

**January 29, 2015**

**To: Mayor Bemrich and City Council**  
**From: David Fierke, City Manager**  
**Subject: Acquisition of Right-of-way**  
**East Region Storm Sewer Project**  
**Phases 2 & 3**



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**ACTION: For Vote Monday, February 2, 2015**

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**Brief History**

The plans and specifications for Phase 2 of the East Region Storm Sewer Project have been completed by Snyder and Associates and the design work for Phase 3 has begun.

**Analysis of Issue**

ROW will be needed in order to complete the project.

**Budget Impact**

The following interests in ROW have been negotiated with this property owner for Phases 2 and 3:

Crossroads Mall 1999, LLC

Fee Acquisition – 9,248 s.f. = \$76,500

Temporary Construction Easements – 53,933 s.f. = \$44,500

Permanent Ingress/Egress Easement – 3,121 s.f. = \$12,875

**Strategic Plan Impact**

Policy D.4.2: Advanced planning for all infrastructure facilities shall be supported and routinely updated. Facilities benefited by advanced planning shall include, at minimum, schools, health care, residential areas, roads, water, sewer, storm water management, parks, recreation, and greenways.

**Existing Plan Impact**

Consistent with Capital Improvement Plan and Envision 2030 Plan.

**Subcommittee or Commission Review / Recommendation**

None

**Staff Conclusions / Recommendations**

Staff recommends the approval of the above-listed interests in real estate needed for Phases 2 and 3 of the East Region Storm Sewer Project.

**Alternatives**

The only alternative would be to not acquire the right-of-way and delay the project, but it is not recommended.

**Implementation and Accountability**

If approved, the conveyance documents will be signed with the affected property owner.

Signed



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Vickie L. Reeck,  
Community Development Manager

Approved



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David R. Fierke, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING THE ACQUISITION OF INTERESTS IN REAL  
PROPERTY FOR PHASES 2 AND 3 OF THE  
EAST REGION STORM SEWER PROJECT**

WHEREAS, plans and specifications for Phase 2 of the East Region Storm Sewer Project have been prepared by Snyder and Associates; and,

WHEREAS, design work has begun for Phase 3 of the East Region Storm Sewer Project; and

WHEREAS, the acquisition of interests in real property are needed in order to complete the project; and,

WHEREAS, the following interests in ROW have been negotiated with the property owner:

Crossroads Mall 1999, LLC

Fee Acquisition – 9,248 s.f. = \$76,500

Temporary Construction Easements – 53,933 s.f. = \$44,500

Permanent Ingress/Egress Easement – 3,121 s.f. = \$12,875

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Dodge, Iowa, hereby approve the acquisition of the above-referenced interests in real estate needed for this project.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Other: \_\_\_\_\_

CITY OF FORT DODGE, IOWA

By: \_\_\_\_\_

Matt Bemrich, Mayor

ATTEST:

\_\_\_\_\_  
Jeff Nemmers, City Clerk

PREPARED BY: TERRY COADY, SNYDER & ASSOCIATES, INC., 2727 SW SNYDER BLVD, ANKENY, IA 50023 (515)964-2020

RETURN TO: TERRY COADY, SNYDER & ASSOCIATES, INC., 2727 SW SNYDER BLVD, ANKENY, IA 50023 (515)964-2020

## EASEMENT PLAT

### INGRESS/EGRESS EASEMENT DESCRIPTION:

A PART OF LOT 4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 OF SECTION 21, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 AND BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH 25TH STREET AND 1ST AVENUE SOUTH; THENCE SOUTH 0° 05' 21" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 25TH STREET, 333.42 FEET; THENCE NORTH 89° 47' 57" EAST, 10.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0° 05' 21" EAST, 58.94 FEET; THENCE NORTH 89° 54' 39" EAST, 53.00 FEET; THENCE SOUTH 0° 05' 21" EAST, 58.84 FEET; THENCE SOUTH 89° 47' 57" WEST, 53.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 ACRES (3,121 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

### BASIS OF BEARING

THE WEST LINE OF LOT 4, COUNTY AUDITOR'S SUBDIVISION OF THE SE1/4 OF THE SW1/4 OF SECTION 21-89-20 IS ASSUMED TO BEAR S 00° 05' 21" E

### DATE OF SURVEY

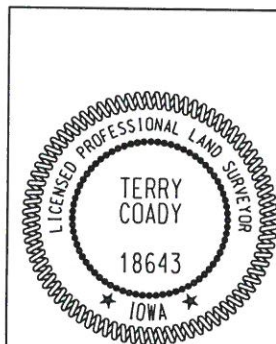
11-28-12

### OWNER

CROSSROADS MALL 1999, LLC

### LEGEND

| Survey   | Found | Set |
|--|-------|-----|
| Section Corner   | ▲     | △   |
| 1/2" Rebar, Yellow Cap # 18643<br>(Unless Otherwise Noted) | ●     | ○   |
| ROW Marker   | ■     | □   |
| ROW Rail   | I     | II  |
| Control Point  | ○ CP  |     |
| Bench Mark   | ⊙     |     |
| Platted Distance   | P     |     |
| Measured Bearing & Distance                                | M     |     |
| Recorded As  | R     |     |
| Deed Distance  | D     |     |
| Calculated Distance  | C     |     |
| Minimum Protection Elevation                               | MPE   |     |
| Centerline   | ----- |     |
| Section Line   | _____ |     |
| 1/4 Section Line   | _____ |     |
| 1/4 1/4 Section Line                                       | _____ |     |
| Easement Line  | ----- |     |



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.

