CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: October 31, 2016

ITEM: Majestic Oaks Plat of Survey, located at the NW corner of Stagecoach Drive and S95th Street – Subdivide parcel into two for transfer of ownership – Alex Wick – POS-003225-2016

RESOLUTION: Approval and Release of Plat-of-Survey

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Shane Devick of Civil Engineering Consultants on behalf of Alex Wick is requesting approval of a Plat-of-Survey to split a 41 acre parcel into two parcels for the transfer of ownership. Mr. Wick received City Council approval of a Preliminary Plat for the eastern half of this property to create 16 single family residential lots on May 2, 2016.

HISTORY: The property was annexed into the city in 2003 as a part of the Mills Civic Parkway Annexation. In 2013 the Comprehensive Plan was amended to Medium Density Residential as a part of the development efforts for The Woods at Sugar Creek (now called Tiburon) subdivision, located directly north of this project. On February 23, 2015 the City Council approved a Comprehensive Plan Land Use Map to change the land use designation from Medium Density Residential (MD) to Single Family Residential (SF). A Rezoning from 'Unzoned' to Single Family Residential (R-1) was also approved at the same meeting. On May 2, 2016 a Preliminary Plat for a 16 lot single family development was approved for the east 17 acres. On May 16, 2016 the east 17 acres was rezoned from Residential Single Family (R-1) to Planned Unit Development (PUD) to establish the Majestic Oaks PUD to allow for smaller front yard setbacks while increasing the rear yard setback to pull the houses farther away from the creek.

CITY COUNCIL SUBCOMMITTEE: The Majestic Oaks Plat of Survey was presented to Development and Planning City Council Subcommittee on October 17, 2016. The Subcommittee was supportive of the request.

OUTSTANDING ISSUES: There are no outstanding issues. Staff would note the following:

- *Parkland Dedication Requirements:* The east 17 acres (Parcel 17-120 on the proposed Plat of Survey) obtained PUD Zoning (ZC-003047-2016) and Preliminary Plat (PP-002574-2014) approvals on May 2, 2016. As a part of those approvals, it was discussed, and agreed that the parkland dedication required for the east 17 acres would be incorporated into and fulfilled by the west 24 acres (Parcel 17-121 on the proposed Plat of Survey) as the Public trail is planned for the west side of Sugar Creek. This could be done because all 41 acres was under one ownership. With this split and subsequent transfer of ownership, it is important that the additional parkland dedication obligations agreed upon be made known to potential future owners of the western parcel prior to them acquiring the land. A note has been added to the plat-of-survey. In addition, Staff recommends a condition of approval which requires the execution of the Parkland Dedication Agreement for the development of the eastern parcel. It clearly acknowledges and binds the western parcel to fulfill the parkland dedication obligations of the east parcel at such time that the west parcel develops. The Parkland Dedication Agreement will be provided and recorded in conjunction with the recordation of this Plat-of-Survey.

COMPREHENSIVE PLAN CONSISTENCY: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the Plat-of-Survey to split a 41 acre parcel into two for transfer of ownership, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. Prior to recordation of the Plat-of-Survey with the County, the current owner(s) of the 41 acres shall execute the Parkland Dedication Agreement for the eastern 17 acres (anticipated Majestic Oaks

Subdivision) that clearly informs and obligates the western 24 acre parcel (Plat-of-Survey parcel 17-121) to fulfill the Parkland Dedication obligations for the eastern parcel (Plat-of-Survey parcel 17-120). Said Parkland Dedication Agreement shall be recorded in conjunction with the Plat-of-Survey.

2. Prior to a transfer of ownership of the western parcel, the current owner of the western parcel shall inform the purchaser that the parkland dedication requirements for both the western 24 acres and the eastern 17 acres (all 41 acres) shall be provided by the purchaser at time of development of the western 24 acres (Plat-of-Survey parcel 17-121).

3. The approval of this Plat-of-Survey is for the transfer of ownership only: all public improvements, internal infrastructure, legal documents, fees and sureties required of typical development run with the ground and remain the responsibility of the subsequent owner(s).

