

**COUNCIL ACTION FORM**

**SUBJECT:** PLAT OF SURVEY FOR 2328 240<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 Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

**2328 240<sup>th</sup> Street is located within the Urban Fringe Area of Ames and within Boone County, approximately three quarters of a mile south of U.S. Highway 30 and three quarters of a mile west of the Boone/Story County line (see Attachment A, Location Map).** The property contains a home owned by Evans. The larger farmland to the west is owned by Swansons.

The Ames Urban Fringe Plan designates the future use of this property as Agriculture and Farm Service. For property in Story County with this land use designation, 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 for a proposed boundary line adjustment of two existing properties, as shown on Attachment A Location Map. **The owner of the smaller parcel is seeking to increase the parcel size to meet the minimum 10 net acre size necessary for an agriculture assessment. To do so requires the moving of the west property line 51 feet further west. The other parcel is the remainder of the quarter-quarter section and is not included in this plat of survey.** Usually, a boundary line adjustment would result in a plat drawing of two parcels. **In this instance, however, the remainder remains an agricultural parcel whose legal description would be the NW quarter of the NW quarter of Section 13-83-25, except for Parcel C.**

**As no additional parcels are being created, city subdivision standards do not require any additional infrastructure.** Waiving the infrastructure requirement for a subdivision is usually the basis for requiring the property owner to sign three agreements pertaining to future annexation, assessment, and subdivision. **Those agreements are not necessitated by a plat of survey, since in this case, the altering of agricultural land does not materially change the developable area of the property.** The proposed plat of survey is not inconsistent with the Ames Urban Fringe Plan that looks to maintain

agricultural areas on the perimeter of the City without scattered rural development that would inhibit future urbanization of the area.

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 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 for a boundary line adjustment of existing lots and has made a preliminary decision of approval.

**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)
- 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:

Owners: Shirley and Lawrence Evans/ Gaylord and Mary Ann Swanson

Existing Street Addresses: 2328 240<sup>th</sup> Street/unaddressed farm ground

Assessor's Parcel #: 088325132100002/088325132100001

Legal Description: Parcel C/ NW ¼ of NW ¼ of Section 13-83-25, except Parcel C and road rights-of-way.

