

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1123 AND 1125 MAXWELL AVENUE

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the 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 adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment.

This plat of survey adjusts the boundary line between two platted lots and incorporates recently vacated right-of-way (East 12th Street) into the northern parcel. The two platted lots (1123 and 1125 Maxwell) lie in the Sunrise subdivision. The City is the owner of the property at 1125 Maxwell and intends to sell the property to Habitat for Humanity to construct a single-family dwelling. The 1123 Maxwell property is located to south and includes a driveway that has encroached onto 1125 Maxwell. The 1123 Maxwell property is owned by the Heaberlins. **The City proposes to convey 3 feet of property along the south property line to the owners of 1123 Maxwell to resolve a boundary line dispute between the two properties.** The north side of 1125 Maxwell will be expanded by 4 feet to incorporate recently vacated right of way. The resulting width of the 1125 Maxwell parcel will be 51 feet and a total area of 6,043 square feet. Both of the proposed parcels conform to the underlying zoning standards.

Approval of this plat of survey (Attachment B) 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 the proposed plat of survey consistent with the boundary line adjustment standards of Chapter 23.
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 for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code. Final approval of the Plat of Survey and its recordation is conditioned on completing the transfer of the property to the Hieberlins and resolving the property line concerns with quit claim deed.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 to approve the plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 1123 AND 1125 MAXWELL AVENUE**

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)

Owner of 1123 Maxwell: Dennis and Dawn G Heaberlin
Parcel ID: 09-02-205-020

Owner of 1125 Maxwell: City of Ames
Parcel ID: 09-02-205-010

New Legal Descriptions: Parcels H and J of Sunrise Addition, City of Ames, Story County, Iowa

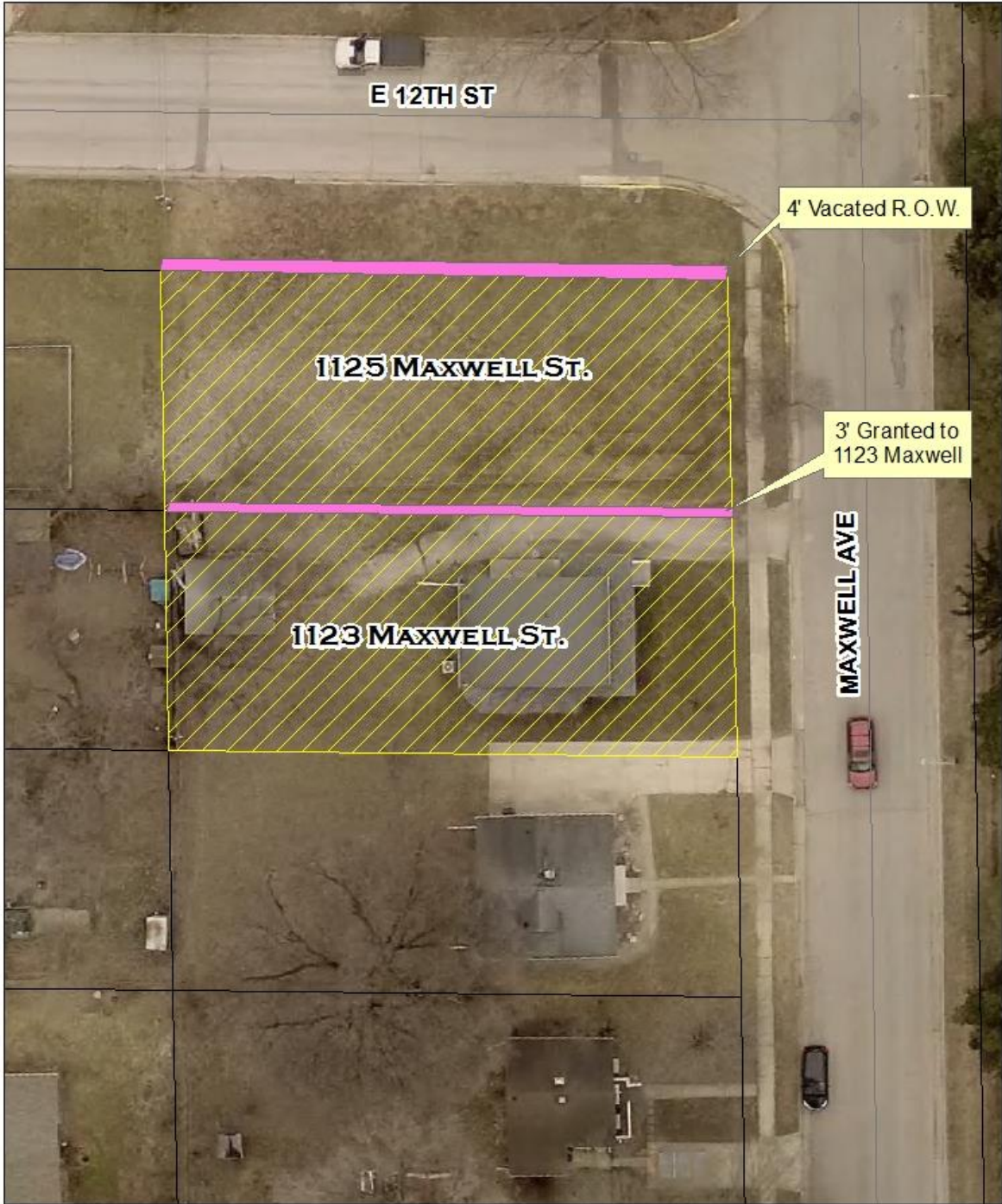
Public Improvements:

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: PLAT OF SURVEY

PLAT OF SURVEY

INDEX LEGEND

LOCATION: PARCEL H AND J, SUNRISE ADDITION,
BLOCK 2, CITY OF AMES, STORY COUNTY IOWA
REQUESTOR: CITY OF AMES
PROPRIETOR: CITY OF AMES
SURVEYOR: MYRON G. DARINGER
SURVEYOR COMPANY: CITY OF AMES
RETURN TO: CITY OF AMES, PUBLIC WORKS ENGINEER
515 CLARK AVE., AMES, IA 50010

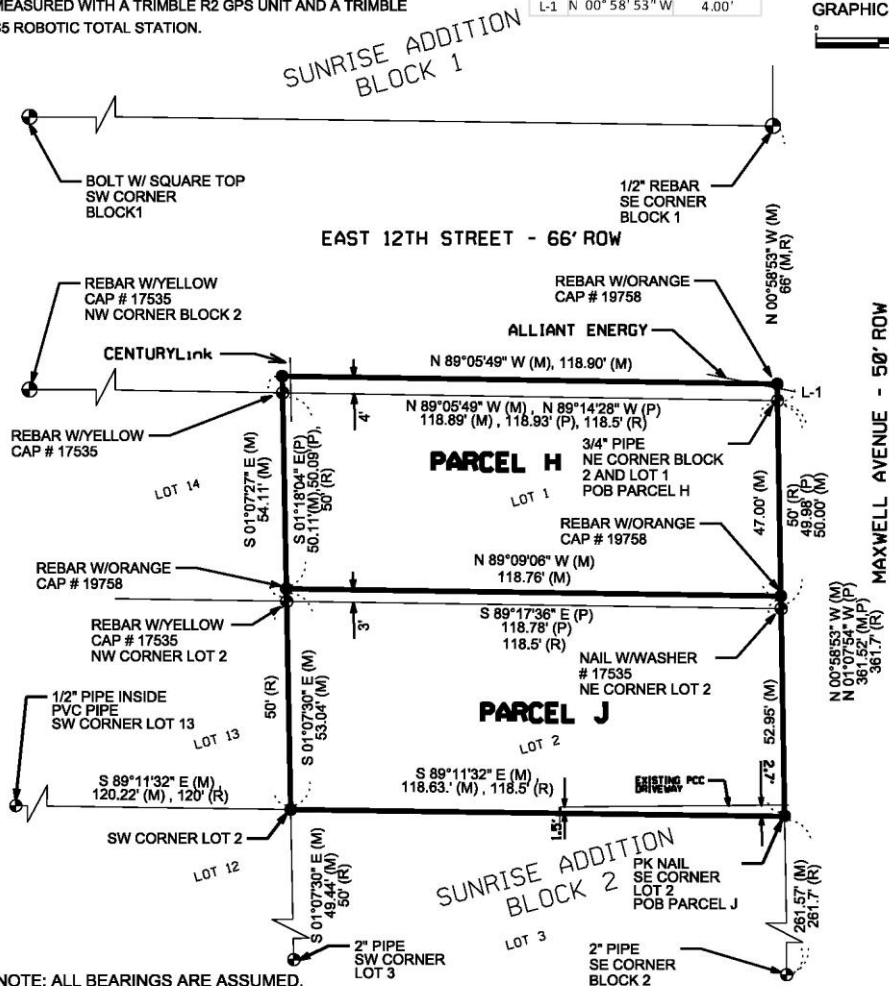
515-239-5276
OWNER: CITY OF AMES

SURVEYOR'S REPORT

ALL PRODUCED LINES, ANGLES, AND DISTANCES WERE
MEASURED WITH A TRIMBLE R2 GPS UNIT AND A TRIMBLE
S5 ROBOTIC TOTAL STATION.

LINE	BEARING (M)	DISTANCE (M)
L-1	N 00°58'53" W	4.00'

GRAPHIC SCALE



NOTE: ALL BEARINGS ARE ASSUMED.

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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MYRON G. DARINGER DATE _____
PRINTED OR TYPED NAME
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017 _____

PAGES OR SHEETS COVERED BY THIS SEAL: SHEET 1 AND 2

The Ames City Council approved this plat of survey on _____, 20____, with Resolution Number _____.

I certify that it conforms to all conditions of approval.

Planning and Housing Director

DATE	08/31/17
SCALE	1" = 30'
DRAWN	MD
FIELD BOOK	1
SHEET 1 OF 2	

PLAT OF SURVEY

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RETURN TO: CITY OF AMES, PUBLIC WORKS ENGINEER
515 CLARK AVE., AMES, IA 50010

BOUNDARY DESCRIPTION PARCEL H

