



City Attorney's Office

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August 12, 2011

The Honorable Ann Campbell, Mayor,
and Members of the City Council
of the City of Ames, Iowa

Re: Corrected Resolution Approving Northridge Heights Subdivision 14th Addition

Dear Mayor Campbell and Members of the City Council:

At its July 26, 2011 meeting the City Council approved the final plat of the Northridge Heights Subdivision 14th Addition. Following approval, a scrivener's error in the subdivision legal description was discovered. Outlot "V V" had been typed as Outlot "W" as part of the legal descriptions in the documents submitted to the City by the developer.

In order to remedy this error, the developer's attorney has prepared and submitted corrected copies of his title opinion, the property owner's consent, and the City Council resolution approving the subdivision plat. I have reviewed the corrected documents and found them to comply with legal requirements. I therefore recommend that the City Council approve the attached Corrected Resolution Approving Northridge Heights Subdivision 14th Addition.

Yours truly,

Douglas R. Marek
City Attorney

c: Diane Voss, David Benson, Jeff Benson

Attachment

INSTRUMENT PREPARED BY:	David W. Benson, 1416 Buckeye Ave., Ste. 200, Ames, IA 50010 (515) 956-3900
RETURN TO:	David W. Benson, 1416 Buckeye Ave., Ste. 200, Ames, IA 50010

CITY OF AMES, IOWA
RESOLUTION NUMBER _____
ACCEPTING FINAL PLAT OF NORTHRIDGE HEIGHTS SUBDIVISION
FOURTEENTH ADDITION, AMES, STORY COUNTY, IOWA
 (Corrected)

WHEREAS, the City Council previously approved Resolution No. 11-371 on July 26, 2011 accepting the final plat of Northridge Heights Subdivision Fourteenth Addition; and since the approval thereof the owner has discovered an error in the legal description on the documents previously submitted for review and approval; and the owner has requested that the City consider and approve a the owner's corrected consent to said plat; and the location of the underlying land replatted and the surveyed metes and bounds description of the underlying land is unchanged; and with the exception of the legal description previously shown, all of the owner's other submittals previously reviewed and approved by the City are in all material respects true, correct, unchanged, and hereby reaffirmed; and

WHEREAS, there has been submitted to the City Council of the City of Ames, Iowa, a plat of real estate with a corrected legal description as follows:

Outlot J, Northridge Heights Subdivision Eighth Addition, Ames, Story County, Iowa, AND Outlot V V, Northridge Heights Subdivision Tenth Addition, Ames, Story County, Iowa.

to be known as **NORTHRIDGE HEIGHTS SUBDIVISION FOURTEENTH ADDITION, AMES, STORY COUNTY, IOWA**, and

WHEREAS, the Department of Planning and Housing of the City of Ames, Iowa, has recommended that the plat be approved, and

WHEREAS, the owner of said real estate, Uthe Development Company, L.L.C., an Iowa limited liability company, has executed a written Consent declaring that the platting is with their free consent and is in accordance with their desires as proprietor, and

WHEREAS, it is the opinion of the City Council of the City of Ames, Iowa, that the plat should be accepted and approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa, that the plat of **NORTHRIDGE HEIGHTS SUBDIVISION FOURTEENTH ADDITION, AMES, STORY COUNTY, IOWA**, be and it is hereby accepted and approved, and

BE IT FURTHER RESOLVED that the previous actions of the City approving easements, public improvement agreements, and sidewalk agreements by the Owner and the City are hereby reaffirmed in all respects; and

BE IT FURTHER RESOLVED that all of the acts of Uthe Development Company, L.L.C., are hereby confirmed and approved by the City Council of the City of Ames, Iowa, on this _____ day of _____, 2011.

CITY OF AMES, IOWA

By _____
ANN H. CAMPBELL, Mayor

By _____
DIANE VOSS, City Clerk

Moved by:

Seconded By:

Voting Aye:

Voting Nay:

Absent:

Mayor Ann H. Campbell declared Resolution Number _____ adopted.

We, Ann H. Campbell and Diane Voss, being the duly elected and appointed Mayor and City Clerk, respectively, of the City of Ames, Iowa, do hereby certify that the above and foregoing Resolution Number _____ is a true and accurate copy of said Resolution; that said Resolution was duly passed and adopted by the City Council of the City of Ames, Iowa, at a duly convened meeting thereof on the _____ day of _____, 2011.

ANN H. CAMPBELL, Mayor

DIANE VOSS, City Clerk