#### COUNCIL ACTION FORM

# SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 3305 AND 3311 EAST LINCOLN WAY AND TWO UNADDRESSED PARCELS

#### 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 combines two parcels owned by Barilla where the current pasta plant exists and adds a newly acquired 6-acre piece east of the site that was part of two parcels owned by Don Jensen. The plat of survey creates Parcel H, which will be the newly enlarged Barilla parcel. Parcel J and Parcel K will be the two parcels retained by Jensen. (The County Auditor does not assign Parcel "I" to avoid confusion.) The plat also creates Lot A, which is to be dedicated to the City as right-of-way and for which a Warranty Deed has been prepared (Attachment C).

A separate action by the City Council is to rezone the 6.06-acre parcel being acquired from Jensen to Planned Industrial. The remainder of the Jensen land will stay as A-Agricultural.

The plat of survey does not trigger any new infrastructure or frontage improvements as there are no missing gaps in required infrastructure along the site's frontage and the plat of survey is a boundary line adjustment. However, the already approved expansion of the plant itself has triggered missing infrastructure requirements for the frontage of the current Barilla plant. Barilla must construct sidewalks along their frontage as no other street improvements or sidewalk plans have been adopted for the area.

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 and accept the deed for the dedication of a portion of East Lincoln Way.
- 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 the consolidation of the properties for the boundary line adjustment and has made a preliminary decision of approval. Staff has also 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, thereby adopting the resolution approving the proposed plat of survey and accepting the deed for the dedication of a portion of right-of-way of East Lincoln Way.

### ADDENDUM PLAT OF SURVEY FOR 3305 AND 3311 EAST LINCOLN WAY AND TWO UNADDRESSED PARCELS

Application for a proposed plat of survey has been submitted for:

	Conveyance parcel (per Section 23.307)
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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:	Barilla America, Inc.
Parcel ID:	10-06-400-010, 10-06-450-020

Owner:	Donald D. Jensen
Parcel ID:	10-05-300-105, 10-05-300-220

New Legal Descriptions:

Parcel H in the Southeast Quarter and the East Half of the Southwest Quarter of Section 6, Township 83 North, Range 23 West of the 5<sup>th</sup> PM and in the North Half of the Southwest Quarter and the South Half of the Northwest Quarter of Section 5, Township 83 North, Range 23 West of the 5<sup>th</sup> PM, all in Ames, Story County, Iowa.

Parcel J in the Southwest Quarter of Section 5, Township 83 North, Range 23 West of the 5<sup>th</sup> PM, Ames, Story County, Iowa.

Parcel K in the Southwest Quarter of Section 5, Township 83 North, Range 23 West of the 5<sup>th</sup> PM, Ames, Story County, Iowa.

Lot A in the Southeast Quarter of Section 6, Township 83 North, Range 23 West of the 5<sup>th</sup> PM, 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 b	uilding perm	its.						

Delayed,	subject	to	an	improvement	guarantee	as	described	in	Section
23.409.									

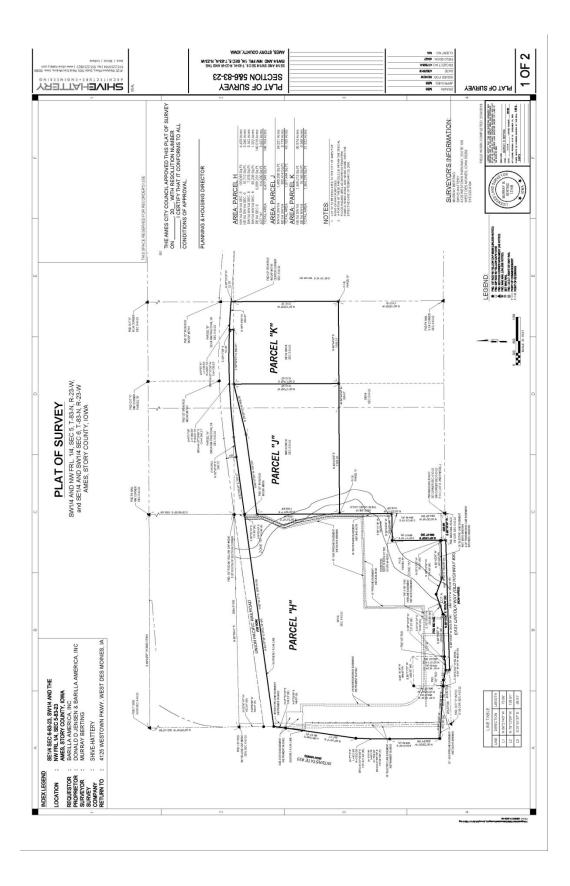
Not Applicable.