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	n/a	
Date(s) Published	n/a	
Letter sent to surrounding property owners		n/a

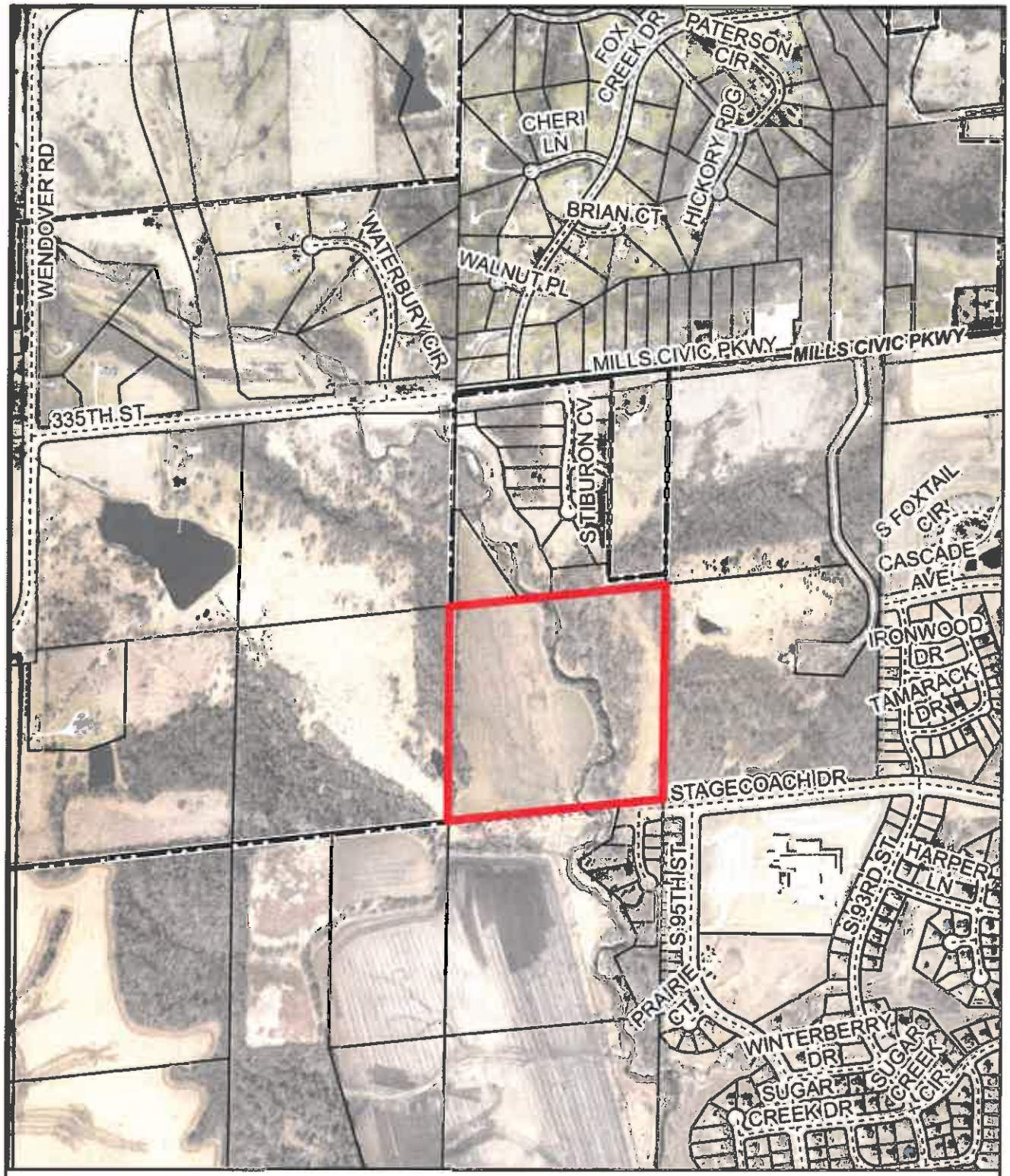
SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 17, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Location Map
Exhibit II - Plat-of-Survey
Exhibit III - Resolution: Approval and Release of Plat-of-Survey
Exhibit A - Conditions of Approval

EXHIBIT I



THE CITY OF West Des Moines.

Majestic Oaks
Plat Of Survey

NOT TO SCALE

EXHIBIT II

PLAT OF SURVEY

PARCEL 17-120 & 17-121, SW1/4 SW1/4, SEC. 15-78-26

WEST DES MOINES, IOWA

RECORDER'S STAMP

INDEX LEGEND					
COUNTY: DALLAS					
	SECTION	TOWNSHIP	RANGE	1/4 1/4	1/4
ALIQUOT PART:	15	78	26	SW1/4	SW1/4
CITY: WEST DES MOINES					
SUBDIVISION: TIBURON					
LOTS:. OUTLOT 'X'					
PROPRIETOR (S):	JOHN ALEX WICK & MEGAN WICK 2615 NW 161ST STREET CLIVE, IA 50325 & ANDY & RUTH ANNE HOLT 2659 BOYD STREET DES MOINES, IA 50317				
REQUESTED BY:	JOHN ALEX WICK & MEGAN WICK 2615 NW 161ST STREET CLIVE, IA 50325				
RETURN TO:	CIVIL ENGINEERING CONSULTANTS, INC ATTN: JEFFREY A. GADDIS 2400 86TH STREET, URBANDALE, IA 50322				