LOT 1 AND THE SOUTH FOUR FEET OF VACATED EAST 12 STREET ABUTTING SAID LOT 1, BLOCK 2, SUNRISE ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, SUNRISE ADDITION, TO THE CITY OF AMES, STORY COUNTY, IOWA: THENCE N 00°58'53" W, A DISTANCE OF 4.00 FEET; THENCE N 89°05'49" W, A DISTANCE 118.90 FEET; THENCE S 01°07'27" E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 54.11 FEET; THENCE S 89°09'06" E ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 118.76 FEET; THENCE N 00°58'53" W ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 54.00 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED BOUNDARY CONTAINS 0.14 ACRES (6,421.0 S.F.), MORE OR LESS.

OWNER: CITY OF AMES

BOUNDARY DESCRIPTION PARCEL J

LOT 2 AND THE SOUTH 3' OF LOT 1, ALL IN BLOCK 2, SUNRISE ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 2, SUNRISE ADDITION, TO THE CITY OF AMES, STORY COUNTY, IOWA: THENCE N 00°58'53" W ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE 52.95 FEET; THENCE N 89°09'06" W, ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 118.76 FEET; THENCE S 01°07'30" E, ON THE WEST LINE OF SAID LOT 2, A DISTANCE OF 53.04 FEET; THENCE S 89°11'32" E, A DISTANCE OF 118.63 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED BOUNDARY CONTAINS 0.14 ACRES (6,286.8 S.F.), MORE OR LESS.

OWNER: CITY OF AMES

LEGEND

- ⊕ MONUMENT FOUND
- MONUMENT SET
5/8" REBAR W/ ORANGE CAP
19758
- (M) MEASURED
- (P) PLATTED
- (R) RECORDED
- POB POINT OF BEGINNING

DATE
08/31/17
SCALE
1" = 30'
DRAWN
MD
FIELD BOOK
1
SHEET 2 OF 2