

COUNCIL ACTION FORM

SUBJECT: SUNSET RIDGE PROPERTY OWNERS ASSOCIATION DONATION OF PROPERTY

BACKGROUND:

The Sunset Ridge Property Owners Association (POA) has agreed to transfer 1.34 acres of an outlot to the City of Ames for the primary use as a neighborhood park. During the 2017/18 Budget hearings, the City Council committed \$80,000 in the 2018/19 Capital Improvement Program for developing this site as a neighborhood park.

The entire outlot is 1.90 acres, however, 0.56 acres to the north and to the west is a drainage way and the City was not interested in taking on the maintenance of that area. Thus the outlot was divided into two parcels (Parcel A – 1.34 acres and Parcel B – 0.56 acres) and City Council approved the Plat of Survey for this area at its July 9, 2019 meeting. City staff has confirmed that Parcel A is “clean and green” which is the standard the Council has required of previous land donations accepted by the City.

Sunset Ridge residents have been strong advocates for the addition of a park in this growing neighborhood. Parks and Recreation staff has met with residents and created a plan to develop Parcel A into a park. The POA has also been fundraising and securing in-kind contributions to supplement the City’s funding.

All legal documents have been finalized with the POA for the transfer of the property. The POA members have approved the transfer of this property to the City for the primary use as a neighborhood park.

ALTERNATIVES:

1. Accept the donation of 1.34 acres of land on Wilder Avenue from the Sunset Ridge Property Owners Association for the primary use as a neighborhood Park.
2. Do not accept the donation of this land for the primary use as a neighborhood park.

CITY MANAGER’S RECOMMENDED ACTION:

Sunset Ridge is a growing development and will have close to 300 homes when finished. The Property Owner’s Association approached the Parks and Recreation Commission regarding developing a park in the neighborhood and indicated it was

interested in deeding land to the City for this purpose. The Parks and Recreation Master Plan identifies neighborhood park service areas to cover a $\frac{1}{4}$ to $\frac{1}{2}$ mile radius. Using the $\frac{1}{2}$ mile radius, a portion of Sunset Ridge is covered by Daley Park; however, residents would need to cross Lincoln Way without a controlled intersection to get there. For this reason, the Commission could justify adding a neighborhood park in Sunset Ridge.

The City is appreciative of the Sunset Ridge Property Owners Association donating this land to the City for use as a neighborhood park. Likewise, the POA welcomes the addition of a City park to the neighborhood. The property is “clean and green” and ready for development. **Therefore, it is the City Manager’s recommendation that the City Council approve Alternative No.1, as stated above.**

S P A C E A B O V E R E S E R V E D F O R O F F I C I A L U S E

Exemption claimed:Iowa Code § 428A.2(6)

Return document to:City Clerk 515 Clark Avenue, Ames IA 50010

Document prepared by:Victoria A. Feilmeyer, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

Warranty Deed

KNOW ALL PERSONS: Grantor, **Sunset Ridge Property Owners Association**, an Iowa nonprofit corporation, conveys to Grantee, the **City of Ames, Iowa**, an Iowa municipal corporation, for valuable consideration, the Real Property with easements appurtenant and servient estates described as:

[See attached Exhibit 'A' for legal description].

GRANTOR conveys the Real property to the Grantee for primary use as a public park.

GRANTOR WARRANTS to Grantee and successors in interest, subject to existing easements, rights-of-way, restrictive covenants, and applicable governmental regulations, that Grantor: (1) holds title to the Real Property in fee simple; (2) holds the Real Property free and clear of all liens and encumbrances, except as may be above stated; (3) will defend the Real Property against the lawful claims of all others, except as may be stated above; and (4) has good and lawful authority to sell and convey the Real Property.

Dated _____, 2019.

SUNSET RIDGE PROPERTY OWNERS ASSOCIATION

By:

Craig Mack, President

By:

Jody Gatewood, Secretary

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on July _____, 2019, by Craig Mack and Jody Gatewood, as President and Secretary, respectively, of Sunset Ridge Property Owners Association.

NOTARY PUBLIC

Legal Description – Exhibit ‘A’

Parcel A of Outlot ‘H’ of Sunset Ridge Subdivision, Third Addition, Ames, Story County, Iowa, as shown on the Plat of Survey filed in the office of the Recorder of Story County, Iowa, on _____, 2019, and recorded as Instrument 2019-_____, in Slide _____, at Page _____.