

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 3621 AND 3629 WOODLAND STREET AND ACCEPTANCE OF ACQUISITION PLAT FOR RIGHT OF WAY

BACKGROUND:

The City's subdivision regulations in Chapter 23 of the Ames Municipal Code include a process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for boundary line adjustments.

This proposed plat of survey is for a boundary line adjustment between two properties on Woodland Street. The proposed plat of survey extends the north line of 3629 Woodland to the same east/west line as that of 3621 Woodland Street. (Attachment A illustrates changes)

During the research for the preparation of this plat, the surveyor discovered that there was no record of Woodland Street abutting these properties being dedicated to the City. An Acquisition Plat and dedication has been prepared for approval by the City Council.

Woodland Street has no public sidewalks in the vicinity of the subject properties. No sidewalk installation will be triggered by the boundary line adjustment because of the lack of existing sidewalk. Acceptance of the right-of-way dedication also does not trigger sidewalk installation.

Approval of this plat of survey (Attachment C) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can approve:
 - a. The acquisition plat and dedication of the north 33' feet of Woodland Street abutting these two properties.
 - b. The proposed plat of survey.

2. The City Council can accept the acquisition plat and dedication but 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:

It is unusual that there can be found no record of a street being officially dedicated by easement or fee simple ownership as right-of-way. Therefore, the proper course of action is to, first, accept the dedication by acquisition plat of the north 33 feet of Woodland Street abutting 3621 and 3629 Woodland Street. The City Council can then approve the plat of survey. The proposed boundary line adjustment conforms to the underlying zoning standards for lot requirements. Staff has determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 as described above.

**ADDENDUM
PLAT OF SURVEY FOR 3621 and 3629 WOODLAND 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: Stacy A Smith
Patrick S and Katherine C Schnable

Existing Street Address: 3621 Woodland Street
3629 Woodland Street

Assessor's Parcel #: 09-05-400-090
09-05-400-100

Legal Description: Beginning at the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 83 N, Range 24 W of the 5th PM, Ames, Story County, Iowa, running thence North 20 rods, thence East 16 rods, thence South 20 rods, thence West 16 rods to the place of beginning, excepting therefrom the following: Commencing at a point 33 feet North of the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 83 N, Range 24 W of the 5th PM, Ames, Story County, Iowa, running thence North 215 feet, thence East 90 feet, thence South 215 feet, thence West 90 feet to the point of beginning, subject to covenants, conditions, restrictions and easements of record.

and

Commencing at a point 33 feet North of the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 83 N, Range 24 W of the 5th PM, Ames, Story County, Iowa, running thence North 215 feet, thence East 90 feet, thence South 215 feet, thence West 90 feet to the point of beginning, subject to covenants, conditions, restrictions and easements of record.