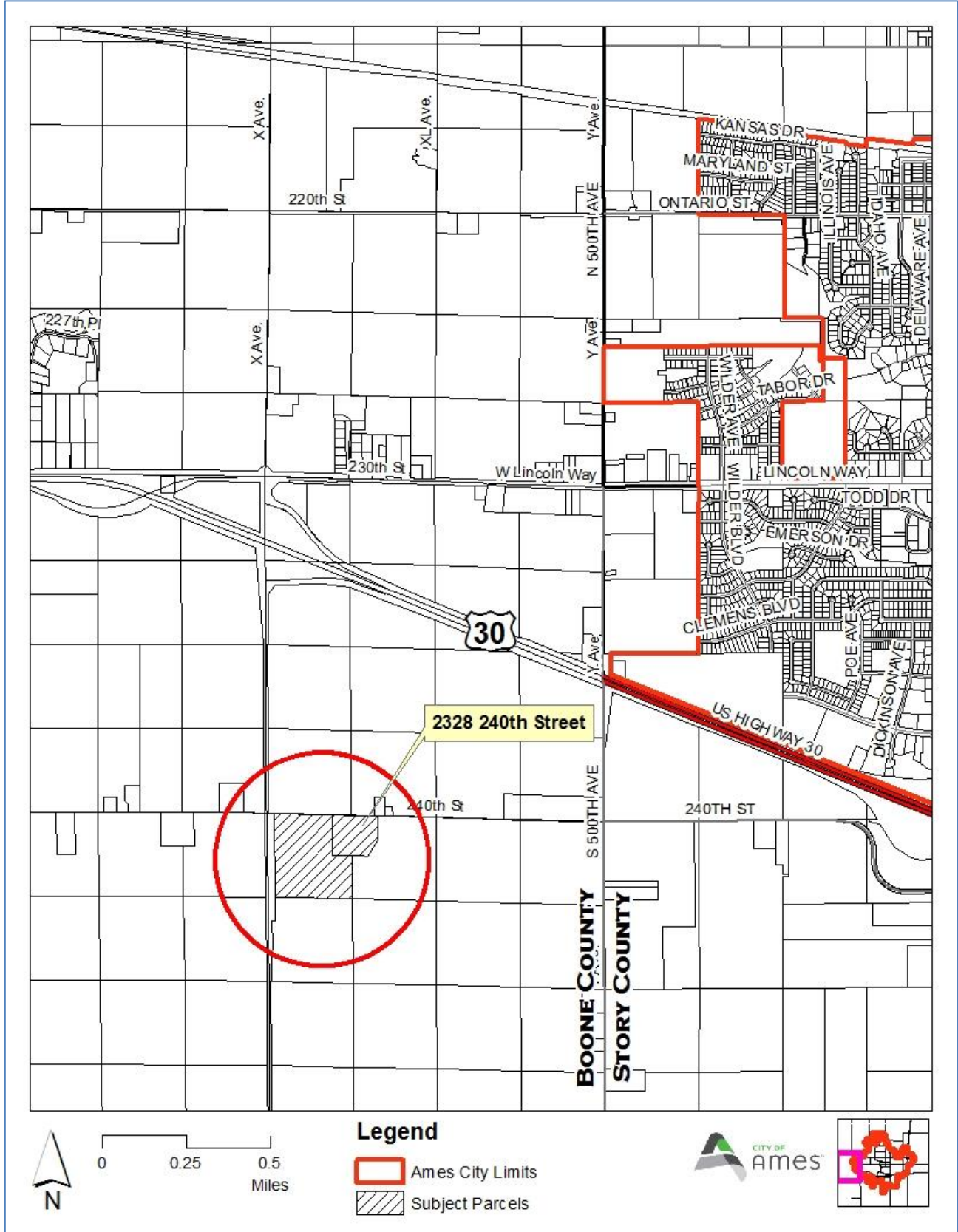
**Public Improvements:**

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:

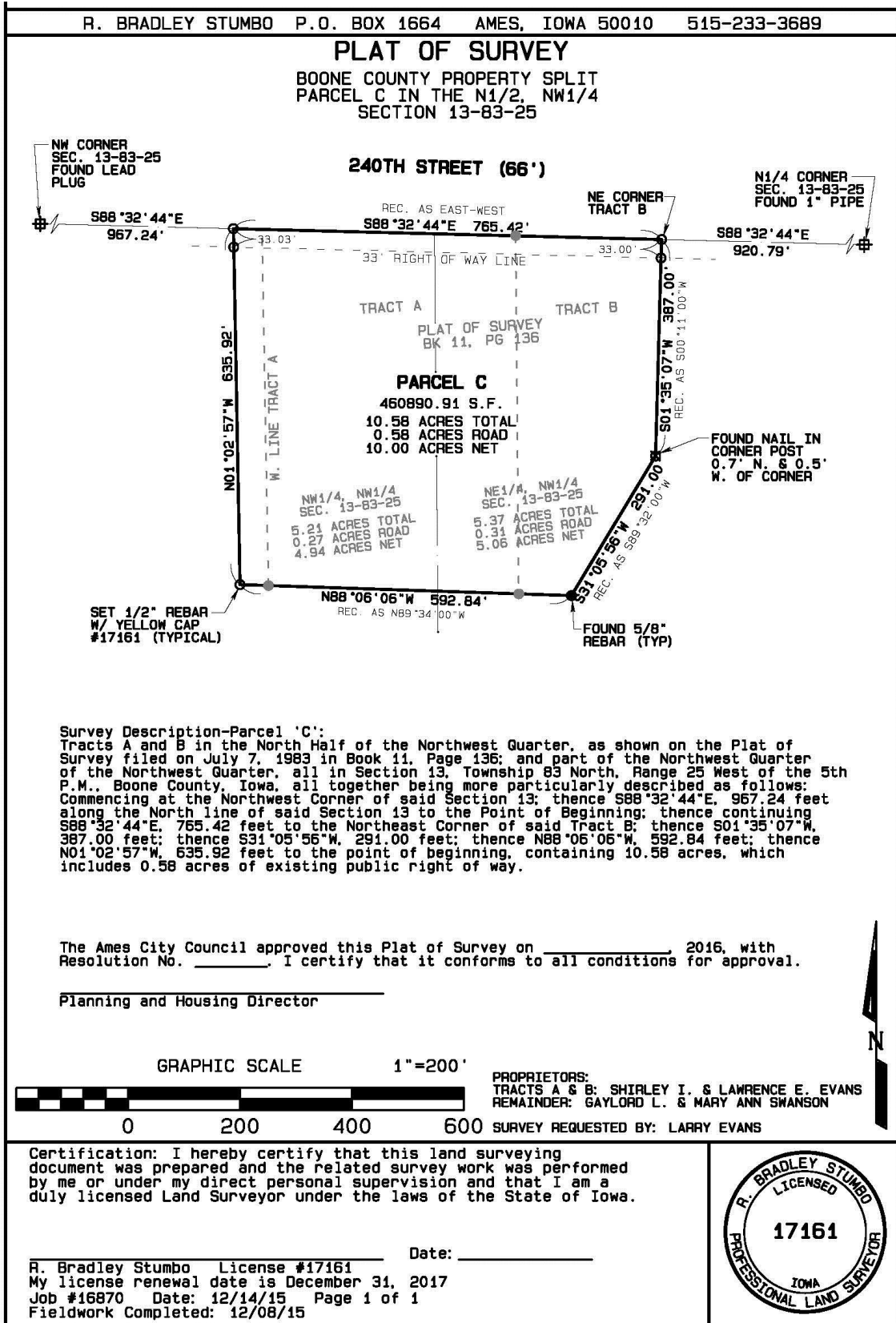
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

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



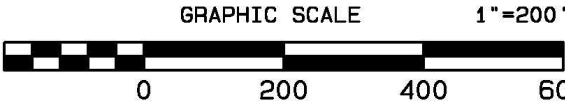
**ATTACHMENT B: PROPOSED PLAT OF SURVEY**



Survey Description-Parcel 'C':  
 Tracts A and B in the North Half of the Northwest Quarter, as shown on the Plat of Survey filed on July 7, 1983 in Book 11, Page 136; and part of the Northwest Quarter of the Northwest Quarter, all in Section 13, Township 83 North, Range 25 West of the 5th P.M., Boone County, Iowa, all together being more particularly described as follows:  
 Commencing at the Northwest Corner of said Section 13; thence S88°32'44"E, 967.24 feet along the North line of said Section 13 to the Point of Beginning; thence continuing S88°32'44"E, 765.42 feet to the Northeast Corner of said Tract B; thence S01°35'07"W, 387.00 feet; thence S31°05'56"W, 291.00 feet; thence N88°06'06"W, 592.84 feet; thence N01°02'57"W, 635.92 feet to the point of beginning, containing 10.58 acres, which includes 0.58 acres of existing public right of way.

The Ames City Council approved this Plat of Survey on \_\_\_\_\_, 2016, with Resolution No. \_\_\_\_\_. I certify that it conforms to all conditions for approval.

\_\_\_\_\_  
 Planning and Housing Director



PROPRIETORS:  
 TRACTS A & B: SHIRLEY I. & LAWRENCE E. EVANS  
 REMAINDER: GAYLORD L. & MARY ANN SWANSON  
 SURVEY REQUESTED BY: LARRY EVANS

Certification: 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.

Date: \_\_\_\_\_  
 R. Bradley Stumbo License #17161  
 My license renewal date is December 31, 2017  
 Job #16870 Date: 12/14/15 Page 1 of 1  
 Fieldwork Completed: 12/08/15

