CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: July 15, 2019

ITEM: Plat of Survey, Northeast Corner of Veterans Parkway and SE Willow Creek Drive – Combine Parcels for Legal Description Purposes – Hurd Land Company LLC and Hurd Windsor LLC – POS-004389-2019

RESOLUTION: Approval and Release of Plat-of-Survey

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Richard Hurd of Hurd Land Company LLC and Hurd Windsor LLC, requests approval of a Plat-of-Survey to combine lots at the northeast corner of Veterans Parkway and SE Willow Creek Drive to simplify the legal description of the land.

CITY COUNCIL SUBCOMMITTEE: This item was not presented to the Development and Planning City Council Subcommittee.

OUTSTANDING ISSUES: There are no outstanding issues.

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 combine lots, subject to the applicant complying with all applicable City Code requirements.

Lead Staff Member: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	PJS
Agenda Acceptance	

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	N/A		
Date Reviewed			
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

Location Map

Hurd SE Willow Creek Drive Plat of Survey
Northeast Corner of Veterans Parkway and SE Willow Creek Drive

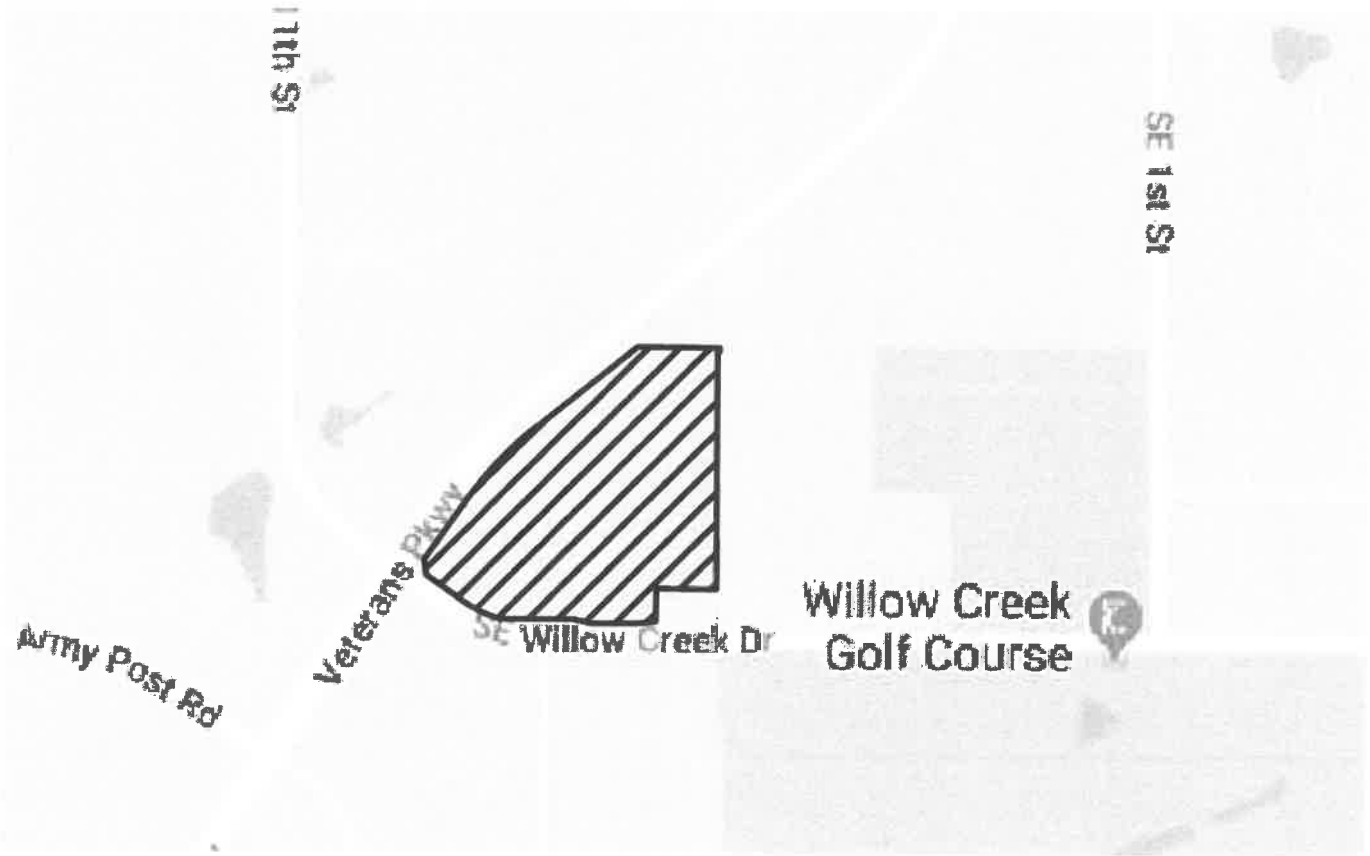


EXHIBIT II

VICINITY MAP
SCALE: 1" = 2,000'

INDEX LEGEND
Location: SW1/4-SW1/4 Section 26-T78N-R25W
SE1/4-SE1/4 SECTION 27-T78N-R25W Polk County, Iowa
Requested By: Richard Hurd
Owner : Hurd Land Company, LLC
Surveyor: Larry D Hyler, PLS
Company: Bishop Engineering, 3501 104th St.
Urbandale, Ia 50322 (Ph) 515-276-0467

OWNER INFORMATION
RICHARD HURD
HURD LAND COMPANY LLC
2009 FULLER ROAD
WEST DES MOINES, IA 50265
(515) 778-1000

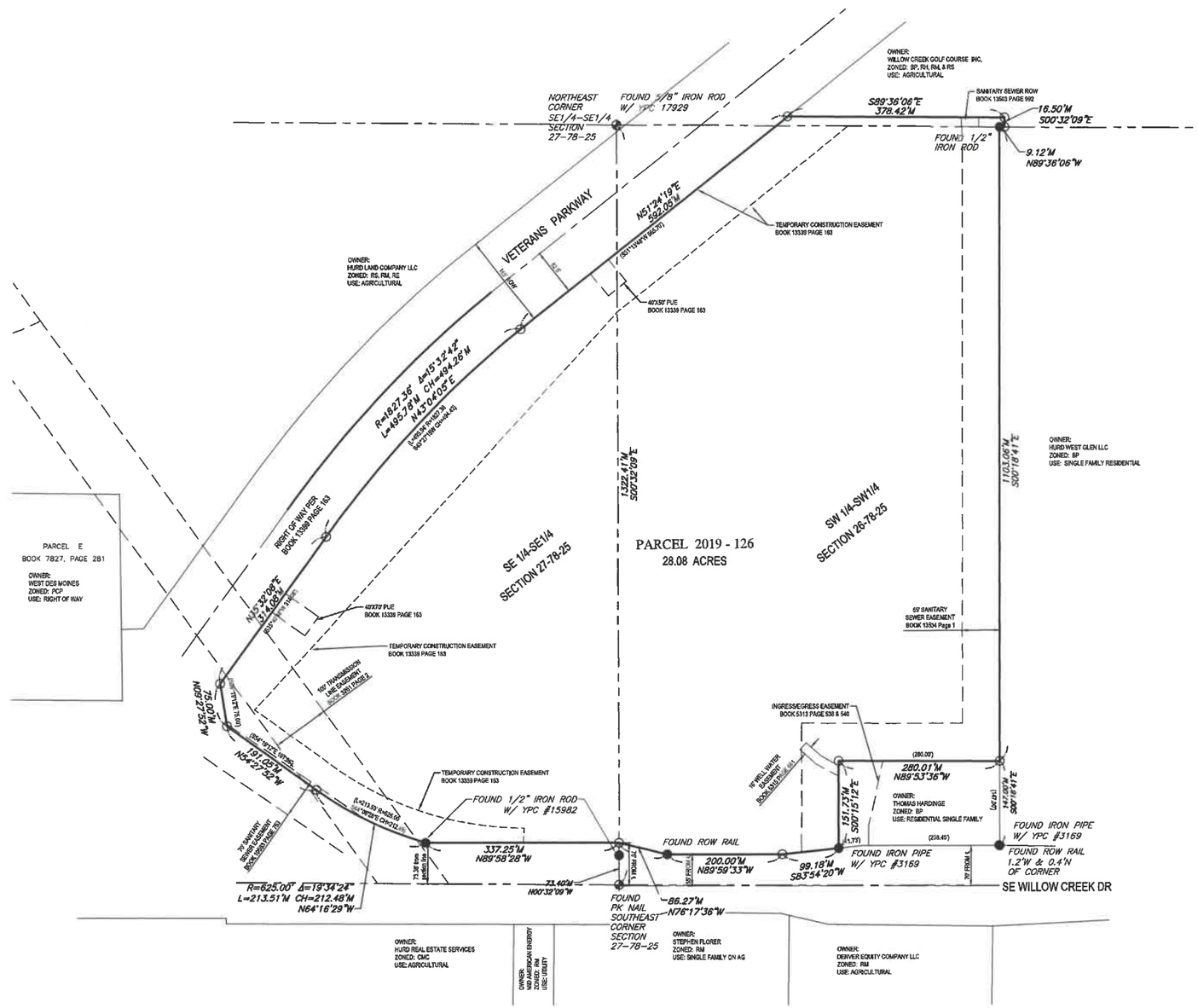
PROPERTY DESCRIPTION PARCEL 2019-126:

AN IRREGULAR SHAPED PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, AND AN IRREGULAR SHAPED PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 26, ALL IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, ALL MORE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE N00°32'09"W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 73.40 FEET TO THE NORTH RIGHT OF WAY LINE OF SE WILLOW CREEK DRIVE AS IT IS PRESENTLY ESTABLISHED; THENCE N89°58'28"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 337.25 FEET; THENCE NORTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE AND ALONG A 625.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 213.51 FEET, SAID CURVE HAVING A CHORD BEARING OF N64°16'29"W AND A CHORD LENGTH OF 212.48 FEET; THENCE N54°27'52"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 191.05 FEET; THENCE N66°27'52"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 75.00 FEET; THENCE N35°32'08"E ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF VETERANS PARKWAY AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 314.08 FEET; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID VETERANS PARKWAY AND ALONG A 1,827.36 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 495.78 FEET, SAID CURVE HAVING A CHORD BEARING OF N45°04'05"E AND A CHORD LENGTH OF 494.26 FEET; THENCE N51°24'19"E ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID VETERANS PARKWAY, A DISTANCE OF 592.05 FEET; THENCE S89°36'06"E PARALLEL WITH AND 16.50 FEET NORTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 378.42 FEET; THENCE S00°32'09"E, A DISTANCE OF 16.50 FEET TO THE NORTH LINE OF LOT 7 IN PLEASANT RIDGE HEIGHTS, AN OFFICIAL PLAT, POLK COUNTY, IOWA; THENCE N89°36'06"W ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 9.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE S00°18'41"E ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 1103.06 FEET; THENCE N89°53'36"W, A DISTANCE OF 280.01 FEET; THENCE S00°15'12"E, A DISTANCE OF 151.73 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE; THENCE S83°54'20"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 99.18 FEET; THENCE N89°59'33"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 200.00 FEET; THENCE N76°17'36"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 86.27 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 28.08 ACRES.

LEGEND:
- ● PROPERTY CORNER - FOUND AS NOTED
- ○ PROPERTY CORNER- PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID # 14775 OR AS NOTED
- SECTION CORNER - FOUND AS NOTED
- M MEASURED DISTANCE
- ( ) PREVIOUSLY RECORDED
- ROW RIGHT OF WAY
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- YPC YELLOW PLASTIC CAP



GRAPHIC SCALE
100 0 50 100
SCALE:1"= 100'

ZONING:
BUSINESS PARK

LAND USE:
AG

NOTES:
1. SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE OPINION. EASEMENTS MAY EXIST THAT ARE NOT SHOWN.
2. BASIS OF BEARING OBTAINED FROM GPS OBSERVATIONS, DATUM = NAD 83, IOWA SOUTH
3. SURVEY IS TO COMBINE PARCELS & CLEAR UP LEGAL DESCRIPTIONS.
4. THE BOUNDARY OF THIS PLAT OF SURVEY HAS AN ERROR OF CLOSURE OF LESS THAN 1' IN 5000'.

