

**COUNCIL ACTION FORM**

**SUBJECT:** ACCEPTANCE OF ROW DEDICATION AT 1712 E LINCOLN WAY

**BACKGROUND:**

In February 2017, a site plan, plat of survey, and acquisition plat were approved for 1712 East Lincoln Way (Attachment A). At the time of approval, there was not a Quit Claim Deed (Attachment C) included with the submittal for the approximately 29' x 199' foot area of the property that was approved to be dedicated as right-of-way (Attachment B). The dedication was a requirement of approval of the expansion of the building. Apart from recording fees, this proposed acquisition will be at no cost to the City.

**ALTERNATIVES:**

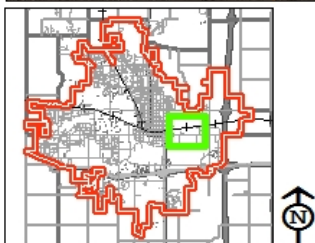
1. Accept the acquisition of right-of-way at 1712 E Lincoln Way
2. Do not accept the acquisition of right-of-way at 1712 E Lincoln Way

**CITY MANAGER'S RECOMMENDED ACTION:**

Lincoln Way used to be US Highway 30 under jurisdiction of Iowa DOT until it was transferred to the City in the 1960's. It was common practice of Iowa DOT at that time to have the road in an easement with the property owner having ownership to the middle of the highway. This acquisition portion of the previous action in February 2017 was not complete and able to be transferred to the City, since there was not a Quit Claim Deed.

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

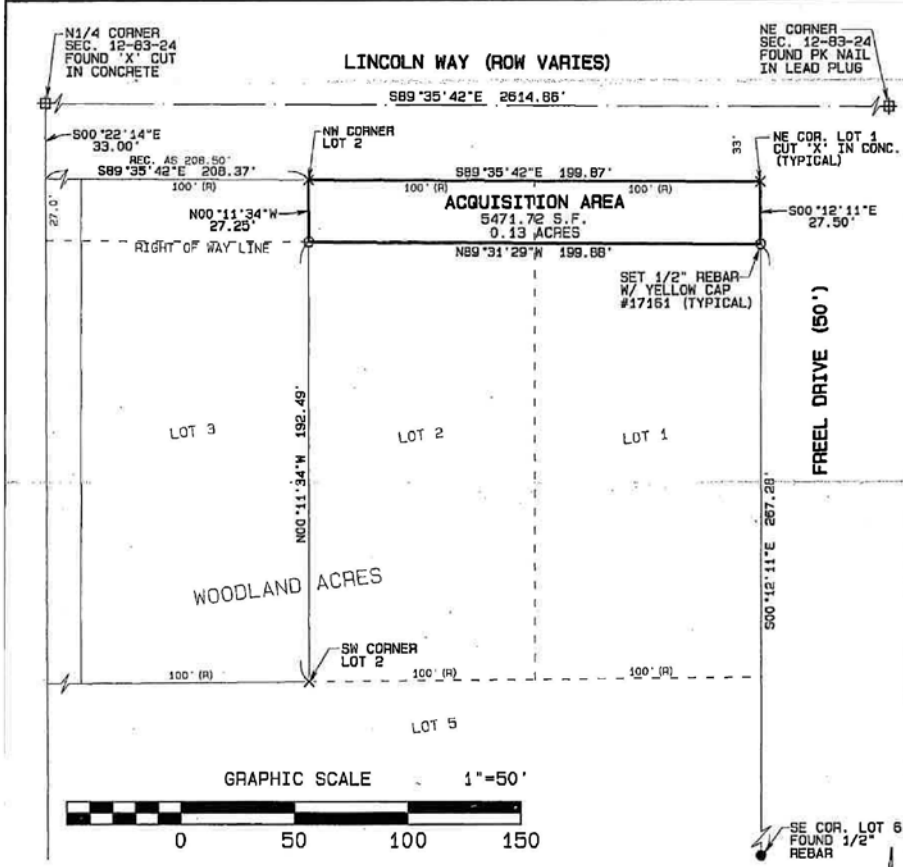
# ATTACHMENT A: LOCATION MAP



**Location Map  
1712 E Lincoln Way**

# ATTACHMENT B: ACQUISITION PLAT

ACQUISITION PLAT	
LOCATION:	IN LOTS 1 & 2 OF WOODLAND ACRES, CITY OF AMES, STORY COUNTY, IOWA
PROPRIETOR:	SHAFFER'S AUTO BODY CO., INC.
SURVEYED FOR:	DEDICATION OF EXISTING PUBLIC RIGHT OF WAY
SURVEYOR:	R. BRADLEY STUMBO, PLS #17161 STUMBO & ASSOCIATES LAND SURVEYING P.O. BOX 1864 AMES, IA 50010 515-233-3689
Instrument #: 2017-02116 03/13/2017 11:31:40 AM Total Pages: 1 00 OTHER Recording Fee: \$ 7.00 Stacie Henridge, Recorder, Story County Iowa 	

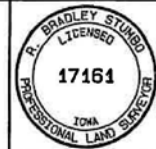


**Survey Description-Acquisition Area:**  
That part of Lots 1 and 2 in Woodland Acres, City of Ames, Story County, Iowa, previously established as public right of way easement in documents filed in Book 72, Page 473 and Page 574 and listed in a Quit Claim Deed from the Iowa Department of Transportation to the City of Ames, filed in Book 189, Page 133, said part being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence 500'12'11"E, 27.50 feet along the east line of said Lot 1 to the south right of way line of Lincoln Way; thence N89°31'29"W, 199.88 feet along said line to the west line of said Lot 2; thence N00°11'34"W, 27.25 feet to the Northwest Corner of said Lot 2; thence S89°35'42"E, 199.87 feet along the north line of said Lots 2 and 1 to the point of beginning, containing 0.13 acres.

**EXHIBIT**  
**A**

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.

*R. Bradley Stumbo* Date: 1-26-17  
 R. Bradley Stumbo License #17161  
 My license renewal date is December 31, 2017  
 Job #14653ACQ Date: 1/26/17 Page 1 of 1



**STUMBO & ASSOCIATES LAND SURVEYING**

**ATTACHMENT C: QUIT CLAIM DEED**

**S P A C E   A B O V E   R E S E R V E D   F O R   O F F I C I A L   U S E**  
**Exemption claimed:** Iowa Code § 428A.2(6) Grantor is a governmental body  
**Return to:** City Clerk, 515 Clark Avenue, Ames IA 50010  
**Legal Description:** See Acquisition Plat filed as Inst. 2017-02118 and attached hereto.  
**Document prepared by:** Victoria A. Feilmeyer, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

**Quit Claim Deed - Dedication**

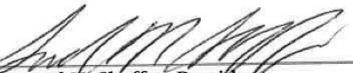
**KNOW ALL PERSONS:** The Grantor, SHAFFER'S AUTOBODY CO., INC., an Iowa Corporation, for valuable consideration, does hereby quit-claim and convey unto the Grantee, the City of Ames, Iowa, an Iowa municipal corporation, all right, title, interest, estate, claim, and demand in the Real Property described as follows:

[See attached Exhibit 'A' for legal description].

The Grantor dedicates to the City of Ames all land described on said Acquisition Plat attached hereto for right of way purposes.

Dated April 1, 2019.

SHAFFER'S AUTOBODY CO., INC.

By:   
Samuel H. Shaffer, President

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on April 1st, 2019, by Samuel H. Shaffer as president of Shaffer's Autobody Co., Inc.

  
NOTARY PUBLIC