<u>Note</u>: 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 [NORTH TO LEFT]



# ATTACHMENT B: PLAT OF SURVEY [NORTH TO LEFT]



	A	B	υ	Q	ш
	LEGAL DESCRIPTION PARCEL "H":	:"H".		LEGAL DESCRIPTION LOT "A":	
	BEING PART OF THE SOUTHEAST QUARTER ( SIX (6), TOWISHIE BIGHTY-THEE (33) NORT THE WEST HALF (W1/12) OF SECTION FIVE (6) PRINCIPAL MERIDIAN, CITY OF AMES, STORY	BENG PART OF THE SOUTHEAST QUARTER (SE14), AND THE EAST HALF (E.1/2) OF THE SOUTHWEST QUARTER (SW14), SECTION SIX (6), TOWARPIE BIGHTY-THEEE (83) NORTH, RANGE TWANTY-THEEE (33) WAST OF THE STH PRINCIPAL MERDIAN, AND PART OF THE WEST HALF (M 12) OF SECTION IF ME(6), TOMASHIP EGHTY-THEEE (83) NORTH, RANGE TWANTY-THREE (23) WAST OF THE STH PRINCIPAL MERDIAN, CITY OF AMES, STORY COUNTY, IOWA AS DESCRIBED AS FOLLOWS.	UTHWEST QUARTER (SW1/4), SECTION STH PRINCIPAL MERIDAN, AND PART OF RE TWENTY-THREE (23) WEST OF THE STH	BENG PART OF THE SOUTHEAST QUARTER (SE1/4) SECTION SIX (6), TOW EIGHTY-THREE (8:3) NORTH, RANGE TWENTY-THREE (23) WEST OF THE GTI PRINCIPAL MRRIDIAN, CITY OF AMES, STORY COUNTY, IOWA AS DESCRIBE FOLLOWS.	SE1/4) SECTION SIX (6), TOW THREE (23) WEST OF THE 5T COUNTY, IOWA AS DESCRIBI
<del>.</del>	COMMERCING AT THE SOUTHEAST CORINE OF SECTION SIX (6), TOWNSHIP EGHT (23) WEST OF THE STH PRINCIPAL MERIDIAN, CITY OF AMES, STORY COUNTY, IOWA THENCE SAS 49:350°W, A DISTANCE OF 336. SEFET ALCNO THE SOUTH LINE OF SAS	COMMENCION AT THE SOUTHEAST CORVIER OF SECTION SIX (6), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-THREE 23) WEST OF THE STH PRINCIPAL MERIDIAN, CITY OF AMES, STORY COUNTY, IOWA; THENCE 588°1930°M, ADSTANGE OF SABS FEET ALONG THE SOUTH LINE OF SAID SECTION 6;	E (83) NORTH, RANGE TWENTY-THREE ION 6:	COMMENCING AT THE SOUTHEAST CORNER OF SECTION SIX (6), TOWNSH BIGHTY-THREE (83) NORTH, RANGE TWENTY-THREE (23) WEST OF THE 51 PRINCIPAL MERIDIAN, CITY OF AMES, STORY COUNTY, IOWA:	DF SECTION SIX (6), TOWNSH THREE (23) WEST OF THE 5T COUNTY, IOWA:
	THENCE N.00°13'55"W., A DISTANCE OF 60.07 HIGHWAY #30), AS PRESENTLY ESTABLISHED	THENCE N.00*13'55'W., A DISTANCE OF 60.07 FEET, TO A PONT ON THE NORTH RIGHT-OF-WAY LINE OF EAST LINCOLN WAY (OLD HIGHWAY #30), AS PRESENTLY ESTABLISHED, BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SAID NORTH	VAY LINE OF EAST LINCOLN WAY (OLD ONTINUING ALONG THE SAID NORTH	THENCE S.88"4830"W., A DISTANCE OF 336.88 FEET ALONG THE SOUTH LIP SAID SECTION 6, TO A POINT, BEING THE POINT OF BEGINNING;	FEET ALONG THE SOUTH LI IT OF BEGINNING