PREPARED FOR:
JOHN ALEX WICK & MEGAN WICK
2615 NW 161ST STREET
CLIVE, IA 503253

LAND SURVEYOR:
CIVIL ENGINEERING CONSULTANTS
ATTN: JEFFREY A. GADDIS, PLS
2400 86TH STREET, SUITE 12
URBANDALE, IA 50322
PHONE: 515-276-4884

PROPERTY OWNER:
JOHN ALEX WICK & MEGAN WICK
2615 NW 161ST STREET
CLIVE, IA 50325

PROPOSED PARCEL 17-120 OWNER:
JOHN ALEX WICK & MEGAN WICK
2615 NW 161ST STREET
CLIVE, IA 50325

PROPOSED PARCEL 17-121 OWNER:
ANDY & RUTH ANNE HOLT
2659 BOYD STREET
DES MOINES, IA 50317

DRAWING INDEX

SHEET NUMBER	SHEET TITLE
1	COVER
2	LEGAL DESCRIPTIONS & NOTES
3	PLAT OF SURVEY

BASIS OF BEARINGS:

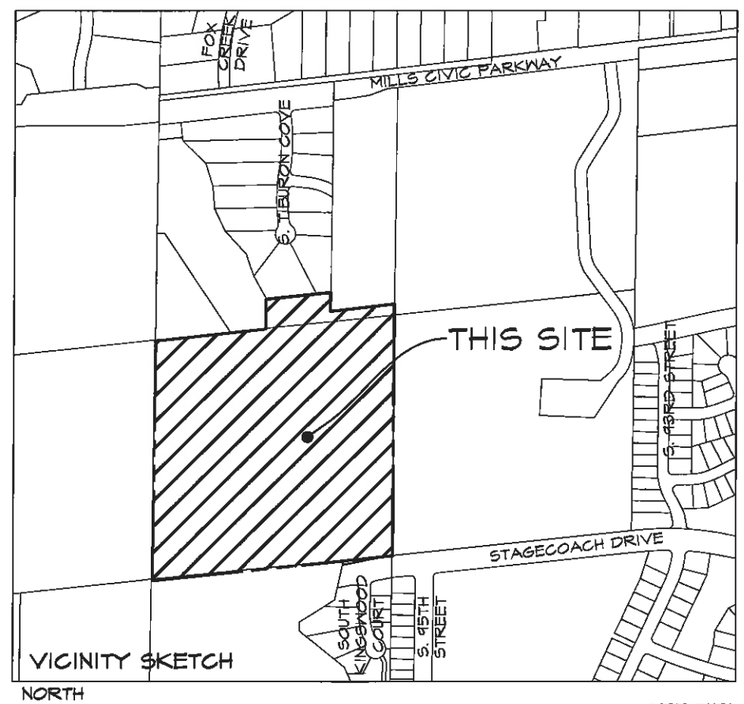
THE BEARINGS SHOWN ON THIS PLAT OF SURVEY ARE BASED ON THE SOUTH LINE OF SW1/4 SW1/4, SECTION 15-78-26 HAVING A BEARING ASSUMED AS N83°59'46"E.

PURPOSE OF SURVEY:

THIS SURVEY IS BEING PREPARED TO CREATE TWO PARCELS FOR THE TRANSFER OF THE PROPERTY.

LEGEND

▲	FOUND SECTION CORNERS
●	FOUND CORNERS (5/8" I.R. W/BLUE CAP #18381 UNLESS OTHERWISE NOTED)
⊙	SET PROPERTY CORNER (5/8" I.R. W/BLUE CAP #18381 UNLESS OTHERWISE NOTED)
	PLAT OF SURVEY BOUNDARY LINES
	PARCEL LINES
	SECTION LINES
	EXISTING PROPERTY LINES
	F.E.M.A. FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE 'A'
	EASEMENT LINES
	CENTERLINE STREET
D.	DEEDED BEARING & DISTANCE
P.	PREVIOUSLY RECORDED BEARING & DISTANCE
M.	MEASURED BEARING & DISTANCE
I.R.	IRON ROD
I.P.	IRON PIPE
BK. XXX, PG. XXX	COUNTY RECORDER'S INDEXING BOOK
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING



LEGAL DESCRIPTION: ORIGINAL

CORRECTED WARRANTY DEED
BOOK 2016, PAGE 16544

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND OUTLOT 'X' IN TIBURON, AN OFFICIAL PLAT, NOW INCLUDED IN FORMING A PART OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

LEGAL DESCRIPTION: PARCELS

SEE SHEET #2

LAND AREA

PARCEL 17-120		
OUTLOT 'X', TIBURON	1.80	ACRES
SW1/4 SW1/4	15.19	ACRES
	16.99	ACRES
PARCEL 17-121		
SW1/4 SW1/4	24.03	ACRES
TOTAL	41.02	ACRES

CERTIFICATION

PROFESSIONAL LAND SURVEYOR
JEFFREY A. GADDIS
18381
IOWA

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED AND THE SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF IOWA.

Oct. 11, 2016
MY LICENSE NO. 18381 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1 - #

PRELIMINARY
NOT FOR LEGAL DOCUMENTS

Civil Engineering Consultants, Inc.
2400 86th Street . Unit 12 . Des Moines, Iowa 50322
515.276.4884 . Fax: 515.276.7084 . mail@ceciac.com
CEC

DATE:	Oct. 11, 2016
3RD SUBMITTAL	-
2ND SUBMITTAL	OCT. 11, 2016
1ST SUBMITTAL	SEP. 13, 2016
DATE OF SURVEY:	Sep. 12, 2016
DESIGNED BY:	JAG
DRAWN BY:	JAG

PLAT OF SURVEY
PARCEL 17-120 & 17-121, SW1/4 SW1/4, SEC. 15-78-26
WEST DES MOINES, IOWA

COVER

SHEET 1 OF 3

E-7618

PLOT BY : JEFF GADDIS q:\S-FILES\S-TOOD\E7618_JGA drawings\P7618TB.dwg PLAT OF SURVEY COVER.dwg ANSI EXPAND B (17.00 X 11.00 INCHES) 2016-10-11 in AUTOCAD FOR GENERAL DOCUMENTATION.PC3

PLAT OF SURVEY

PARCEL 17-120 & 17-121, SW1/4 SW1/4, SEC. 15-78-26
WEST DES MOINES, IOWA

COMPREHENSIVE PLAN LAND USE

SINGLE FAMILY RESIDENTIAL
&
MEDIUM DENSITY RESIDENTIAL

ZONING DISTRICT

R-1 : SINGLE FAMILY RESIDENTIAL - EAST OF ℄ SUGAR CREEK

UNZONED - WEST OF SUGAR CREEK

FEMA FLOOD INSURANCE RATE MAP DESIGNATION

THE SUBJECT PROPERTY IS WITHIN ZONE 'A' & 'X' AS DESIGNATED BY FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 19023100 12C REVISED ON FEBURARY 16, 2006.

NOTES:

1. THE UNADJUSTED ERROR OF CLOSURE IS NOT GREATER THAN 1:10000 FOR SUBDIVISION BOUNDARIES AND IS NOT GREATER THAN 1:5000 FOR INDIVIDUAL LOTS.
2. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR.
3. MONUMENTS TO BE SET WITHIN THIRTY DAYS OF THE PLAT OF SURVEY RECORDING DATE.
4. PARCEL'S 17-120 & 17-121 ARE FOR THE TRANSFER OF PROPERTY ONLY. THESE PARCELS ARE UNBUILDABLE UNTIL THE PROPERTIES HAVE BEEN REPLATTED MEETING THE CITY OF WEST DES MOINES PRELIMINARY AND FINAL PLAT REQUIREMENTS.
5. PARKLAND DEDICATION REQUIREMENT FOR PARCEL'S 17-120 & 17-121 WILL BE PROVIDED BY AND LOCATED ON PARCEL 17-121 AS OUTLINED ON THE PARKLAND DEDICATION AGREEMENT PREPARED BY THE CITY OF WEST DES MOINES AND EXECUTED BY ANDY HOLT ON AUGUST 30, 2016.

