

ITEM #: 15  
DATE: 09-12-23  
DEPT: P&H

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 5517 & 5556 ARRASMITH TRAIL**

**BACKGROUND:**

The subdivision regulations in Chapter 23 of the *Ames Municipal Code* 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 conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 for the consolidation of conveyance parcels and for boundary line adjustments.

**This proposed plat of survey is related to parcels located at 5517 and 5556 Arrasmith Trail outside of Ames but within the 2-mile Urban Fringe Area of Ames** (see Attachment A). The proposal is for a boundary line adjustment between two existing, unplatted parcels to establish Parcels S and T (see Attachment B). Each parcel currently contains one single-family home, and each new parcel will also contain one single-family home. The property is zoned R-1 (Transitional Residential District) by Story County. Both properties have the same owners, who intend live at 5517 and intend to sell 5556 to their daughter and her family (who already live in the existing house). Access to both properties is from Arrasmith Trail.

**The owner proposes adjusting the boundary line so that the property with the house at 5556 is on a smaller parcel.** The 5556 parcel, currently 3.09 acres, will shrink by 2.18 acres and be left with 0.91 acres (0.18 acres are road). The 5517 parcel, currently 3.59 acres, will grow by 2.18 acres to be 5.77 acres (0.38 acres are road). The 2.18 acres to be transferred is undeveloped and wooded. The 5517 parcel currently straddles Arrasmith Trail, which will continue to do. **Both new parcels will meet minimum lot standards.**

The site is within the Fringe Area of Ames and designated as Rural Character and Natural Area. **Adjusting the boundaries of existing parcels in a manner that does not create new developable area is consistent with the policies of the land use designations.**

Approval of this plat of survey 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 Story County Recorder.

**ALTERNATIVES:**

1. Approve the proposed plat of survey.
2. Deny the proposed plat of survey on the basis that the City Council finds that the requirements for plats of survey as described in Section 23.309 have not been satisfied.
3. Refer this request back to staff and/or the owner for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The subject properties were originally part of a referral request earlier this summer to consider a subdivision to create an additional lot. This request was withdrawn in August and the owner then chose to proceed with the boundary line adjustment which does not require City of Ames to waive any subdivision standards. Staff has determined that the proposed plat of survey satisfies all Ames Subdivision Code requirements for a boundary line adjustment of existing lots and has made a preliminary decision of approval.

No conflict exists with the existing Story County residential zoning standards as a result of the boundary line adjustment. Planners with Story County confirm that the plat of survey meets with their requirements.

As rural development, neither site meets urban development standards of the City; however, the boundary line adjustment does not trigger any additional infrastructure improvements per City requirements. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.

## ADDENDUM

### Plat of Survey for 5517 & 5556 Arrasmith Trail

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

- Conveyance parcel (per Section 23.307)
- 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)

#### Site Information:

Owner: Comito Family Revocable Trust  
Robert W & Lynn Comito, Co-Trustees

Existing Street Addresses: 5517 Arrasmith Trail  
5556 Arrasmith Trail

Assessor's Parcel #: 05-23-175-100  
05-23-110-180

#### Legal Description:

See Attachment C.

