

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 2221 220<sup>TH</sup> STREET IN BOONE COUNTY**

**BACKGROUND:**

The City's subdivision regulations are part of Chapter 23 of the Ames Municipal Code. The Subdivision Regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. As allowed by state law and city subdivision regulations, plats of survey and subdivision plats outside the city limits need approval from the Ames City Council.

**2221 220<sup>th</sup> Street is located within Boone County, approximately two miles west of County Line Road (aka, 500<sup>th</sup> Avenue) and three quarters of a mile north of US Highway 30.**

The Ames Urban Fringe Plan designates the future use of this property as Agriculture and Farm Service. **For properties so designated in Story County, the City does not review subdivisions and plats of survey under our 28-E Intergovernmental Agreement with Story County. However, there is no such agreement with Boone County; therefore City of Ames approval of a plat of survey is required to modify the property boundaries.**

**This particular plat of survey is to separate an existing farmstead from the 40-acre aliquot parcel.** Such a division is explicitly allowed by a plat of survey (rather than a subdivision plat) by Ames *Municipal Code* Section 23.308 (2) (g). **Because it is in the Agriculture and Farm Service area, the City does not require the submittal of the three covenants to seek annexation when the City of Ames requests, to buyout the water territory rights of the rural water provider, and to pay any assessments for future extensions of City infrastructure. The applicant is, however, requesting a waiver of the installation of city infrastructure.**

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 it confirming that it fully conforms to all conditions of approval. 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 grant the waiver of infrastructure and adopt the resolution approving the proposed plat of survey.

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 of the Ames subdivision regulations and has made a preliminary decision of approval. The waiver of infrastructure requirements is appropriate as this is in the Agriculture and Farm Services area two miles from the existing city limits. Generally, the granting of such a waiver needs to be accompanied by the three covenants but, because of its Ames Urban Fringe Area designation, those covenants are not required.

**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.**

**ADDENDUM**

**PLAT OF SURVEY FOR 2328 240<sup>th</sup> STREET**

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Division of aliquot parcel (per Section 23.308)
- 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: 2221 220<sup>th</sup> Street, Boone County

Owners: Beverly Jean Reinhart (deceased); John M. Reinhart (Power of attorney)

Assessor's Parcel #: 08842535330001 (Boone County)

New Legal Descriptions:

**PARCEL A - LEGAL DESCRIPTION:**

That part of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of Section 35 Township 84 North, Range 25 West of the 5<sup>th</sup> P.M., Boone County, Iowa, being more particularly described as follows:

Beginning at the Southwest Quarter (SW) Corner of said Section 35; thence N00°27'02"W 1,324.59 feet along the West line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35; thence N89°43'47"E 1,310.96 feet along the North line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35; thence S00°27'02"E 909.96 feet along the East line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35; thence N85°04'58"W 129.60 feet; thence N01°17'49"E 140.18 feet; thence S88°50'22"W 295.69 feet; thence S01°37'41"W 92.89 feet; thence N87°19'33"E 150.24 feet; thence S00°27'02"E 475.34 feet; thence S89°43'47"W 1,037.29 feet along the South line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35 back to the Point of Beginning; Parcel A contains 36.42 acres of which 1.07 acre is Boone County Road Right of Way.

**PARCEL B - LEGAL DESCRIPTION:**

That part of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>) of Section 35 Township 84 North, Range 25 West of the 5<sup>th</sup> P.M., Boone County, Iowa, being more particularly described as follows:

Commencing at the Southwest Quarter (SW) Corner of said Section 35; thence N89°43'47"E 1,037.29 feet along the South line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35 to the Point of Beginning; thence continuing N89°43'47"E 273.67 feet along the South line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said Section 35; thence N00°27'02"W 414.63 feet along the East line of the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of said

Section 35; thence N85°04'58"W 129.60 feet; thence N01°17'49"E 140.18 feet; thence S88°50'22"W 295.69 feet; thence S01°37'41"W 92.89 feet; thence N87°19'33"E 150.24 feet; thence S00°27'02"E 475.34 feet back to the Point of Beginning; Parcel B contains 3.44 acres of which 0.28 acre is Boone County Road Right of Way.