LEGAL DESCRIPTIONS:

PARCEL 17-120

OUTLOT 'X' OF TIBURON, AN OFFICIAL PLAT RECORDED IN BOOK 2014, PAGE 5707 AT THE DALLAS COUNTY RECORDER'S OFFICE, AND A PARCEL OF LAND IN THE SW1/4 SW1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID SW1/4 SW1/4, SAID NE CORNER ALSO BEING THE SE CORNER OF SAID OUTLOT 'X'; THENCE S00°12'04"W, 1314.22 FEET ALONG THE EAST LINE OF SAID SW1/4 SW1/4 TO THE SE CORNER OF SAID SW1/4 SW1/4, SAID SE CORNER ALSO BEING THE NE CORNER OF KING'S LANDING PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2015, PAGE 13411 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE S83°59'46"W, 384.86 FEET ALONG THE SOUTH LINE OF SAID SW1/4 SW1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF SAID KING'S LANDING, TO A POINT; THENCE N83°28'45"W, 96.67 FEET TO A POINT; THENCE N53°09'58"W, 65.27 FEET TO A POINT; THENCE N14°05'42"W, 31.75 FEET TO A POINT; THENCE N42°25'18"E, 80.78 FEET TO A POINT; THENCE N22°46'31"E, 51.52 FEET TO A POINT; THENCE N31°21'13"E, 83.02 FEET TO A POINT; THENCE N70°05'28"E, 92.77 FEET TO A POINT; THENCE N32°55'08"E, 48.01 FEET TO A POINT; THENCE N14°59'27"E, 41.77 FEET TO A POINT; THENCE N29°07'47"W, 65.31 FEET TO A POINT; THENCE N15°19'52"W, 208.81 FEET TO A POINT; THENCE N11°08'55"W, 102.56 FEET TO A POINT; THENCE N36°07'20"W, 54.54 FEET TO A POINT; THENCE N84°48'52"W, 108.64 FEET TO A POINT; THENCE N75°40'50"W, 73.63 FEET TO A POINT; THENCE N35°12'35"W, 82.79 FEET TO A POINT; THENCE N06°20'06"W, 76.12 FEET TO A POINT; THENCE N14°40'23"E, 82.44 FEET TO A POINT; THENCE N03°23'37"E, 64.09 FEET TO A POINT; THENCE N09°50'39"W, 79.55 FEET TO A POINT; THENCE N16°31'21"W, 116.49 FEET TO THE SW CORNER OF SAID OUTLOT 'X', SAID SW CORNER ALSO BEING ON THE NORTH LINE OF SAID SW1/4 SW1/4; THENCE N00°38'03"E, 163.14 FEET ALONG THE WEST LINE OF SAID OUTLOT'X' TO THE NW CORNER OF SAID OUTLOT 'X'; THENCE N83°51'55"E, 352.46 FEET ALONG THE NORTH LINE OF SAID OUTLOT 'X' TO A POINT; THENCE S00°38'03"W, 103.20 FEET ALONG SAID NORTH LINE TO A POINT; THENCE N83°27'22"E, 350.20 FEET ALONG SAID NORTH LINE TO THE NE CORNER OF SAID OUTLOT 'X', SAID NE CORNER ALSO BEING ON THE EAST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 15; THENCE S00°38'03"W, 62.45 FEET ALONG THE EAST LINE OF SAID OUTLOT 'X' AND SAID NW1/4 SW1/4 TO THE POINT OF BEGINNING AND CONTAINING 16.99 ACRES.

PARCEL 17-121

A PARCEL OF LAND IN THE SW1/4 SW1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID SW1/4 SW1/4; THENCE N00°35'58"E, 1312.24 FEET ALONG THE WEST LINE OF SAID SW1/4 SW1/4 TO THE NW CORNER OF SAID SW1/4 SW1/4, SAID NW CORNER ALSO BEING THE SE CORNER OF TIBURON, AN OFFICIAL PLAT RECORDED IN BOOK 2014, PAGE 5707 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE N83°51'55"E, 602.42 FEET ALONG THE NORTH LINE OF SAID SW1/4 SW1/4, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID TIBURON, TO THE SW CORNER OF OUTLOT 'X' OF SAID TIBURON; THENCE S16°31'21"E, 116.49 FEET; THENCE S09°50'39"E, 79.55 FEET; THENCE S03°23'37"W, 64.09 FEET; THENCE S14°40'23"W, 82.44 FEET; THENCE S06°20'06"E, 76.12 FEET; THENCE S35°12'35"E, 82.79 FEET; THENCE S75°40'50"E, 73.63 FEET; THENCE S84°48'52"E, 108.64 FEET; THENCE S36°07'20"E, 54.54 FEET; THENCE S11°08'55"E, 102.56 FEET; THENCE S15°19'52"E, 208.81 FEET; THENCE S29°07'47"E, 65.31 FEET; THENCE S14°59'27"W, 41.77 FEET; THENCE S32°55'08"W, 48.01 FEET; THENCE S70°05'28"W, 92.77 FEET; THENCE S31°21'13"W, 83.02 FEET; THENCE S22°46'31"W, 51.52 FEET; THENCE S42°25'18"W, 80.78 FEET; THENCE S14°05'42"E, 31.75 FEET; THENCE S53°09'58"E, 65.27 FEET; THENCE S83°28'45"E, 96.67 FEET TO A POINT ON THE SOUTH LINE OF SAID SW1/4 SW1/4; THENCE S83°54'46"W, 928.75 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 24.03 ACRES MORE OR LESS.