	RIGHT-OF-WAY, S.88°18'30'W, A DISTANCE O S.70°37'15'W, A DISTANCE OF 262.88 FEET; TI	RIGHT-OF-WAY, S.88°18'30'W, A DISTANCE OF 471.00 FEET; THENCE N.69°52'38'W, A DISTANCE OF 214.94 FEET; THENCE S.70°37'15'W, A DISTANCE OF 262.88 FEET; THENCE S.88°18'30'W, A DISTANCE OF 578.00 FEET; THENCE S.01°41'37'E, A DISTANCE	NCE OF 214.94 FEET; THENCE EET; THENCE S.01°41'37"E., A DISTANCE	THENCE N.00°13'55'W., 60.07 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF EAST LINCOLN WAY (OLD HIGHWAY #30) AS PRESENTLY ESTABLISHED;	DRTH RIGHT-OF-WAY LINE OI RESENTLY ESTABLISHED;
	OF 10.00 FEET; THENCE S.88°14'39"W., A DIST N.86°21'43"W., A DISTANCE OF 73.86 FEET; TH	0F 10.00 FEET; THENCE S.88° 14'39'W, A DISTANCE OF 121.53 FEET; THENCE N.78'1209'W, A DISTANCE OF 128.61 FEET; THENCE N.88'21'43'W, A DISTANCE OF 73.86 FEET; THENCE N.88'23'49'W, A DISTANCE OF 65'.05 FEET, TO THE EAST RIGHT-OF-WAY LINE OF	A DISTANCE OF 128.61 FEET; THENCE ET, TO THE EAST RIGHT-OF-WAY LINE OF	THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, S.88°18'3C DISTANCE OF 471.00 FEET; THENCE N.69°52'38''W., A DISTANCE OF 214,94 F	GHT-OF-WAY LINE, S.88°18'3( 3"W., A DISTANCE OF 214.94
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	421.69 FEET, SAID CURVE HAVING A CHORD I N.08°16'17"E., A DISTANCE OF 887.71 FEET; TH	421.69 FEET, SAID CURVE HAVING A CHORD BEARING OF N.01'0849'E., AND A CHORD DISTANCE OF 421.64 FEET, THENCE N.08'1617'E., A DISTANCE OF 887.71 FEET, THENCE N.07"32'32'E., A DISTANCE OF 149.53 FEET, TO THE SOUTH RIGHT-OF-WAY LINE	ANCE OF 421.64 FEET; THENCE ET, TO THE SOUTH RIGHT-OF-WAY LINE	THENCE S.88"14'39"W., A DISTANCE OF 121.53 FEET; THENCE S.01°41'37"E. DISTANCE OF 49.91 FEET; THENCE N.88"18'30"E., A DISTANCE OF 1620.33 F	FEET; THENCE S.01°41'37"E. E., A DISTANCE OF 1620.33 F
	OF THE UNION PACIFIC RAILROAD, AS PRESE DISTANCE OF 2673.18 FEET, TO THE EAST LIN	OF THE UNION PACIFIC RALLROAD, AS PRESENTLY ESTABLISHED, THENCE ALONG SAID SOUTH RIGHT-OF-WAY, N 82'07'34'E., A DISTANCE OF 2873.18 FEET, TO THE EAST LINE OF SAID SE144 OF SECTION 8, THENCE NORTH 82'03'20'EAST, A DISTANCE OF 728.17	UTH RIGHT-OF-WAY, N.82°07'34"E., A 11H 82°03'20" EAST, A DISTANCE OF 726.17	ALONG SAID SOUTH LINE OF SAID SECTION 6, TO THE POINT OF BEGINNIN CONTAINING 114,199.704 SQUARE FEET OR 2.622 ACRES OF LAND.	TO THE POINT OF BEGINNIN 822 ACRES OF LAND.
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	TO THE BEGINNING OF A CURVE CONCAVED 1346.68 FEET, WITH A CHORD BEARING OF	TO THE BEGINING OF A CURVE CONCAVED SOUTH, HAVING A RADIUS 8287.10 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 1346.88 FEET, WITH A CHORD BEARING OF	VCE ALONG SAID CURVE A DISTANCE OF		
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PER WARRANTY DEED RECORDING IN THE RECORDERS' OFFICE OF STORY COUNTY IN INSTRUMENT# 2017-10045

