ITEM # <u>15</u> DATE: 09-24-19

# **COUNCIL ACTION FORM**

SUBJECT: VACATION OF A PUBLIC UTILITY EASEMENT (PUE) AT 2812 HYATT

CIRCLE

## **BACKGROUND:**

In 2018, a plat of survey to adjust the east property line of 2812 Hyatt Circle was submitted, approved, and recorded. According to the plat, the existing public utility easement (PUE) along the former east property line is to be vacated. The plat also established a new PUE 5 feet either side of the revised east property line to replace the PUE to be vacated.

Local utility companies were contacted regarding the proposed vacation of this existing PUE and no objections or negative impacts from this change were indicated.

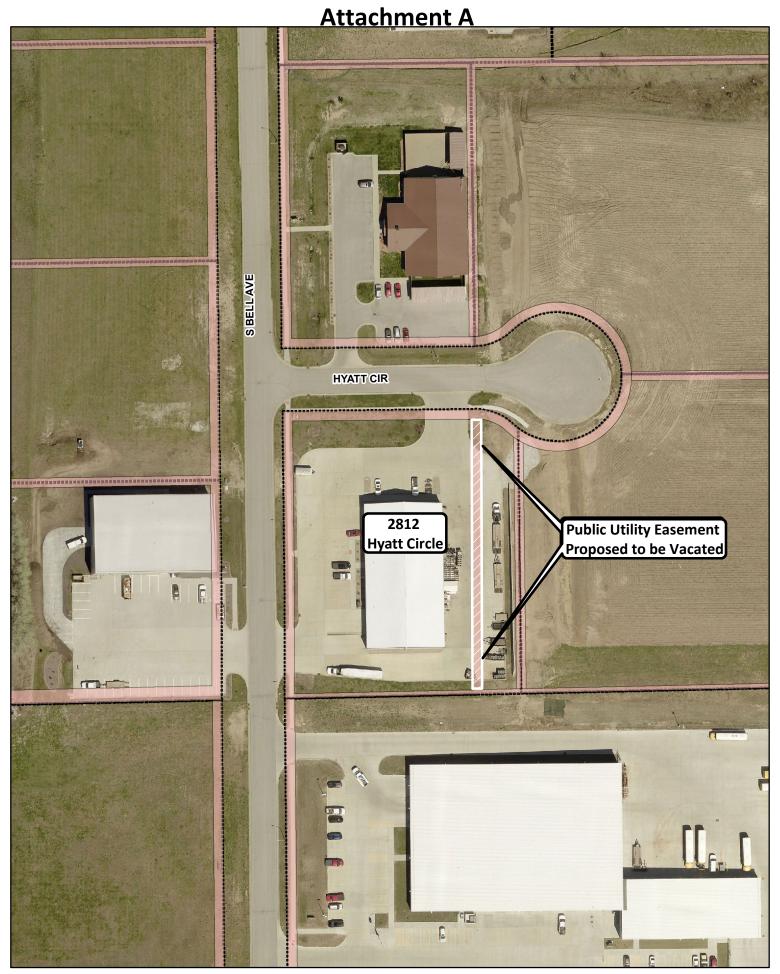
Attachment A is an aerial map showing the location of the easement to be vacated. Attachment B is the previously approved and recorded plat of survey.

### **ALTERNATIVES:**

- 1. Set the date of public hearing as October 8, 2019 to approve the vacation of the aforementioned easement at 2812 Hyatt Circle.
- 2. Reconsider the vacation of the aforementioned easement.

#### MANAGER'S RECOMMENDED ACTION:

As shown on the approved plat of survey for 2812 Hyatt Circle, a new public utility easement (PUE) was created along the new property line. As a result, the existing PUE along the former property line is no longer needed and can be vacated. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as noted above.





