



**BUSINESS OF THE CITY COUNCIL  
BONDURANT, IOWA  
AGENDA STATEMENT**

Item No. 8 & 9  
For Meeting of 3/23/2020

**TITLE:** Hold public hearing regarding a public storm sewer easement vacation request for the Hazel Marie Townhomes Plat 2 & Plat 4 areas; and resolution approving the easement vacation request.

**ACTION:** Hold public hearing and resolution for vote

**CONTACT PERSON:** Maggie Murray, Planning & Community Development Director

**BRIEF HISTORY:** The City is in receipt of the enclosed Easement Vacation Plat for the Hazel Marie Townhomes Plat 2 & Plat 4 areas. This easement vacation request has been submitted to eliminate the existing 30'-wide storm sewer easement which was established as part of the 2005-approved Hazel Marie Townhomes Plat 2 Subdivision. This Easement Vacation Plat would also then re-establish a narrower 15'-wide public storm sewer easement as shown in the Easement Vacation Plat to accommodate for the existing public storm sewer that exists underground. This request has been submitted to allow for construction of a dwelling on Lot 7 of Hazel Marie Townhomes Plat 4.

**ANALYSIS:** The following were notified of this easement vacation request:


1. **John Horton, Public Works Director.** John reviewed and noted no concerns with the Easement Vacation Plat. John noted that the proposed 15'-wide permanent easement width is sufficient, as the storm runs very shallow in this area.
2. **Bob Veenstra, City Engineer.** Bob reviewed and noted no concerns with the proposed 15'-wide easement area. Bob noted that because the existing easement is a single-purpose (city storm), no other utility notifications for this easement vacation request should be necessary.

**PLANNING AND ZONING COMMISSION REVIEW/RECOMMENDATION**

The Planning and Zoning Commission reviewed this easement vacation request during their February 13<sup>th</sup>, 2020 meeting and recommended unanimous approval with a 6-0 vote.

**ALTERNATIVES:** The option exists to not hold the March 23<sup>rd</sup> public hearing; however, this is not recommended by staff as a public hearing is required for such public easement vacation requests.

**STAFF RECOMMENDATION:** Staff recommends approval of the enclosed resolution.

<input checked="" type="checkbox"/> Resolution _____	<input type="checkbox"/> Ordinance _____	<input type="checkbox"/> Contract _____	<input type="checkbox"/> Other (Specify) _____
Funding Source _____ N/A			
APPROVED FOR SUBMITTAL _____			
 City Administrator			

CITY OF BONDURANT  
RESOLUTION NO. 200323-86

RESOLUTION APPROVING VACATION OF A PUBLIC STORM SEWER EASEMENT REQUEST WITHIN  
THE HAZEL MARIE TOWNHOMES PLAT 2 & 4 SUBDIVISION AREA

WHEREAS, an Easement Plat has been submitted by Campbell Engineering & Surveying to vacate an existing 30'-wide public storm sewer easement situated in the Hazel Marie Townhomes Plat 2 & 4 subdivisions; AND

WHEREAS, the owner is H. Marie, LLC; AND

WHEREAS, the requested easement vacation area is described as follows:

A 30 FOOT WIDE PUBLIC STORM SEWER EASEMENT UNDER AND ACROSS OUTLOT "Z", HAZEL MARIE TOWNHOMES PLAT 2 AND LOT 7, HAZEL MARIE TOWNHOMES PLAT 4, EXCEPT THE PORTION EXTENDING ONTO LOT 1, CLARENCE OLESON VISTA ESTATES PLAT 6, ALL IN AND FORMING A PART OF THE CITY OF BONDURANT, IOWA, THE CENTERLINE OF SAID EASEMENT, 15 FEET ON EACH SIDE, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHERNMOST CORNER OF HAZEL MARIE TOWNHOMES PLAT 2, ALSO BEING THE WESTERNMOST CORNER OF CLARENCE OLESON VISTA ESTATES PLAT 6; THENCE S43°14'30"W, 41.65 FEET ALONG THE NORTHWESTERLY LINE OF SAID HAZEL MARIE TOWNHOMES PLAT 2 TO THE POINT OF BEGINNING; THENCE S58°10'46"E, 180.45 FEET TO A POINT LYING ON A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY OF ADAMS STREET SE, SAID CURVE HAVING A RADIUS OF 260.09 FEET (RECORDED AS 260.00 FEET) AND CONCAVE SOUTHEASTERLY, SAID POINT BEING S32°27'42"W, 2.06 FEET SOUTHWESTERLY FROM THE NORTHEAST CORNER OF SAID HAZEL MARIE TOWNHOMES PLAT 2 AS MEASURED ALONG A CHORD OF SAID CURVE WITH A CENTRAL ANGLE OF 1°19'36" AND AN ARC DISTANCE OF 2.06 FEET.