AND

PARCEL "P. BEING PART OF THE SOUTHEAST OUARTER (SE114), AND THE EAST HALF (E. 1/2) OF THE SOUTHWEST OLANTER (SMIN, SECTION SIX) (TO WANNED SOURCH, MANDER TEWRYT-THERE (22) WAST OF THE ENTROHAM, MENCHAMENDAL, CITY OF MAES, STORY COUNTY, (OWA, RECORDED ON JULY 22, 1987), IN BOOK 15, PAGE 18, SUBJECT TO ALL EDSRINGTYS OF RECORD. IF AVY. ADD. COUNTY, IONA, TA POINT ON THE SOUTH OF THE SOUTHEAST OUARTER (SE114) OF SECTION SIX (6), TOWASHIP EEGINATIVATER (SAIN) OF RECORD. IF AVY. ADD. COUNTY, IONA, TA POINT ON THE SOUTH LAST OUARTER (SE114) OF SECTION SIX (6), TOWASHIP EEGINATIVATER (SAIN OF THE SOUTH OF THE SOUTHEAST OUARTER (SE114) OF SECTION SIX (6), TOWASHIP EEGINATIVATER (SAIN OF THE SOUTH AT THE CIT THE SOUTHOUNDENT METOLONDEL MERTONICHTOR OF ANSIST STORY COUNTY, IONA, CHERCIANDET SOUTHEAST OUARTER (SE114) OF SECTION SIX (6), TOWASHIP EEGINATIVATER (SAIN OF THE SOUTH AT THE SOUTHOUNDENT AND THY OF ANSIST STORY COUNTY, IONA, CHERCIANDET SOUTHEAST OUARTER (SE114) STORY COUNTY, IONA, CHERCIANDET SOUTHEAST OUARTER (SE114) THREE HUNDEED SOTT CHERCIANDET SOUTHEAST OUARTER (SE114) THREE HUNDEED SOUTHEAST COUNTY, IONA, SUBJECT TO ALL EASIMATTS OF THE SOUTHOARTER (SAIN EET) NOWINT THE CITY OF AMES STORY COUNTY, IONA, SUBJECT TO THE POINT OF RECOMING, NOWINT THE CITY OF AMES STORY COUNTY, IONA, SUBJECT TO ALL EASIMATTS OF INC.