CEC
Civil Engineering Consultants, Inc.
2400 86th Street . Unit 12 . Des Moines, Iowa 50322
515.276.4884 . Fax: 515.276.7084 . mail@cecinc.com

DATE:	Oct. 11, 2016
3RD SUBMITTAL	-
2ND SUBMITTAL	OCT. 11, 2016
1ST SUBMITTAL	SEP. 13, 2016
DATE OF SURVEY:	Sep. 12, 2016
DESIGNED BY:	JAG
DRAWN BY:	JAG

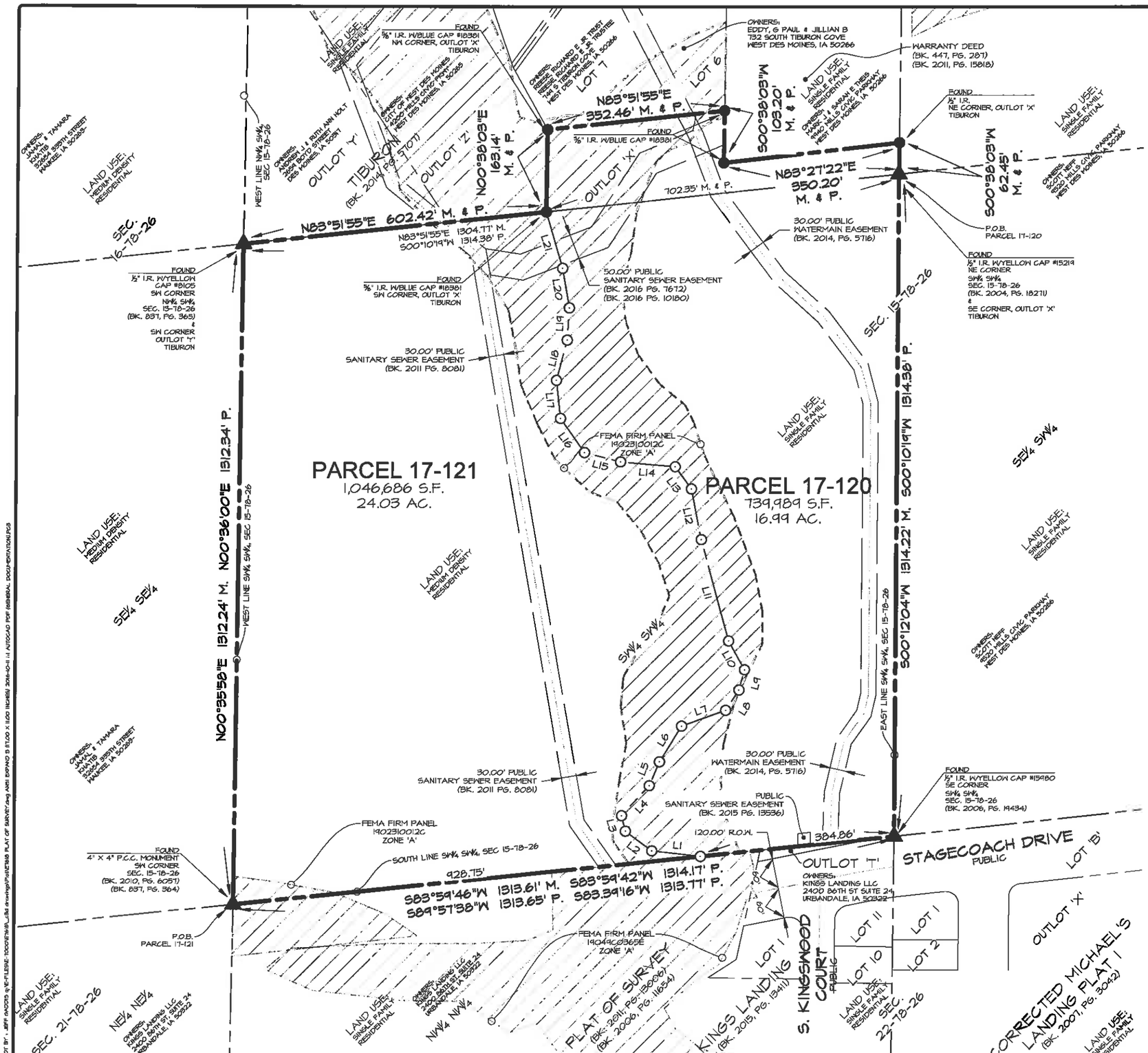
PLAT OF SURVEY
PARCEL 17-120 & 17-121, SW1/4 SW1/4, SEC. 15-78-26
WEST DES MOINES, IOWA

