

**COUNCIL ACTION FORM**

**SUBJECT: VACATION OF A STORMWATER RETENTION EASEMENT ACROSS PORTIONS OF DAYTON PARK SUBDIVISION**

**BACKGROUND:**

In 1997, as part of the 2<sup>nd</sup> Addition to the Dayton Park Subdivision, a storm sewer, surface water flowage, and surface water storage and retention easement was established over all of what was then referred to as "Outlot X" (17.11 acres). The intent of this stormwater easement was to replace a larger stormwater retention easement that was first established in 1980 and then revised in 1994 before Dayton Park Subdivision was platted and developed.

With the development of the lots within Dayton Park Subdivision, the 1980/1994 stormwater easement has since become an unnecessary encumbrance to developers. **A potential developer of 2635 SE 16<sup>th</sup> Street has requested for this easement to be vacated.** Therefore, since the stormwater retention area has been re-established with the 1997 easement with Dayton Park Subdivision, the 1980/1994 stormwater retention easement can be vacated. This easement was granted solely to the City of Ames, thus there are no other users of this easement.

Attachment A is a map showing the location of the existing 1980/1994 stormwater retention easement proposed to be vacated and the existing Dayton Park Subdivision 2<sup>nd</sup> Addition easement which is to remain.

**ALTERNATIVES:**

1. Set the date of public hearing as May 12, 2020 to approve the vacation of the aforementioned easement.
2. Reconsider the vacation of the aforementioned easement.

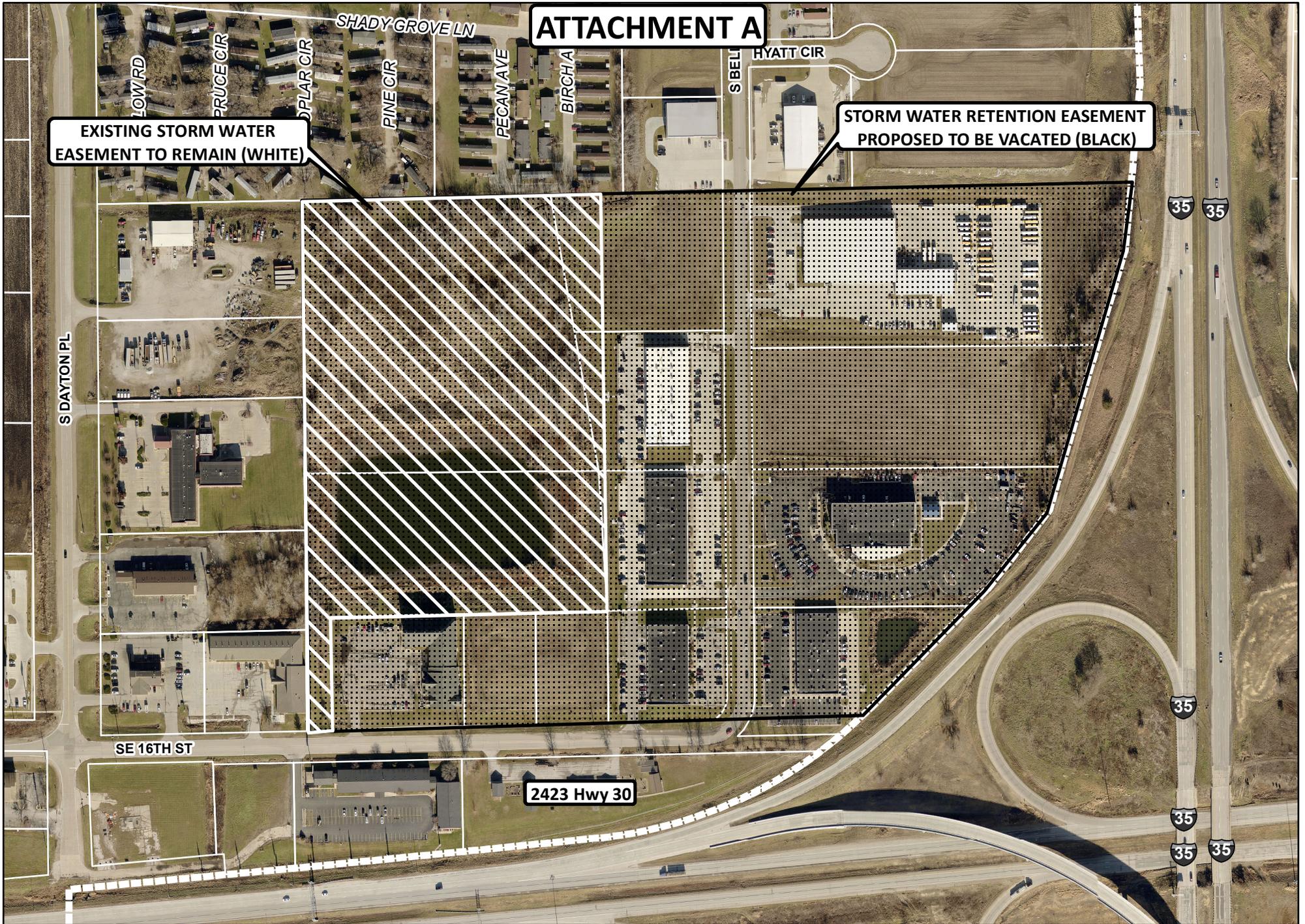
**MANAGER'S RECOMMENDED ACTION:**

The 1980/1994 stormwater easement can be vacated because the stormwater retention area was re-established with the final plat of the 2<sup>nd</sup> Addition to the Dayton Park Subdivision. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.**

# ATTACHMENT A

EXISTING STORM WATER EASEMENT TO REMAIN (WHITE)

STORM WATER RETENTION EASEMENT PROPOSED TO BE VACATED (BLACK)



**LOCATION MAP:**  
**Dayton Park Subdivision**  
**Proposed storm water retention easement vacation**



1 inch = 300 feet  
Date: 4/21/2020