MOMENT (000) 49750040 (000) 49750040 (000) 49750040 (000) 4920050 (000) 4920050 (000) 4920050 4920 4 AMES, STORY COUNTY, IOWA 2 BWIN AND NW FRL 1M, SEC 5, T-83-W, R-23-W SEIM AND SWIM SEC6, T-83-M, R-23-W AND THE Ч **ZECTION 586-83-23** N **YEVRUS TO TAJ9** YEVRUS FO TAJP THETH PRINCIP OF THE SOUNDEST CURRENT OWNER OF SECTION FILE (5) TOWNER) EIGHT-THEE (3) NORTH ANNEE TWENT-THEEE (3) WEST OF THEETH PRINCIPAL MERIORM. STORY CONTENT (OWN, 1/14) SOUND OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND THE SOUTH ATHEETH PRINCIPAL MERIORM. STORY CONTENT (OWN, 1/14) SOUTH OF THE RIGHT-CHARGE ONDER THEE (3) NORTH-MESTERN RALLWAY: AND THE SOUTH ATHEETH PRINCIPAL MERIORM. STORY CONTENT (OWN, 1/14) SOUTH OF THE RIGHT-CHARGE ONDER THEE (3) NORTH-MESTERN RALLWAY: AND THE SOUTH ATHEETH PRINCIPAL MERIORM. STORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER THEET (3) NORTH-MESTERN RALLWAY: AND IS SOUTH ATHEETH PRINCIPAL MERIORM. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER THEET (3) NORTH-MESTERN RALLWAY: AND IS NORTH ATHEETH PRINCIPAL DESTINATION OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEETH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEETH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY: AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY. AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY. AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY. AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RIGHT-CHARGE ONDER TOWNESTERN RALLWAY. AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RALL ONDER TOWNESTERN RALLWAY. AND IS NORTH ATHEORY. TORY CONTENT, OWNE, 1/140 SOUTH OF THE RALL ONDER TOWNES THENCE ALONG SAID SOUTH LINE OF SAID WIVIA OF THE SWIA, NORTH 89'44'03" EAST. A DISTANCE OF 1328.32 FEET TO THE SE CORNER OF SAID NW14 THENCE NORTH 98'44'03" EAST. A DISTANCE OF 298 47 FEET. THENCE NORTH PAPITYDE WEST. A DISTANCE OF 298 47 FEET. THENCE SOUTH 79"29" EVET. A DISTANCE OF 1313.42 FEET. THENCE SOUTH 79"29" SUIT SUITATION TO REAL OF FEET. THENCE SOUTH 79"29" SUITATION TO REAL OF FEET. THENCE SOUTH 79"29" SUITATION TO REAL OF FEET. THENCE ALONG AND UPON THE WEST LINE OF THE SOUTHWEST QUARTER (SWIH4) OF SAID SECTION 6, NORTH 00"2017" WEST, A DISTANCE OF 1318.55 FEET TO THE SW CORNER OF THE WWIH OF THE SWIH4 OF SAID SECTION 6, AND THE POINT OF BEGINNING. ALL THAT PORTON OF THE SOUTHWEST CARRENT SWIMP OF SECTION FIVE (6), TOWISHIP EIGHT-THREE (48) NORTH, RANGE TWENTY-THREE (23) WEST OF THE SOUTHWEST STARTER SOUTHWEST EXAMPLEST OF ADDRESS TO SUTH YOUR STORE THE RIGHT-THREE (48) NORTH, RANGE TWENTY-THREE (24) WAST FE SOUTH HALF (25) STORE THREE RIGHT OF REGIONAL TO SUTH HALF (25) STORE THREE RIGHT OF REGIONAL TO SUTH HALF (25) STORE THREE RIGHT OF REGIONAL TO SUTH HALF (25) STORE RIGHT OF RIGHT OF REGIONAL TO SUTH HALF (26) NORTH, RANGE RIGHT OF RIG COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4), ALSO KNOWN AS THE S1/4 CORNER OF SAID SECTION 5; CONTAINING 1,364,379 SQ.FT. (31.322 ACRES), MORE OR LESS AND SUBJECT TO ALL EASEMENTS OF RECORD. RECORD. COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4), OF SAID SECTION 5; CONTAINING 1,877,444 SQ.FT. (43.100 ACRES), MORE OR LESS AND SUBJECT TO ALL EASEMENTS OF WNSHIP BED AS BED AS STH STH AFEC OF AFEC E.A AFEC E.A AFEC E.A AFEC E.A LEGAL DESCRIPTION - PARCEL K