LEGAL DESCRIPTIONS & NOTES

SHEET 2 OF 3

E-7618

PLOT BY: JEFF GAUDIS G:\E-FILES\E-7000\E7618_C3d drawings\PlatofSurvey\E7618 PLAT OF SURVEY COVER.dwg AND EXPAND B (11.00 X 17.00 INCHES) 2016-10-11 11:11 AUTOCAD FOR GENERAL DOCUMENTATION.PC3



LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N83°28'45"W	96.67'
L2	N53°09'58"W	65.27'
L3	N14°05'42"W	31.75'
L4	N42°25'18"E	80.78'
L5	N22°46'31"E	51.52'
L6	N31°21'13"E	83.02'
L7	N70°05'28"E	92.77'
L8	N32°55'08"E	48.01'
L9	N14°59'27"E	41.77'
L10	N29°07'47"W	65.31'
L11	N15°19'52"W	208.81'
L12	N11°08'55"W	102.56'
L13	N36°07'20"W	54.54'
L14	N84°48'52"W	108.64'
L15	N75°40'50"W	73.63'
L16	N35°12'35"W	82.79'
L17	N06°20'06"W	76.12'
L18	N14°40'23"E	82.44'
L19	N03°23'37"E	64.09'
L20	N09°50'39"W	79.55'
L21	N16°31'21"W	116.49'

Civil Engineering Consultants, Inc.
2400 86th Street . Unit 12 . Des Moines, Iowa 50322
515.276.4884 . Fax: 515.276.7084 . mail@ceclac.com
CEC

DATE:	OCT. 11, 2016
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PLAT OF SURVEY
PARCEL 17-120 & 17-121, SW1/4 SW1/4, SEC. 15-78-26
WEST DES MOINES, IOWA

PLAT OF SURVEY

SHEET 3 OF 3

E-7618

PLOT BY: JEFF GACOTS q:\C-FILES\E-7000\E7618_Bd drawings\PLAT\E7618 PLAT OF SURVEY.dwg ANSI B(24.00 X 11.00 INCHES) 2016-10-11 AUTOCAD PDF (GEOSPATIAL DOCUMENTATION).PC3

Prepared by: J. Bradley Munford City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620. When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING AND RELEASING THE MAJESTIC OAKS PLAT-OF-SURVEY (POS-003225-2016) FOR THE PURPOSE OF DIVIDING A 41 ACRE PARCEL INTO TWO PARCELS FOR TRANSFER OF OWNERSHIP.

WHEREAS, pursuant to the provisions of Title 10, Subdivision Regulations and Title 9, Zoning Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, John Wick has requested approval for a Plat-of-Survey (POS-003225-2016) for property located at Northwest corner of Stagecoach Drive and S95th Street to divide a 41 acre parcel into two parcels for transfer of ownership;

Legal Description

OUTLOT 'X' OF TIBURON, AN OFFICIAL PLAT RECORDED IN BOOK 2014, PAGE 5707 AT THE DALLAS COUNTY RECORDER'S OFFICE, AND A PARCEL OF LAND IN THE SW1/4 SW1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID SW1/4 SW1/4, SAID NE CORNER ALSO BEING THE SE CORNER OF SAID OUTLOT 'X';

THENCE S00°12'04"W, 1314.22 FEET ALONG THE EAST LINE OF SAID SW1/4 SW1/4 TO THE SE CORNER OF SAID SW1/4 SW1/4, SAID SE CORNER ALSO BEING THE NE CORNER OF KING'S LANDING PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2015, PAGE 13411 AT THE DALLAS COUNTY RECORDER'S OFFICE;

THENCE S83°59'46"W, 384.86 FEET ALONG THE SOUTH LINE OF SAID SW1/4 SW1/4, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF SAID KING'S LANDING, TO A POINT;

THENCE N83°28'45"W, 96.67 FEET TO A POINT;

THENCE N53°09'58"W, 65.27 FEET TO A POINT;

THENCE N14°05'42"W, 31.75 FEET TO A POINT;

THENCE N42°25'18"E, 80.78 FEET TO A POINT;

THENCE N22°46'31"E, 51.52 FEET TO A POINT;

THENCE N31°21'13"E, 83.02 FEET TO A POINT;