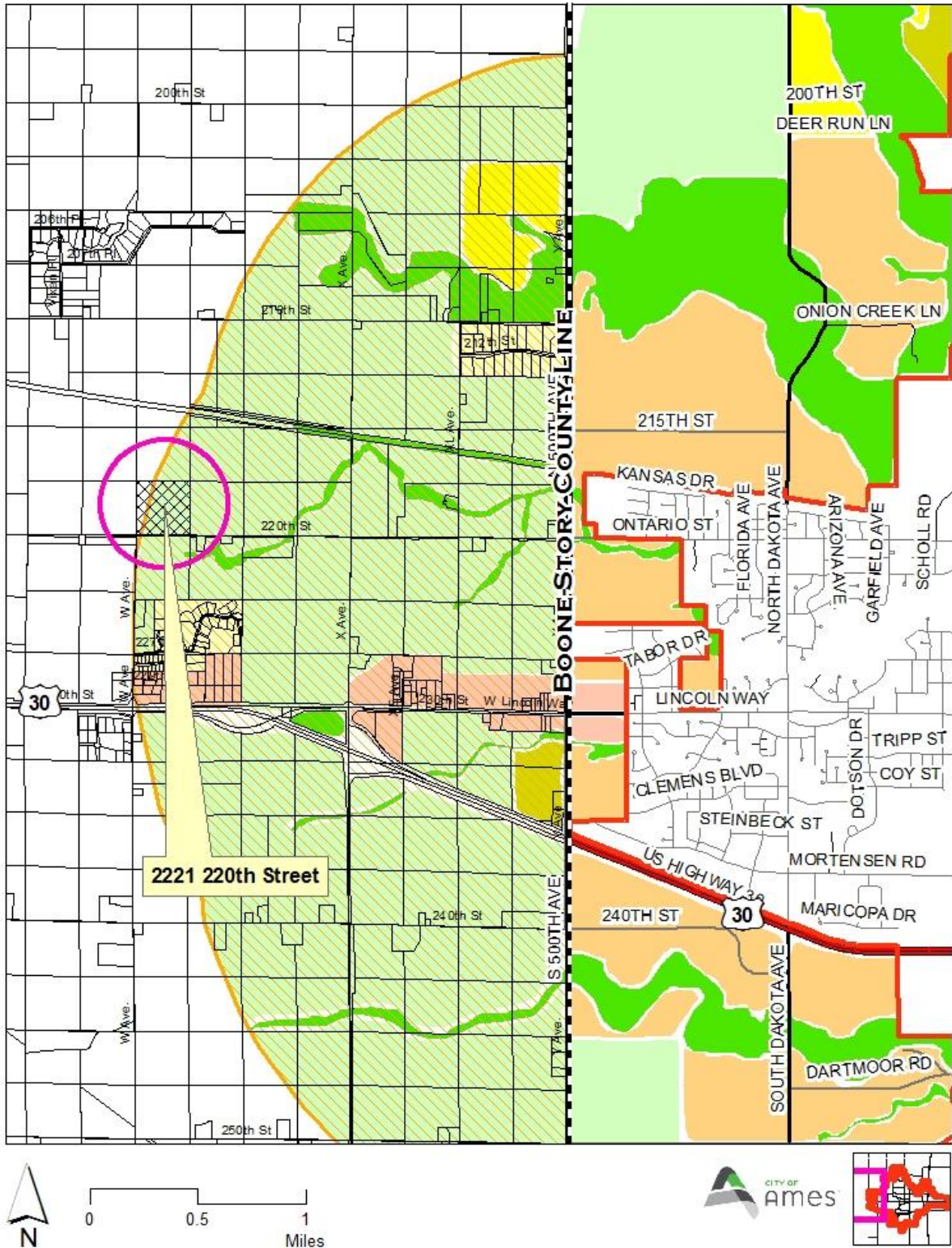
**Public Improvements:**

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.