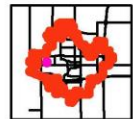
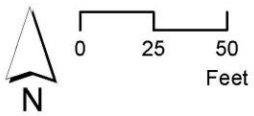
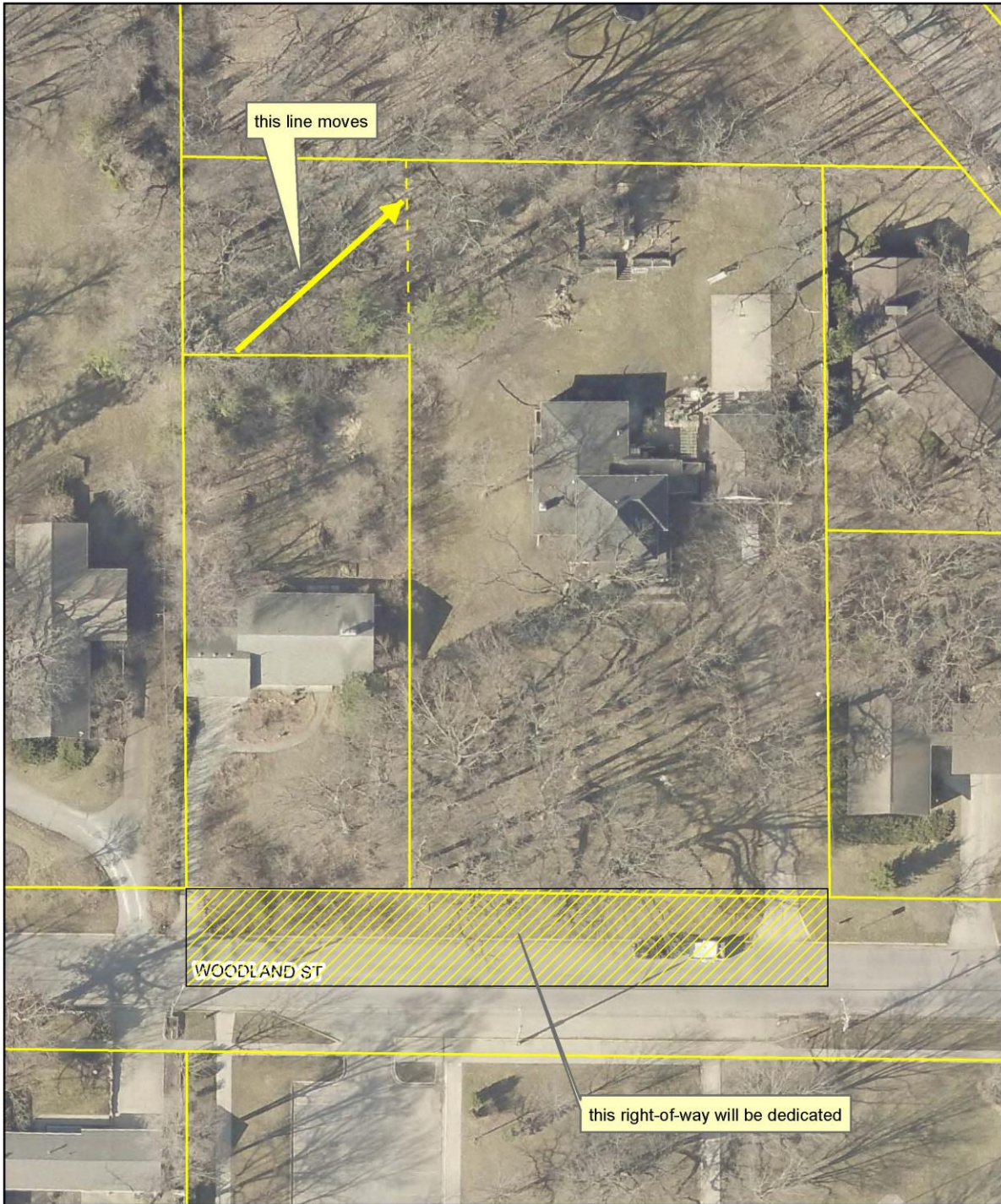
Public Improvements:

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:

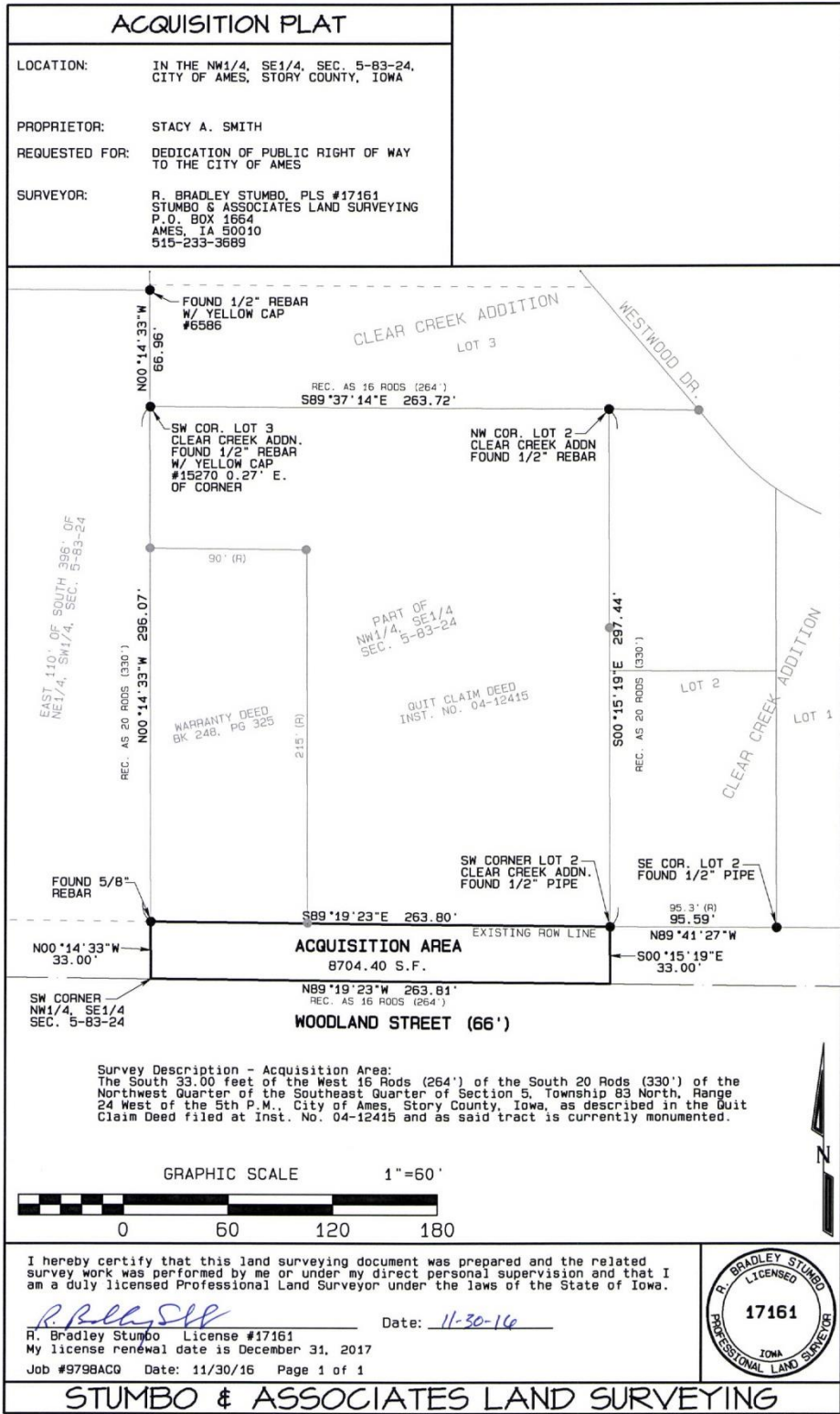
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required as a boundary line adjustment)

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.