#### WARRANTY DEED Recorder's Cover Sheet

Preparer Information: (name, address and phone number) Robert D. Andeweg NYEMASTER GOODE, P.C. 700 Walnut Street, Suite 1600 Des Moines, Iowa 50309 Phone Number: 515-283-3106

Taxpayer Information: (name and complete address) City of Ames, Iowa, ATTN: City Clerk, 515 Clark Ave., Ames, IA 50010

Return Document To: (name and complete address) City of Ames, Iowa, ATTN: City Clerk, 515 Clark Ave., Ames, IA 50010

Grantors: Barilla America Inc.

Grantees: City of Ames, Iowa

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

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#### WARRANTY DEED

For Consideration of ONE DOLLAR and other valuable consideration, Barilla America Inc., an Illinois corporation (hereinafter "<u>Grantor</u>"), does hereby convey to the City of Ames, Iowa, (hereinafter "<u>Grantee</u>"), the following described parcel of real estate located in Story County, Iowa, to-wit:

Lot A in the Southeast Quarter of Section 6, Township 83 North, Range 23 West of the 5th P.M., Ames, Story County, Iowa, and also described as follows:

BEING PART OF THE SOUTHEAST QUARTER (SE1/4), SECTION SIX (6), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-THREE (23) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF AMES, STORY COUNTY, IOWA AS DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION SIX (6), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-THREE (23) WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF AMES, STORY COUNTY, IOWA:

THENCE S.88°18'30"W., A DISTANCE OF 336.88 FEET ALONG THE SOUTH LINE OF SAID SECTION 6, TO A POINT, BEING THE POINT OF BEGINNING:

THENCE N.00°13'55"W., 60.07 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF EAST LINCOLN WAY (OLD HIGHWAY #30) AS PRESENTLY ESTABLISHED; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, S.88°18'30"W., A DISTANCE OF 471.00 FEET; THENCE N.69°52'38"W., A DISTANCE OF 214.94 FEET; THENCE S.70°37'15"W., A DISTANCE OF 262.88 FEET; THENCE S.88°18'30"W., A DISTANCE OF 578.00 FEET; THENCE S.01°41'37"E., A DISTANCE OF 10.00 FEET; THENCE S.88°14'39"W., A DISTANCE OF 121.53 FEET; THENCE S.01°41'37"E., A DISTANCE OF 49.91 FEET; THENCE N.88°18'30"E., A DISTANCE OF 1620.33 FEET, ALONG SAID SOUTH LINE OF SAID SECTION 6, TO THE POINT OF BEGINNING.

CONTAINING 114,199.704 SQUARE FEET OR 2.622 ACRES OF LAND.

This Deed is Claimed Exempt under Iowa Code §428A.2(6)--Grantee is Government Body

Grantor does hereby covenant with Grantee, and successors in interest, that Grantor holds the real estate by title in fee simple; that Grantor has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and Grantor covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

[Signature page follows.]

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Signed this \_\_\_\_\_ day of May, 2018.

GRANTOR:

BARILLA AMERICA INC.

By:\_\_\_

Fabio Pettenati, Vice President, Supply Chain Americas

And:

Talita Erickson, General Counsel and Corporate Secretary

STATE OF \_\_\_\_\_\_, COUNTY OF \_\_\_\_\_\_) ss:

This record was acknowledged before me on May \_\_\_\_\_\_, 2018, by Fabio Pettenati and Talita Ericson, as Vice President, Supply Chain Americas and General Counsel and Corporate Secretary, respectively, of Barilla America Inc., an Illinois corporation.

, Notary Public

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