



# MEMO

## Legal Department

**To:** Mayor Campbell and Members of the City Council

**From:** Victoria A. Feilmeyer, Assistant City Attorney

**Date:** November 15, 2017

**Subject:** Revision to 1995 Utility Easement for the Property at 1313 Jefferson Street

Recently, Paul and Megan Sodahl purchased the property locally known as 1313 Jefferson Street, and legally described as “Lot 8, First Addition, Glenview Heights Subdivision to Ames, Story County, Iowa.” The attorney examining title for the Sodahls identified an easement granted to the City of Ames in 1995 over the East 5 feet of the property which did not state the purpose of the easement.

The Public Works Department has confirmed that the purpose of the easement was for “constructing and maintaining a permanent storm sewer easement.” The property owner has requested that the City consent to an Amendment, prepared by the property owners’ attorney, which modifies the 1995 Easement to expressly state the intended purpose of the easement. The requesting party has provided the City with the necessary recording fees for the Amendment. Copies of the 1995 Easement and proposed Amendment are attached.

We recommend approval of the Amendment, as requested by the property owner, to confirm the intended purpose and scope of the Easement.



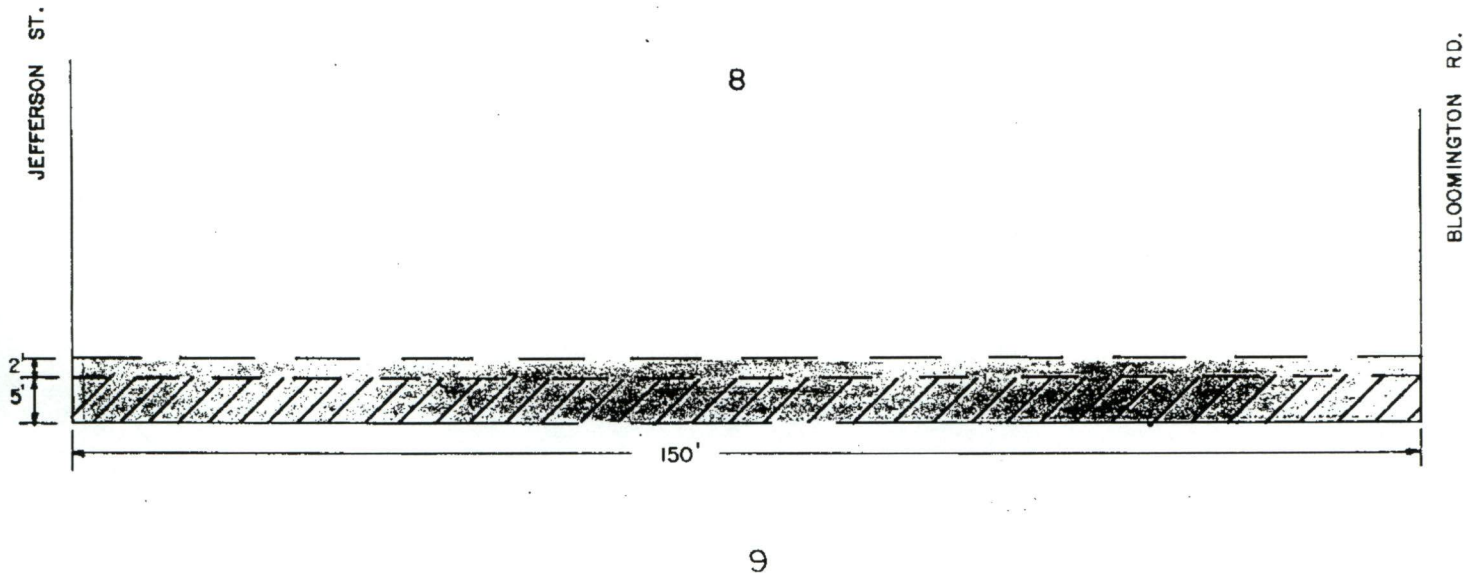
EASEMENT  
PLAT

CITY OF AMES, IOWA ENGINEERING DEPARTMENT

DATE \_\_\_\_\_

OWNER: A.L. & C.J. SODAHL  
1313 JEFFERSON ST.  
AMES, IOWA

SCALE  
1" = 20'



A permanent easement located in the E. 5' of Lot 8, Glenview Heights 1st Addn. all located in the City of Ames, Story County, Iowa and containing 0.02 acres more or less.

A temporary construction easement located in the E. 7' of Lot 8, Glenview Heights 1st Addn. all located in the City of Ames, Story County, Iowa and containing 0.02 acres more or less.

RECORDED:

INSTRUMENT NO. \_\_\_\_\_

DATE \_\_\_\_\_

95-09018 (2)

Space above for recording data

Prepared By: Timothy L. Gartin, Att'y at Law, 409 Duff, Ames, IA 50010 515-232-2501

Return Document To: Timothy L. Gartin, Att'y at Law, 409 Duff, Ames, IA 50010

**Amendment to Right of Way Permit and Easement  
involving the following described real estate in Story County, Iowa:**

Lot 8, First Addition, Glenview Heights Subdivision to Ames, Story  
County, Iowa.

MARRIED COUPLE

AND MEGAN J. SODAHL

KNOW ALL PERSONS BY THIS INSTRUMENT that **Paul Sodahl**, currently of  
1313 Jefferson St., Ames, IA 50010, a ~~single person~~, does hereby amend the Right of Way  
Permit and Easement (hereafter Easement), filed October 11, 1995 as Inst. No. 95-09018  
of the county records, as follows:

1. **Amendment.** The Easement is hereby amended to provide for a specific  
purpose because the original Easement was silent as to the type of easement conveyed.  
The first sentence in the Description section of said Easement shall be modified by adding  
the following provision:

The easement shall be for the purpose of constructing and maintaining a  
permanent storm sewer easement.

2. **Affirmation of Easement.** In all other respects, the Easement is hereby  
affirmed and remains in full force and effect.

3. **Approval of amendment.** The City of Ames, Iowa, hereby approves this  
amendment to the Easement.

*Paul Sodahl*

Paul Sodahl

10-23-17

Date

*Megan Sodahl*

MEGAN J. SODAHL

10/23/17

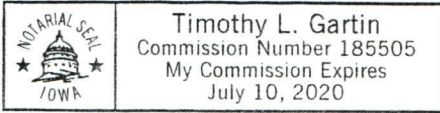
DATE

State of Iowa, Story County) SS.

This record was acknowledged before me on October 23, 2017 by Paul Sodahl and Megan J. Sondahl.

Sign name here   
Print name here

Timothy L. Gartin  
TIMOTHY L. GARTIN  
Notary Public in and for said State and County  
My commission expires: \_\_\_\_\_



City of Ames, Iowa

By \_\_\_\_\_  
Ann Campbell, Mayor

\_\_\_\_\_ Date

State of Iowa, Story County) SS.

This record was acknowledged before me on \_\_\_\_\_, 2017  
by Ann Campbell as Mayor of the City of Ames, Iowa.

Sign name here   
Print name here

\_\_\_\_\_  
Notary Public in and for said State and County  
My commission expires: \_\_\_\_\_