FIELD WORK COMPLETED ON: 8-13-2019

LICENSED PROFESSIONAL LAND SURVEYOR LARRY D. HYLER, P.L.S. No. 14775 IOWA

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.

SIGNED: PRELIMINARY DATE:
LARRY D. HYLER, P.L.S. 14775
LICENSE RENEWAL DATE: DEC. 31, 2020
PAGES OR SHEETS COVERED BY THIS SEAL: 1 OF 1

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-0467 Fax: (515)276-0217
Civil Engineering & Land Surveying Established 1959

PARCEL 2019 - 126
WEST DES MOINES, IA

PLAT OF SURVEY

REFERENCE NUMBER:
DRAWN BY: LM
CHECKED BY:
REVISION DATE:
PROJECT NUMBER: 190317
SHEET NUMBER: 1 OF 1

EXHIBIT III

Prepared by: K Tragesser 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 PLAT OF SURVEY (POS-004389-2019) FOR THE PURPOSE OF COMBINING LOTS TO SIMPLIFY LEGAL DESCRIPTIONS

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, Richard Hurd of Hurd Land Company LLC and Hurd Windsor LLC, has requested approval for a Plat of Survey (POS-004389-2019) for property located at northeast corner of Veterans Parkway and SE Willow Creek Drive and legally described as:

PROPERTY DESCRIPTION PARCEL 2019-126:

AN IRREGULAR SHAPED PARCEL OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, AND AN IRREGULAR SHAPED PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 26, ALL IN TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, ALL MORE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE N00°32'09"W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 73.40 FEET TO THE NORTH RIGHT OF WAY LINE OF SE WILLOW CREEK DRIVE AS IT IS PRESENTLY ESTABLISHED; THENCE N89°58'28"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 337.25 FEET; THENCE NORTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE AND ALONG A 625.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 213.51 FEET, SAID CURVE HAVING A CHORD BEARING OF N64°16'29"W AND A CHORD LENGTH OF 212.48 FEET; THENCE N54°27'52"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 191.05 FEET; THENCE N09°27'52"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 75.00 FEET; THENCE N35°32'08"E ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF VETERANS PARKWAY AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 314.08 FEET; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID VETERANS PARKWAY AND ALONG A 1,827.36 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 495.78 FEET, SAID CURVE HAVING A CHORD BEARING OF N43°04'05"E AND A CHORD LENGTH OF 494.26 FEET; THENCE N51°24'19"E ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID VETERANS PARKWAY, A DISTANCE OF 592.05 FEET; THENCE S89°36'06"E PARALLEL WITH AND 16.50 FEET NORTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 378.42 FEET; THENCE S00°32'09"E, A DISTANCE OF 16.50 FEET TO THE NORTH LINE OF LOT 7 IN PLEASANT RIDGE HEIGHTS, AN OFFICIAL PLAT, POLK COUNTY, IOWA; THENCE N89°36'06"W ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 9.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE S00°18'41"E ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 1103.06 FEET; THENCE N89°53'36"W, A DISTANCE OF 280.01 FEET; THENCE S00°15'12"E, A DISTANCE OF 151.73 FEET

TO THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE; THENCE S83°54'20"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 99.18 FEET; THENCE N89°59'33"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 200.00 FEET; THENCE N76°17'36"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID SE WILLOW CREEK DRIVE, A DISTANCE OF 86.27 FEET TO THE POINT OF BEGINNING.

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; and

WHEREAS, on July 15, 2019, this City Council held a duly-noticed meeting to consider the application for Plat-of-Survey (POS-004389-2019) and;

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Plat of Survey at their meeting on July 15, 2019, subject to any conditions of approval.

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 July 15, 2019, or as amended orally at the City Council meeting of July 15, 2019, are adopted.

SECTION 2. Plat of Survey, (POS-004389-2019) is approved, subject to compliance with all the conditions in the staff report, if any, dated July 15, 2019, 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-004389-2019) for recordation, subject to any conditions of approval. 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 July 15, 2019, and Roll Call No._____.

C E R T I F I C A T E

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 July 15, 2019, among other proceedings, Roll Call No. _____approved said Plat of Survey on July 15, 2019, and released said Plat of Survey for recordation.

_____
Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of July 2019.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT A:
CONDITIONS OF APPROVAL

1. None