

**COUNCIL ACTION FORM****SUBJECT: WATER MAIN EASEMENT VACATION – 1010 DICKINSON AVENUE****BACKGROUND:**

When the basketball facility at 1010 Dickinson Avenue was originally brought to the City's Development Review Committee, staff noted that the existing water main would be in conflict with the building footprint. The developer then relocated the water main as to not be within the building footprint during construction of the facility.

The property owner is now in the process of final platting the lot to parcel off the east portion of the lot for the new Iowa State University tennis practice facility. As a part of this process, the existing easement will be vacated and a new easement will be created to reflect the actual water main installation location with the final platting of the lots.

Approval of the new easement will be brought to the City Council as part of the final plat for the facility, which is planned for September 13, 2016. This action is intended to coordinate the vacation of the existing easement with the creation of the new easement. It should be noted that the water main will not be officially vacated until the document is recorded with Story County. Thus, if the final plat is not prepared for City Council on September 13<sup>th</sup>, staff will withhold recording of the easement vacation document until such time as the final plat is approved by Council.

The existing easement vacation will be recorded in conjunction with the new final plat of the parcels in order to protect the City's interest with regards to the water main that is currently within the easement area.

A map of the area is shown in Attachment A.

**ALTERNATIVES:**

1. Set a date of public hearing for September 13, 2016 to approve vacation of the water main easement at 1010 Dickinson Avenue.
2. Do not set the date of public hearing to vacate the existing water main easement.

**MANAGER'S RECOMMENDED ACTION:**

The existing water main easement is no longer needed, and a new easement will be recorded with the final plat that reflects the new location of the relocated water main. Vacation of the existing easement would coincide with dedication of the new easement which is expected on September 13, 2016.

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

# Attachment A



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



Easement Vacation Area



Scale: 1 in = 111 ft  
Date: 8/15/2016