WHEREAS, the submitted Easement Plat will re-establish a narrower public storm sewer easement as shown in the submitted Easement Plat and described as follows:

A 15 FOOT WIDE PUBLIC STORM SEWER EASEMENT UNDER AND ACROSS OUTLOT "Z", HAZEL MARIE TOWNHOMES PLAT 2 AND LOT 7, HAZEL MARIE TOWNHOMES PLAT 4, IN AND FORMING A PART OF THE CITY OF BONDURANT, IOWA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHERNMOST PLAT CORNER OF HAZEL MARIE TOWNHOMES PLAT 2, ALSO BEING THE WESTERNMOST CORNER OF CLARENCE OLESON VISTA ESTATES PLAT 6; THENCE S43°14'30"W, 32.13 FEET ALONG THE NORTHWESTERLY LINE OF SAID HAZEL MARIE TOWNHOMES PLAT 2 TO THE POINT OF BEGINNING; THENCE S57°53'31"E, 166.41 FEET TO THE NORTHEASTERLY LINE OF SAID HAZEL MARIE TOWNHOMES PLAT 2, SAID LINE BEING THE SOUTHWESTERLY LINE OF SAID CLARENCE OLESON VISTA ESTATES PLAT 6; THENCE S46°45'30"E, 12.47 FEET TO THE NORTHEAST CORNER OF SAID HAZEL MARIE TOWNHOMES PLAT 2, SAID POINT LYING ON A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY OF ADAMS STREET SE, SAID CURVE HAVING A RADIUS OF 260.09 FEET (RECORDED AS 260.00 FEET) AND A CENTRAL ANGLE OF 2°46'27"; THENCE ALONG

SAID CURVING RIGHT-OF-WAY 12.59 FEET TO THE LEFT HAVING A CHORD S31°44'17"W, 12.59 FEET; THENCE N57°53'31"W; 181.69 FEET TO SAID NORTHWESTERLY LINE OF HAZEL MARIE TOWNHOMES PLAT 2; THENCE N43°14'30"E; 15.29 FEET TO THE POINT OF BEGINNING.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Easement Vacation Plat for RMS is hereby approved as presented.

Passed this 23<sup>rd</sup> day of March, 2020,

By: \_\_\_\_\_  
Curt Sullivan, Mayor

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

\_\_\_\_\_  
Shelby Hagan, City Clerk

Name	Yay	Nay	Abstain	Absent
Enos				
Cox				
McKenzie				
Elrod				
Peffer				

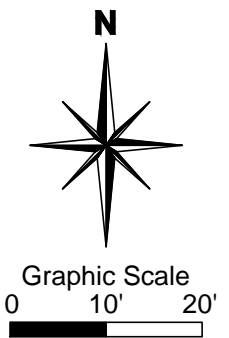
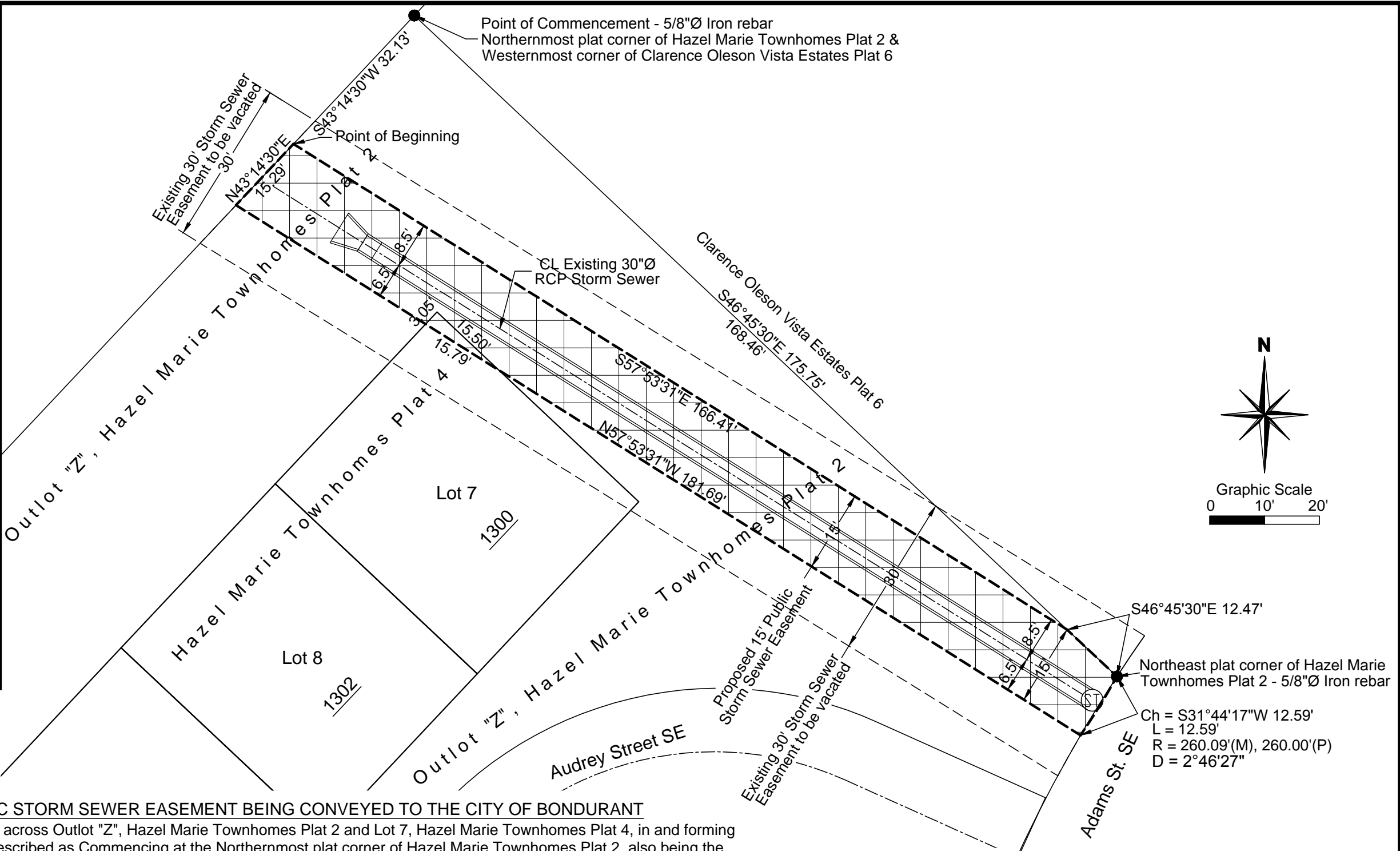
**Index Legend**