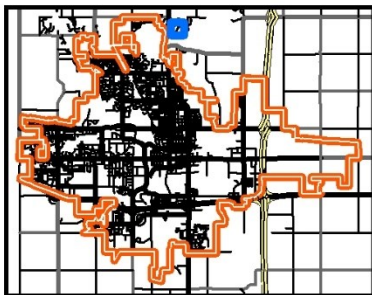
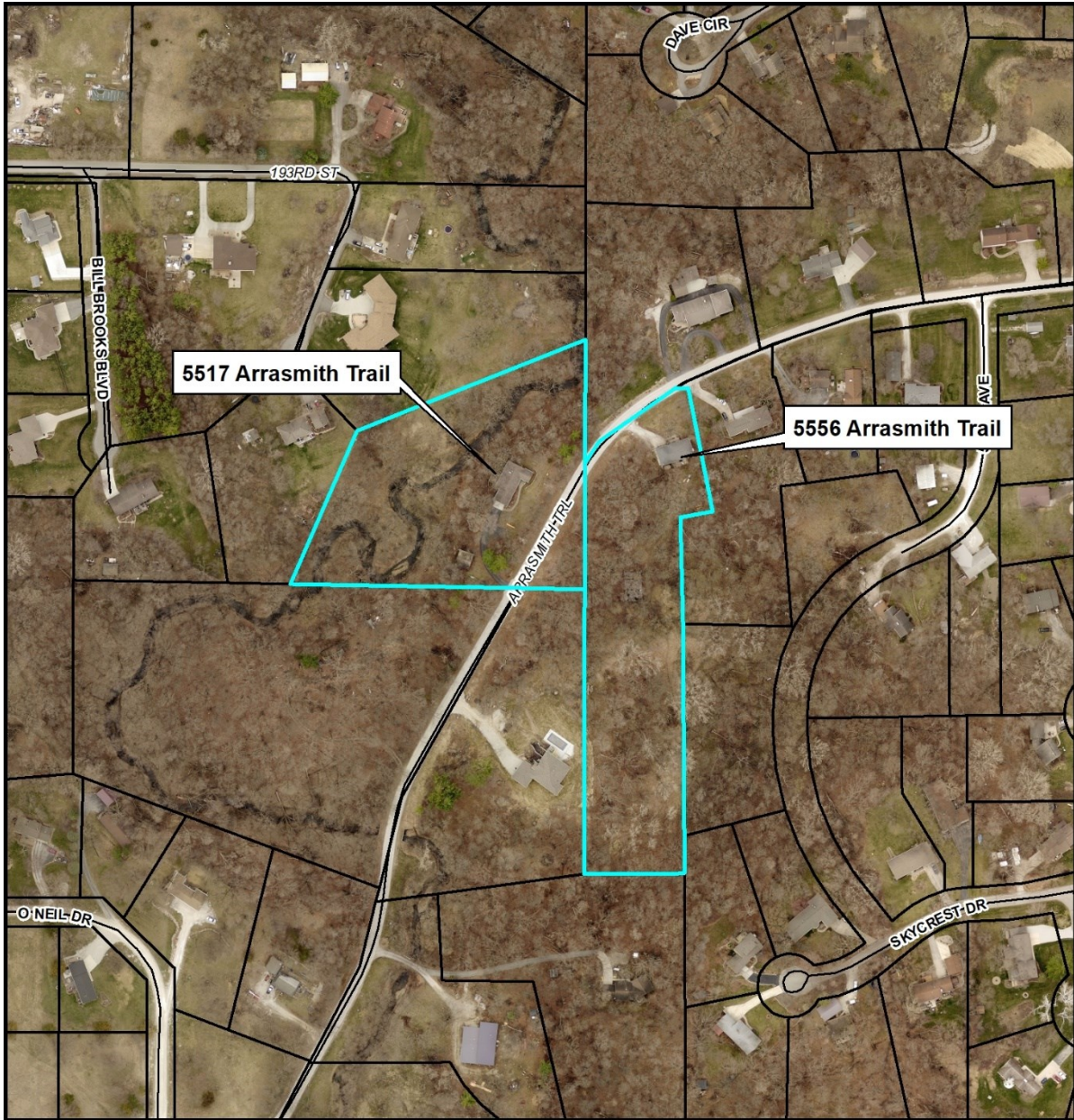
#### Public Improvements:

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:

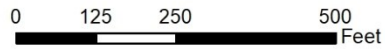
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (No additional improvements are required.)

Note: 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.