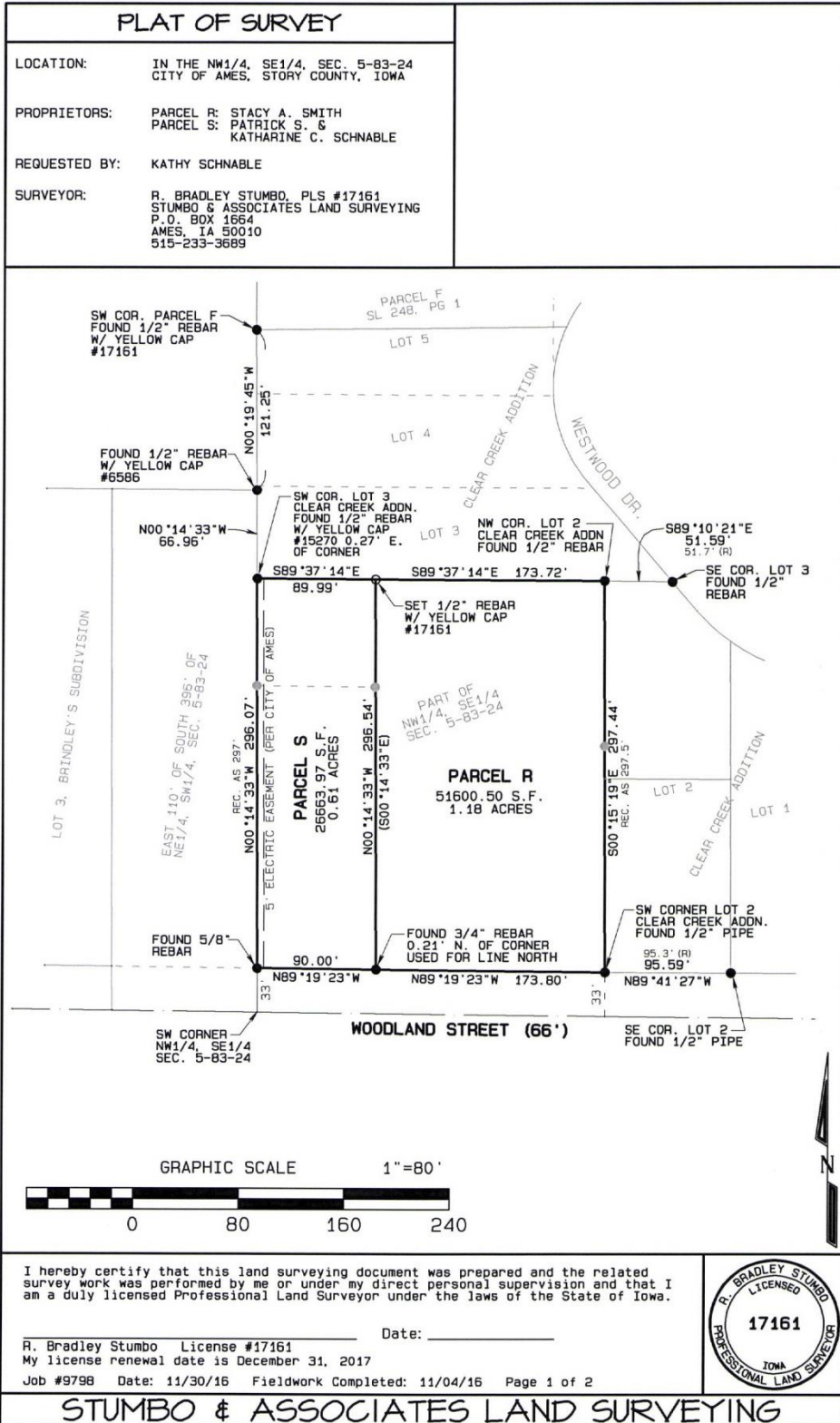
Attachment A- Existing Conditions



Attachment B: Acquisition Plat



Attachment C: Plat of Survey



Survey Description-Parcel 'R':

A part of that tract described in the Quit Claim Deed filed on September 8, 2004 at Instrument No. 04-12415, said tract lying in the Northwest Quarter of the Southeast Quarter of Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, said part being more particularly described as follows: Beginning at the Southwest Corner of Lot 2 in Clear Creek Addition to the City of Ames, said point being on the north line of Woodland Street; thence N89°19'23"W, 173.80 feet along said line; thence N00°14'33"W, 296.54 feet to the North line of the aforementioned tract, said point being on the South line of Lot 3 in said Clear Creek Addition; thence S89°37'14"E, 173.72 feet along said line to the Northeast Corner of said tract, said point also being the Northwest Corner of said Lot 2; thence S00°15'19"E, 297.44 feet to the point of beginning, containing 1.18 acres.

Survey Description-Parcel 'S':

That tract of land described in a Warranty Deed filed on June 15, 1988 in Book 248, Page 325; and a part of that tract described in the Quit Claim Deed filed on September 8, 2004 at Instrument No. 04-12415, said tracts lying in the Northwest Quarter of the Southeast Quarter of Section 5, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, all together being more particularly described as follows: Commencing at the Southwest Corner of Lot 2 in Clear Creek Addition to the City of Ames, said point being on the north line of Woodland Street; thence N89°19'23"W, 173.80 feet along said line to the point of beginning; thence continuing N89°19'23"W, 90.00 feet to the west line of said Northwest Quarter of the Southeast Quarter; thence N00°14'33"W, 296.07 feet along said line to the Southwest Corner of Lot 3 in said Clear Creek Addition; thence S89°37'14"E, 89.99 feet along said line; thence S00°14'33"E, 296.54 feet to the point of beginning, containing 0.61 acres.

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