Type...: Easement Plat - 15' Storm Sewer Easement  
 Description...: Outlot "Z", Hazel Marie Townhomes Plat 2 & Lot 8, Hazel Marie Townhomes Plat 4  
 Address...: 1300 Audrey Street SE - Bondurant, IA  
 Owner...: H. Marie, L.L.C.  
 Requester...: Jeff Buckley (Lansink Construction, Inc.)  
 Surveyor...: Brian R. Campbell, PE, PLS  
 Return to...: Campbell Engineering & Land Surveying  
 301 NE Trilein Dr. - Suite #1  
 Ankeny, IA 50021  
 515-963-4385  
 info@cesiowa.com

**Recorder Use Only**

**Legend**

CL Centerline  
 (M) Measured Distance  
 (P) Platted Distance  
 RCP Reinforce Concrete Pipe  
 ● Found 5/8"Ø Iron rebar



**LEGAL DESCRIPTION OF 15' PUBLIC STORM SEWER EASEMENT BEING CONVEYED TO THE CITY OF BONDURANT**

A 15 foot wide Public Storm Sewer Easement under and across Outlot "Z", Hazel Marie Townhomes Plat 2 and Lot 7, Hazel Marie Townhomes Plat 4, in and forming a part of the City of Bondurant, Iowa, more particularly described as Commencing at the Northernmost plat corner of Hazel Marie Townhomes Plat 2, also being the Westernmost corner of Clarence Oleson Vista Estates Plat 6; thence S43°14'30"W, 32.13 feet along the Northwesterly line of said Hazel Marie Townhomes Plat 2 to the Point of Beginning; thence S57°53'31"E, 166.41 feet to the Northeasterly line of said Hazel Marie Townhomes Plat 2, said line being the Southwesterly line of said Clarence Oleson Vista Estates Plat 6; thence S46°45'30"E, 12.47 feet to the Northeast corner of said Hazel Marie Townhomes Plat 2, said point lying on a curve on the Northwesterly right-of-way of Adams Street SE, said curve having a radius of 260.09 feet (recorded as 260.00 feet) and a central angle of 2°46'27"; thence along said curving right-of-way 12.59 feet to the left having a chord S31°44'17"W, 12.59 feet; thence N57°53'31"W, 181.69 feet to said Northwesterly line of Hazel Marie Townhomes Plat 2; thence N43°14'30"E, 15.29 feet to the Point of Beginning.

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.

**Campbell Engineering & Surveying**  
 301 NE Trilein Drive, Suite 1  
 Ankeny, Iowa 50021  
 Phone...: (515) 963-4385  
 E-mail...: info@cesiowa.com

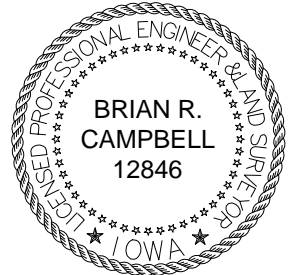
FIELD WORK..:	
DRAWN BY....:	BRC 1/21/2020
CHECKED BY..:	
REVISED BY...:	BRC 2/5/2020
REVISED BY...:	
REVISED BY...:	

**Easement Plat - 15' Public Storm Sewer Easement**

Across part of Outlot "Z", Hazel Marie Townhomes Plat 2 and Lot 7, Hazel Marie Townhomes Plat 4  
 1300 Audrey Street SE - Bondurant, IA 50035

Requested by...: Jeff Buckley - Lansink Construction, Inc.  
 Titleholder.....: H. Marie, L.L.C.

PROJECT #..:	HML2001
FILE #.....:	EP2001
SCALE	SHEET
VERT...:	1
HORIZ.: 1"=20'	Of 1



Signed: \_\_\_\_\_  
 Brian R. Campbell, P.E., P.L.S.

Date: \_\_\_\_\_ Lic. No. \_\_\_\_\_  
 \*My license renewal date is December 31, 2021