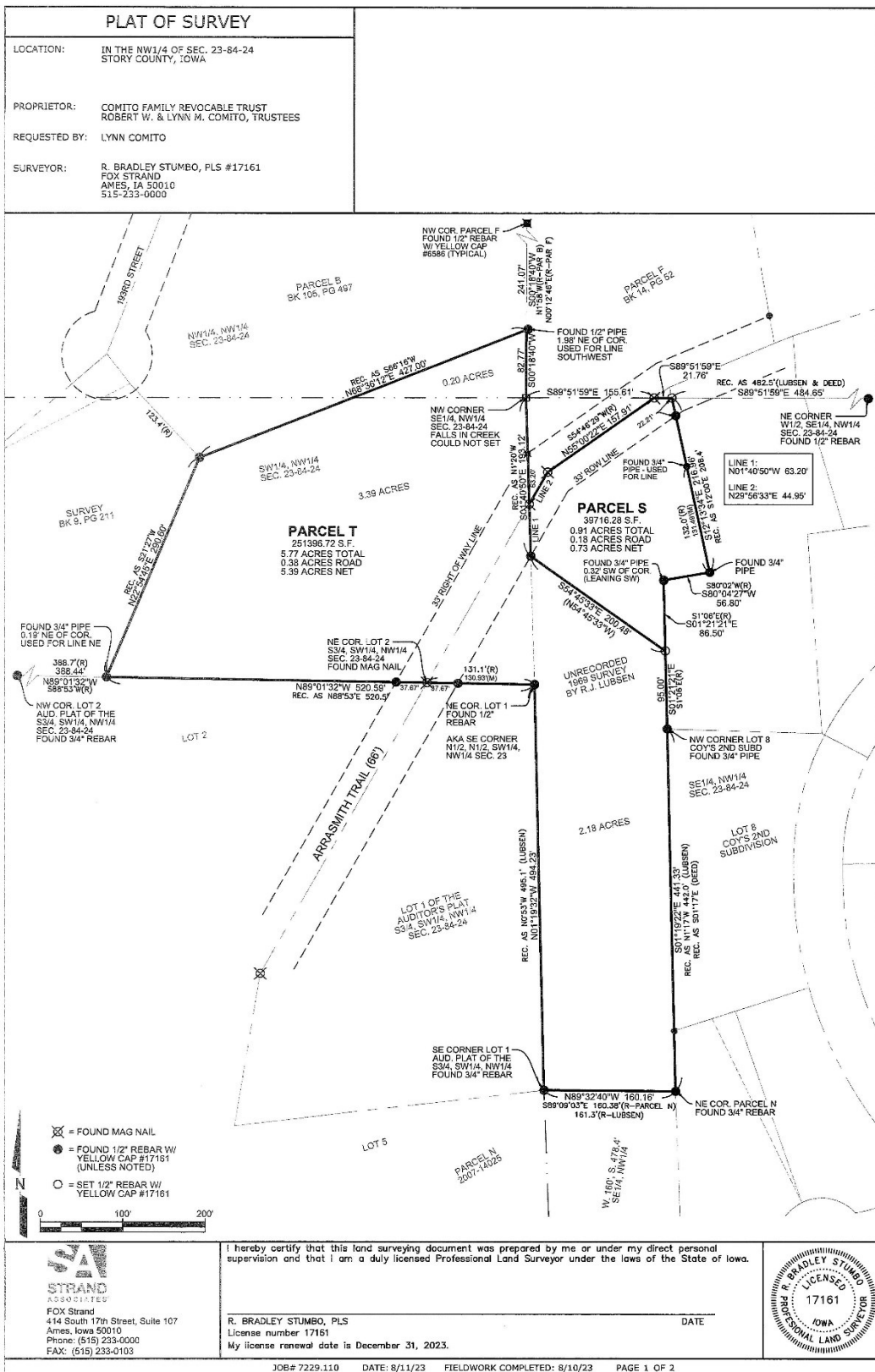
# Attachment A – Location Map



**Location Map  
5517 & 5556 Arrasmith Trail**



# Attachment B – Plat of Survey



Survey Description - Parcel S:

Part of an existing tract in the Southeast Quarter of the Northwest Quarter of Section 23, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, said existing tract as shown on an unrecorded 1969 survey by R.J. Lubsen and described in a Warranty Deed filed at Inst. No. 2019-10602, said part being more particularly described as follows: Commencing at the Northwest Corner of said Southeast Quarter of the Northwest Quarter; thence S89°51'59"E, 155.61 feet along the north line thereof to the centerline of Arrasmith Trail and the point of beginning; thence following the boundary of said existing tract S89°51'59"E, 21.76 feet; thence S12°13'34"E, 216.96 feet; thence S80°04'27"W, 56.80 feet; thence S01°21'21"E, 86.50 feet; thence N54°45'33"W, 200.48 feet to the west line of said existing tract; thence following the boundary thereof N01°40'50"W, 63.20 feet; thence N29°56'33"E, 44.95 feet; thence N55°00'22"E, 157.91 feet to the point of beginning, containing 0.91 acres, which includes 0.18 acres of existing public right of way.

Survey Description - Parcel T:

An existing tract, as described in a Warranty Deed filed at Inst. No. 2020-09093, and part of an existing tract, as shown on an unrecorded 1969 survey by R.J. Lubsen and described in a Warranty Deed filed at Inst. No. 2019-10602, all being located in the West Half of the Northwest Quarter of Section 23, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, and all together being more particularly described as follows: Beginning at the Southeast Corner of the North Half of the North Half of the Southwest Quarter of said Northwest Quarter; thence N89°01'32"W, 520.59 feet along the north line of Lots 1 and 2 in the Auditor's Plat of the South Three Quarters of the Southwest Quarter of said Northwest Quarter; thence N22°54'45"E, 290.60 feet; thence N68°36'12"E, 427.00 feet to the east line of the Northwest Quarter of said Northwest Quarter; thence S00°18'40"W, 82.77 feet to the Southeast Corner thereof; thence S01°40'50"E, 193.12 feet; thence S64°45'33"E, 200.48 feet; thence S01°21'21"E, 95.00 feet; thence S01°19'22"E, 441.33 feet; thence N89°32'40"W, 160.16 feet; thence N01°19'32"W, 494.23 feet to the point of beginning, containing 5.77 acres, which includes 0.38 acres of existing public right of way.

I hereby certify on \_\_\_\_\_ that this Plat of Survey is consistent with Chapter 23 of the Ames Municipal Code and any conditions of approval.

Planning & Housing Director \_\_\_\_\_



FOX Strand  
414 South 17th Street, Suite 107  
Ames, Iowa 50010  
Phone: (515) 233-0000  
FAX: (515) 233-0103

## Attachment C – Legal Descriptions

### Survey Description - Parcel S:

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