

COUNCIL ACTION FORM

SUBJECT: **OPEN SPACE EASEMENT AND STORM WATER FLOWAGE
EASEMENT VACATION – 3910 MARICOPA DRIVE**

BACKGROUND:

Staff received a request from the property owner at 3910 Maricopa Drive to vacate the existing open space easement and the storm water flowage easement as shown on Attachment A.

The owner of 3910 Maricopa Drive is in the process of developing this property. The open space easement is not a requirement for the Fountainview Subdivision, and it is unclear why the original developer placed such an easement over the entire outlot. The entire outlot is not needed to accommodate the previously installed stormwater management functions. The stormwater flowage easement will be redefined with a new plat of survey that has been submitted and is in the approval process (shown in Attachment B).

ALTERNATIVES:

1. Set the date of public hearing as December 17, 2013, to approve the vacation of the open space easement and redefine the stormwater flowage easement at 3910 Maricopa Drive.
2. Do not to approve this vacation and maintain the existing easements.

MANAGER'S RECOMMENDED ACTION:

By vacating the open space easement and redefining the stormwater flowage easement, the City's interests will be preserved while allowing this property owner to develop the property.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting the date of public hearing as December 17, 2013, to approve the vacation of the open space easement and redefining the stormwater flowage easement at 3910 Maricopa Drive.

EXISTING CONDITIONS

MARICOPA DRIVE
66' R.O.W.

N89°08'38"W 259.86'
N87°07'28"W 260.00' (R)

Found 5/8" rebar,
Northwest
Corner of
Dutlot 'B',
Fountainview
Subdivision

Existing 10'
P.U.E.

OUTLOT B

Existing
5' P.U.E.

Found 5/8" rebar
with yellow
plastic cap #9029,
Northeast
Corner of
Dutlot 'B',
Fountainview
Subdivision

School District Separation Line



LEGEND

Found Monument as noted.....●
Set 5/8" rebar with
yellow plastic cap #17535.....□
Set 1/2" rebar with
yellow plastic cap #17535.....○
Public Utility Easement.....P.U.E.
Surface Water Flowage Easement.....S.W.F.E.
Storm Sewer Easement.....S.T.S.E.
Pedestrian Easement.....PED.
Sanitary Sewer Easement.....S.A.N.S.E.
Water Main Easement.....W.E.
Record Dimension.....(R)

NOTES

- The East Line of Lot 3 of Fountainview Subdivision Third Addition bears N00°53'55"E as shown on the Final Plat filed 09/05/2012, Instrument No. 2012-00010364 in the Office of the Story County Recorder.
- Easements as shown. No new easements created with this plat.
- This survey meets or exceeds Iowa Code 355.8 (15).

LEGAL DESCRIPTION – PARCEL 'D':

All of Outlot B of Fountainview Subdivision to the City of Ames, Story County, Iowa as shown on the "Plat of Survey" Filed in the Office of the Recorder of Story County, Iowa, on _____, 2013 and recorded as Instrument _____, Slide _____.

Proprietor:
Fountainview Property Owners Association
2400 Aspen Road
Ames, IA 50010-4038

Requested By:
The Ridge at Fountainview
4611 Mortensen Road, Suite 106
Ames, IA 50014

FOUNTAINVIEW
SUBDIVISION
THIRD
ADDITION
3

N00°53'55"E 405.33'
S00°52'32"W 405.29' (R)

PARCEL D
(FORMERLY OUTLOT B)

3910 Maricopa Drive
106,791 Square Feet

S.W.F.E. AND OPEN SPACE
EASEMENT OVER ENTIRE OUTLOT
FOUNTAINVIEW
SUBDIVISION

N89°59'12"E 269.72'
S89°58'33"W 269.72' (R)

US HIGHWAY 30
125' R.O.W.

Found 1/2" rebar
with yellow
plastic cap #6586,
Southeast
Corner of
Dutlot 'B',
Fountainview
Subdivision

EXISTING CONDITIONS

AMES, IA



BOLTON & MENK, INC.
Consulting Engineers & Surveyors
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN MAPLEWOOD, MN
BAXTER, MN ROCHESTER, MN AMES, IA SPENCER, IA

PLAT OF SURVEY

MARICOPA DRIVE
66' R.O.W.

N89°08'38"W 259.86'
N87°07'28"W 260.00' (R)

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Northwest
Corner of
Dutlot 'B',
Fountainview
Subdivision

Existing 10'
P.U.E.

OUTLOT B

Existing
5' P.U.E.

3910 Maricopa Drive
106,791 Square Feet

PARCEL D

N00°53'55"E 405.33'
S00°52'32"W 405.29' (R)

Surface
Water Flowage
Easement (S.W.F.E.)

FOUNTAINVIEW
SUBDIVISION

N89°59'12"E 269.72'
S89°58'33"W 269.72' (R)

US HIGHWAY 30
125' R.O.W.

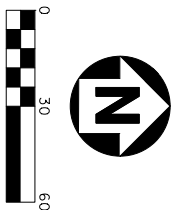
School District Separation Line

Found 5/8" rebar
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plastic cap #9029,
Northeast
Corner of
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Subdivision

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with yellow
plastic cap #6586,
Southeast
Corner of
Dutlot 'B',
Fountainview
Subdivision

N00°30'14"W 401.36'
S00°30'30"E 401.17' (R)

SEC. NW 1/4 NE 1/4
17-T85N-R24W



LEGEND

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Surface Water Flowage Easement.....S.W.F.E.
Storm Sewer Easement.....S.S.E.
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Record Dimension.....(R)

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Requested By:
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4611 Mortensen Road, Suite 106
Ames, IA 50014

The Ames City Council approved this plat of survey on _____, 2013, with Resolution Number _____, I certify that it conforms to all conditions of approval.

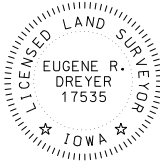
Planning & Housing Director _____

PLAT OF SURVEY

AMES, IA

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 Iowa.

Eugene R. Dreyer, P.L.S. Date
License Number 17535
My license renewal date is December 31, 2014
Sheets covered by this seal: 1 of 1



BOLTON & MENK, INC.
Consulting Engineers & Surveyors
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN
WILLMAR, MN CHASKA, MN RAMSEY, MN MAPLEWOOD, MN
BAXTER, MN ROCHESTER, MN AMES, IA SPENCER, IA