THENCE N70°05'28"E, 92.77 FEET TO A POINT;

THENCE N32°55'08"E, 48.01 FEET TO A POINT;

THENCE N14°59'27"E, 41.77 FEET TO A POINT;

THENCE N29°07'47"W, 65.31 FEET TO A POINT;

THENCE N15°19'52"W, 208.81 FEET TO A POINT;

THENCE N11°08'55"W, 102.56 FEET TO A POINT;

THENCE N36°07'20"W, 54.54 FEET TO A POINT;

THENCE N84°48'52"W, 108.64 FEET TO A POINT;

THENCE N75°40'50"W, 73.63 FEET TO A POINT;

THENCE N35°12'35"W, 82.79 FEET TO A POINT;

THENCE N06°20'06"W, 76.12 FEET TO A POINT;

THENCE N14°40'23"E, 82.44 FEET TO A POINT;

THENCE N03°23'37"E, 64.09 FEET TO A POINT;

THENCE N09°50'39"W, 79.55 FEET TO A POINT;

THENCE N16°31'21"W, 116.49 FEET TO THE SW CORNER OF SAID OUTLOT 'X', SAID SW CORNER ALSO BEING ON THE NORTH LINE OF SAID SW1/4 SW1/4;

THENCE N00°38'03"E, 163.14 FEET ALONG THE WEST LINE OF SAID OUTLOT'X' TO THE NW CORNER OF SAID OUTLOT 'X';

THENCE N83°51'55"E, 352.46 FEET ALONG THE NORTH LINE OF SAID OUTLOT 'X' TO A POINT;

THENCE S00°38'03"W, 103.20 FEET ALONG SAID NORTH LINE TO A POINT;

THENCE N83°27'22"E, 350.20 FEET ALONG SAID NORTH LINE TO THE NE CORNER OF SAID OUTLOT 'X', SAID NE CORNER ALSO BEING ON THE EAST LINE OF THE NW1/4 SW1/4 OF SAID SECTION 15;

THENCE S00°38'03"W, 62.45 FEET ALONG THE EAST LINE OF SAID OUTLOT 'X' AND SAID NW1/4 SW1/4 TO THE POINT OF BEGINNING AND CONTAINING 16.99 ACRES

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference;

WHEREAS, on October 31, 2016, this City Council held a duly-noticed meeting to consider the application for Plat-of-Survey (POS-003225-2016) and;

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Plat-of-Survey at their meeting on October 31, 2016, subject to any conditions of approval, and;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings of consistency with the Comprehensive Plan as stated in the staff report, dated

October 31, 2016, or as amended orally at the City Council meeting of October 31, 2016, are adopted.

SECTION 2. Plat-of-Survey, (POS-003225-2016) is approved, subject to compliance with all the conditions in the staff report, dated October 31, 2016, including conditions added at the meeting, if any, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

SECTION 3. This resolution does release the Plat-of-Survey (POS-003225-2016) for recordation. The City Council of West Des Moines directs the City Clerk to release said Plat-of-Survey for recordation in accordance with said City Council approval of the Plat-of-Survey on October 31, 2016 and Roll Call No._____.

CERTIFICATE

I, Ryan T. Jacobson, City Clerk for said City, hereby certify that at a meeting of the City Council of said City of West Des Moines, held on October 31, 2016, among other proceedings, Roll Call No. _____ approved said Plat-of-Survey on October 31, 2016, and released said Plat-of-Survey for recordation.

_____
Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of October, 2016.

_____
Steven K. Gaer
Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT A:
CONDITIONS OF APPROVAL

1. Prior to recordation of the Plat-of-Survey with the County, the current owner(s) of the 41 acres shall execute the Parkland Dedication Agreement for the eastern 17 acres (anticipated Majestic Oaks Subdivision) that clearly informs and obligates the western 24 acre parcel (Plat-of-Survey parcel 17-121) to fulfill the Parkland Dedication obligations for the eastern parcel (Plat-of-Survey parcel 17-120). Said Parkland Dedication Agreement shall be recorded in conjunction with the Plat-of-Survey.

1. Prior to a transfer of ownership of the western parcel, the current owner of the western parcel shall inform the purchaser that the parkland dedication requirements for both the western 24 acres and the eastern 17 acres (all 41 acres) shall be provided by the purchaser at time of development of the western 24 acres (Plat-of-Survey parcel 17-121).

2. The approval of this Plat-of-Survey is for the transfer of ownership only: all public improvements, internal infrastructure, legal documents, fees and sureties required of typical development run with the ground and remain the responsibility of the subsequent owner(s).