2812 Hyatt Circle Proposed Easement Vacation

NORTH

1 inch = 100 feet Date: 9/12/2019

# **Attachment B**

INDEX LEGEND

LOT 10 AND 11 AMES COMMUNITY DEVELOPMENT PARK FOURTH ADDITION

PROPRIETOR
DEH LLC (LOT 10)
DAYTON PARK LLC (LOT 11)

SURVEY REQUESTED BY DEH LLC

PROJECT 2812 PARKING LOT EXTENSION

SURVEY COMPANY WHKS & CO. 1421 SDUTH BELL AVE. AMES. 1A 50010 515-663-9997

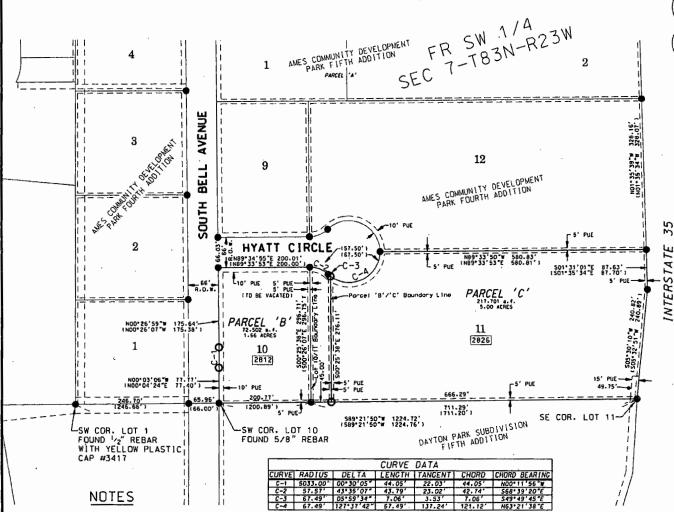
RETURN TO: ANDREW J. SMITH, PE & PLS WHKS & CO. 1421 SDUTH BELL AVE. AMES. IA 50010

Instrument #: 2018-03258
04/24/2018 11:29:35 AM Total Pages: 1
SURV SURVEYS AND PLATS
Recording Fee: \$ 7.00
Stacie Herridge, Recorder, Story County Iowa

Slide <u>603</u> Page 1

#### PLAT OF SURVEY

BOUNDARY LINE ADJUSTMENT LOT 10 AND 11 IN AMES COMMUNITY DEVELOPMENT PARK FOURTH ADDITION



- THIS SURVEY ADJUSTS THE EASTERN BOUNDARY
  LINE OF LOT 10 OR WESTERN LINE OF LOT 11
  EASTERLY WITHIN AMES COMMUNITY DEVELOPMENT PARK
  FOURTH ADDITION, LOCATED IN THE FR. SW1/4
  OF SEC. 7-T83N-R23W OF THE 5TH P.M., CITY
  OF AMES, STORY COUNTY 10WA.
- AMES COMMUNITY DEVELOPMENT PARK FOURTH ADDITION SUBDIVISION WAS FILED ON MARCH 25, 2009, INSTRUMENT NO. 2009-00003133, IN THE OFFICE OF THE STORY COUNTY RECORDER, NEVADA, IOWA.
- THE SOUTHERN BOUNDARY OF SAID SUBDIVISION IS ASSUMED TO BEAR \$89°21'50"W.
- THE SURVEY MEETS OR EXCEEDS 10WA CODE 355.
- 5. EASEMENTS AS SHOWN.

Sheet 1 of 1

PUE'S ALDNG THE COMMON LOT LINE BETWEEN LOT 10 AND LOT 11 ARE TO BE VACATED.

# LEGEND

FOUND REBAR WITH YELLOW PLASTIC CAP #13644 UNLESS NOTED OTHERWISE.....

TO BE PLACED 5,8" REBAR WITH YELLOW PLASTIC CAP #14233... PREVIOUS RECORD.....( )

ADDRESS (TYPICAL)...... 2812 PUE....PUBLIC UTILITY EASEMENT

= 200'

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON APPLIED 10 20 M. WITH RESOLUTION NUMBER 12 183 . I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL.

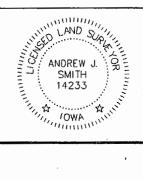
PLANNING AND HOUSING DIRECTOR

DESCRIPTION

PARCEL '8': LOT 10 AND THE WEST 45.00 FEET OF LOT 11 IN AMES COMMUNITY DEVELOPMENT PARK FOURTH ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA.

PARCEL 'C': LOT 11 EXCEPT THE WEST 45.00 FEET OF LOT 11. IN AMES COMMUNITY DEVELOPMENT PARK FOURTH ADDITION TO THE CITY OF AMES. STORY COUNTY. IOWA.

WHKS PROJECT NO. 8598



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 lowa.

Andrew J. Smith PE & PLS License number 14233 My license renew. My license renewal date is December 31, 2019

Sheets covered by this seal: 1 of 1