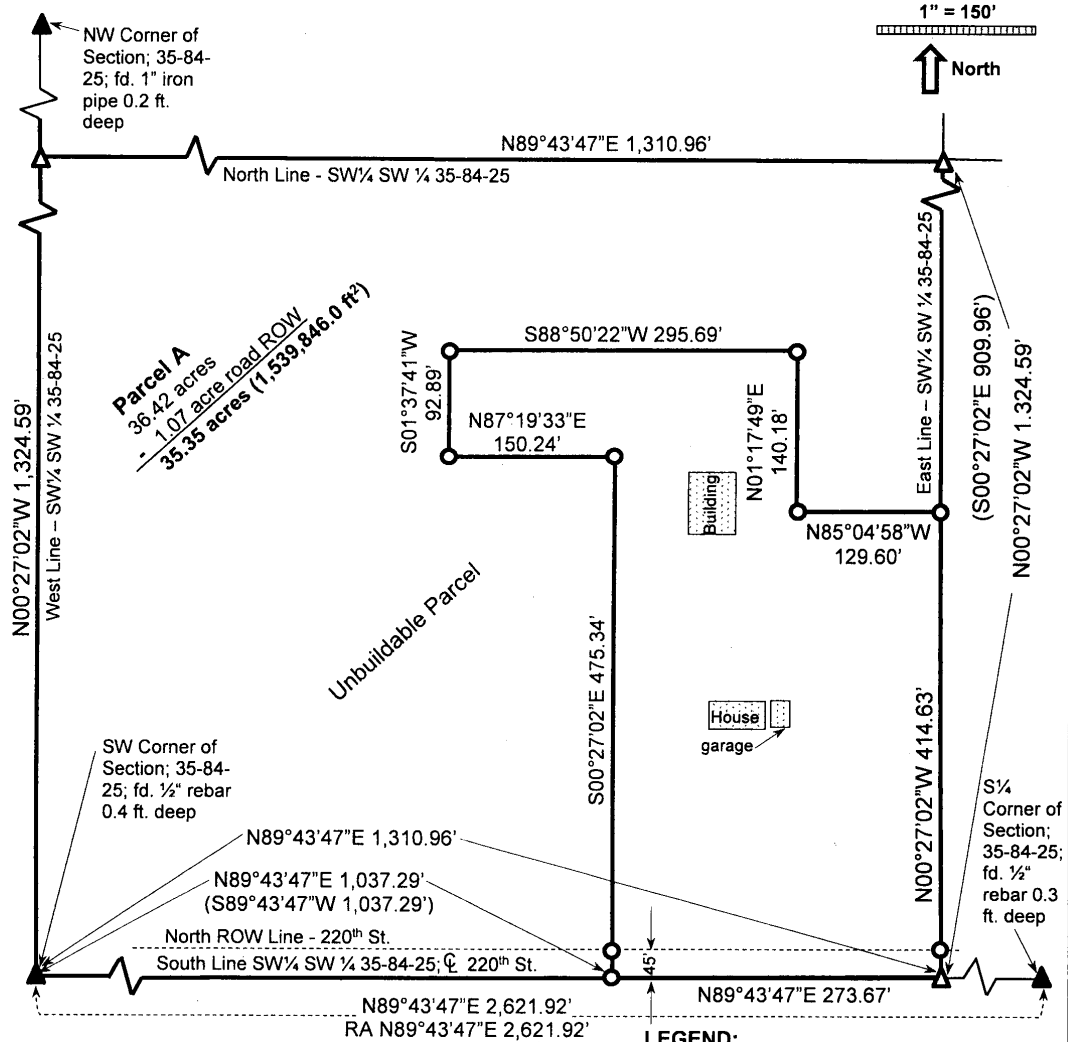
ATTACHMENT A: LOCATION MAP



# ATTACHMENT B: PROPOSED PLAT OF SURVEY

Prepared By: Marlee Walton, PE, PLS #11590; M. J. Walton & Associates, Inc.; 456 Rookwood Dr.; Ames, IA 50010; 515-232-5768

