Attachment B  
 ISU Research Park Phase III  
 Acquisition Area Map



Scale: 1 in = 94 ft  
 Date: 9/2/2015