
DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; 515-239-5146
Return to: Ames City Clerk, Ames City Hall, 515 Clark Ave., P.O. Box 511, Ames, IA 50010

**AGREEMENT FOR ADOPTION OF
THE MASTER PLAN FOR
QUARRY ESTATES SUBDIVISION
907 W. 190TH STREET**

THIS AGREEMENT, made and entered into this ____ day of _____, 2014, by and between the City of Ames, Iowa (hereinafter called “City”) and Quarry Estates, LLC (hereinafter called “Developer”), its successors and assigns, both collectively being referred to as the “Parties,”

WITNESSETH THAT:

WHEREAS, the Parties hereto desire the improvement and development of an area which has been recently annexed into the City, known as Quarry Estates (hereinafter referred to as the “Site”); and

WHEREAS, the Parties entered into an Agreement Pertaining to Voluntary Annexation of the Site, pursuant to which the Developer agreed to seek rezoning of the Site; and

WHEREAS, the Site is designated on the Land Use Policy Plan as Village/Suburban Residential with certain portions therein also designated as Watershed Protection area; and the Developer is seeking rezoning of the Site from A - Agriculture zoning to FS-RL – Suburban Low Density Residential and FS-RM – Suburban Medium Density Residential consistent with the LUPP designations and in conformance with the Agreement Pertaining to Voluntary Annexation; and

WHEREAS, the City Council resolved that a Master Plan accompany this rezoning, pursuant to Ames Municipal Code section 29.1507(3), and the Developer has submitted a Master Plan in conformance with the requirements set forth in Ames Municipal Code section 29.1507(4); and

WHEREAS, Ames Municipal Code section 29.1507(5) requires approval of a zoning agreement when a Master Plan is required and that all development of the Site comply with the Master Plan.

NOW, THEREFORE, the Parties hereto have agreed and do agree as follows:

**I.
QUARRY ESTATES MASTER PLAN ADOPTED**

The Master Plan set forth at Attachment A and incorporated by reference in this agreement shall be the Master Plan for the Quarry Estates Subdivision.

**II.
MASTER PLAN CONDITIONS**

The Parties agree to the following additional items which could not be graphically represented on the master plan:

- A. The Site shall include a central transportation corridor on an east-west alignment through the Site to provide facilities for motor vehicles, pedestrians, and bicycles.
- B. The Developer is responsible for frontage and intersection access improvements at the time of subdivision.
- C. The Master Plan shall include a single pedestrian access from the Site into Ada Hayden Heritage Park at the location shown on the plan, indicated as "Connection to Trail".
- D. The Site shall include a minimum thirty (30) foot wide buffer of undevelopable open space to be located between the developed lots of Quarry Estates and Ada Hayden Heritage Park, as shown on the Master Plan as "Conservation Area/Open Space".

**III.
NON-INCLUSION OF OTHER OBLIGATIONS**

The Parties acknowledge and agree that this Agreement is being executed to fulfill a specific requirement of section 29.1507(5) of the Ames Municipal Code. It is also understood that this Agreement supplements but does not replace or supersede any agreements made with the City or third parties as necessary to complete annexation.

The Parties understand that the Master Plan adopts a general conceptual plan for development, without review or approval of specific subdivision plats or site plans for development of the Site. The Parties therefore acknowledge that the Master Plan adoption does not anticipate or incorporate all the additional approvals or requirements that may be required to properly and completely develop the Site and does not relieve the developer of compliance with other provisions of the Ames Municipal Code, the Iowa Code, SUDAS, or other federal, state or local laws or regulations.

IV.
MODIFICATION OF AGREEMENT

Any modifications or changes to the Master Plan shall be undertaken in accordance with the process provided for in Ames Municipal Code section 29.1507(5).

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

CITY OF AMES, IOWA

By _____
Ann H. Campbell, Mayor

Attest _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

On this _____ day of _____, 2014, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 2014, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

QUARRY ESTATES, LLC

By _____
Kurt Friedrich, Manager

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on _____, 2014, by Kurt Friedrich as Manager of Quarry Estates, LLC.

Notary Public in and for the State of Iowa