## Plat of Survey



I hereby certify that this land survey document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

\_\_\_\_\_  
Marlee A. Walton, PE, PLS  
License Number #11590  
Date \_\_\_\_\_  
My license renewal date is December 31, 2018

- LEGEND:**
- ▲ Government Corner Found
  - △ Government Corner Set - 5/8" x 3' rebar w/yellow cap #11590
  - Property Pin Set - 5/8" dia. x 3' rebar w/yellow cap #11590
  - RA Recorded As

<b>M. J. Walton &amp; Associates, Inc.</b> Surveying and Mapping 456 Rookwood Drive Ames, IA 50010	Survey Requested By: <b>John M. Reinhart</b>	
	Owner of Record: <b>Beverly Jean Reinhart (deceased); John M. Reinhart (Power of Attorney)</b>	
	Field Work Completed: <b>03/23/2017</b>	
	Drawn: <b>NS</b>	Sheet No.: <b>1/2</b>
Date: <b>03/24/2017</b>	Proj. No.: <b>8057</b>	

**PARCEL A - LEGAL DESCRIPTION:**

That part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 35 Township 84 North, Range 25 West of the 5<sup>th</sup> P.M., Boone County, Iowa, being more particularly described as follows:

Beginning at the Southwest Quarter (SW) Corner of said Section 35; thence N00°27'02"W 1,324.59 feet along the West line of the SW¼ of the SW¼ of said Section 35; thence N89°43'47"E 1,310.96 feet along the North line of the SW¼ of the SW¼ of said Section 35; thence S00°27'02"E 909.96 feet along the East line of the SW¼ of the SW¼ of said Section 35; thence N85°04'58"W 129.60 feet; thence N01°17'49"E 140.18 feet; thence S88°50'22"W 295.69 feet; thence S01°37'41"W 92.89 feet; thence N87°19'33"E 150.24 feet; thence S00°27'02"E 475.34 feet; thence S89°43'47"W 1,037.29 feet along the South line of the SW¼ of the SW¼ of said Section 35 back to the Point of Beginning; Parcel A contains 36.42 acres of which 1.07 acre is Boone County Road Right of Way.

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I hereby certify that this land survey document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.	
Marlee A. Walton, PE, PLS License Number #11590 My license renewal date is December 31, 2018	_____ Date

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

<b>M. J. Walton &amp; Associates, Inc.</b> <b>Surveying and Mapping</b> <b>456 Rookwood Drive</b> <b>Ames, IA 50010</b>	Survey Requested By: <b>John M. Reinhart</b>	
	Owner of Record: <b>Beverly Jean Reinhart (deceased); John M. Reinhart (Power of Attorney)</b>	
	Field Work Completed: <b>03/17/2017</b>	
	Drawn: <b>NS</b>	Sheet No.: <b>2/2</b>
Date: <b>03/20/2017</b>	Proj. No.: <b>8057</b>	

**ATTACHMENT C: REQUEST FOR WAIVER OF PUBLIC IMPROVEMENTS**



**M. J. Walton & Associates, Inc.**  
456 Rookwood Drive  
Ames, Iowa 50010  
(515) 291-7122

**RECEIVED**

APR 04 2017

CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING

**Date: April 3, 2017**

**Ref: Request for Waiver – Installation of Public Improvements**

City of Ames Personnel:

Please waive the installation requirement for public improvements for the recordation of the plat of survey submitted for review at 2221 220<sup>th</sup> Street in Ames, Boone County, Iowa. The intent of this survey is to separate the farmstead from the agricultural land. Additional public improvements are not required to complete this action.

The survey was completed by M. J. Walton & Associates, Inc. If you have any questions please contact me by phone at 515-291-7122, or at the address listed above.

Thanks in advance for your assistance.

A handwritten signature in cursive script that reads "Marlee A. Walton".

Marlee A. Walton, P.E., P.L.S.  
President  
M. J. Walton & Associates, Inc

Encl.