*Terry Coady* 10-20-2014  
Terry Coady, PLS Date

License Number 18643

My License Renewal Date is December 31, 2015

Pages or sheets covered by this seal:

Sheets 1 and 2 of 2

### FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 2

### PARCEL 2 - CROSSROADS MALL 1999, LLC

SHEET 1 OF 2

PN: 1120558

PM: TLC

DATE: 10/16/14

TECH: KRG



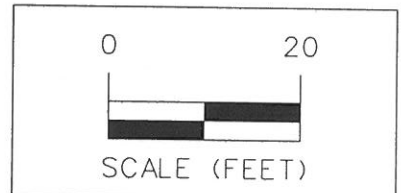
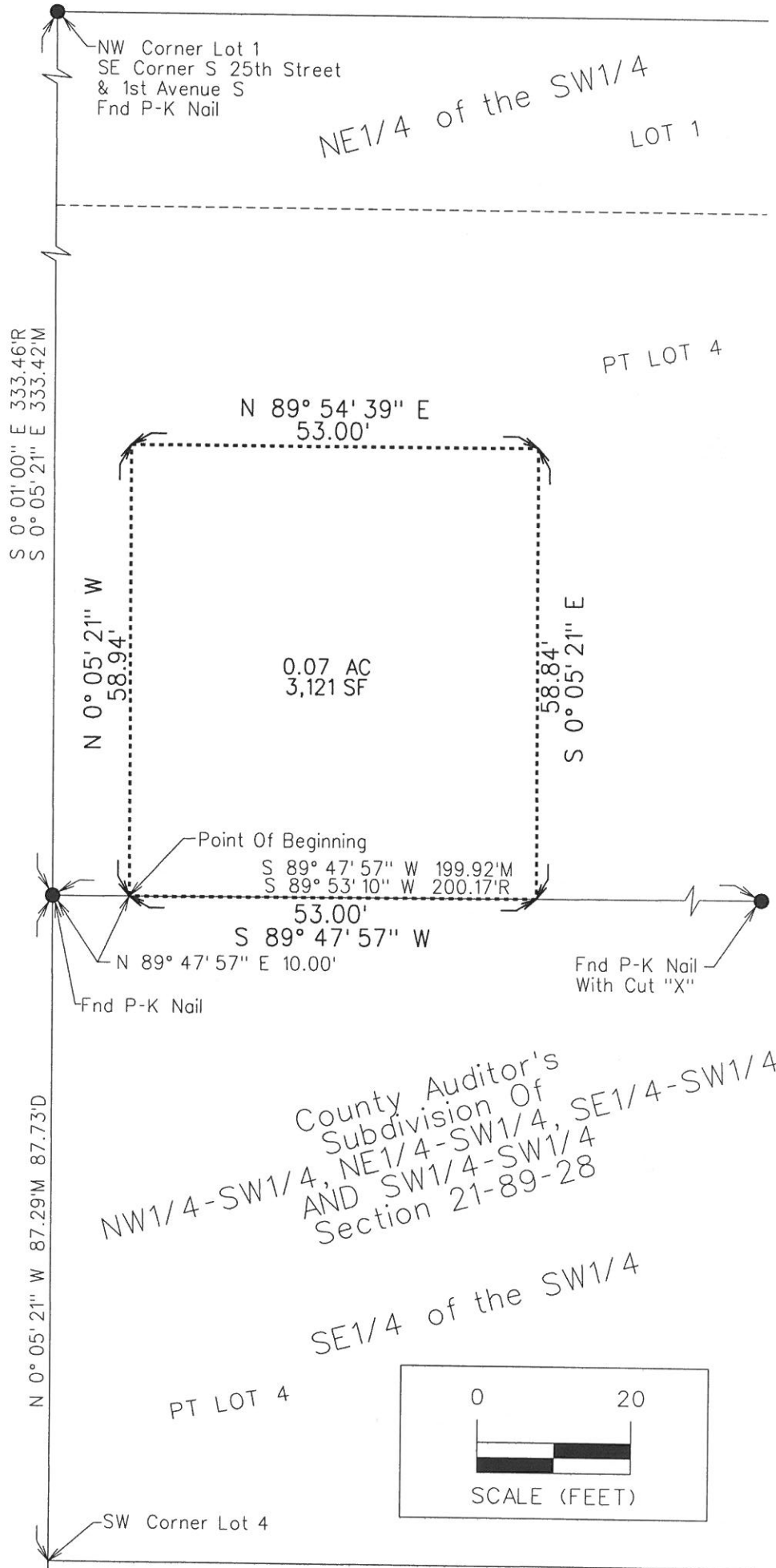
**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

# EASEMENT PLAT

1ST AVENUE SOUTH

S 25TH STREET  
66.00' R.O.W.



|  |  |                |
|--|--|----------------|
| <b>FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 2</b>      |  | SHEET 2 OF 2   |
| <b>PARCEL 2 - CROSSROADS MALL 1999, LLC</b>                    |  | PN: 1120558    |
| <b>SNYDER &amp; ASSOCIATES, INC.</b><br>Engineers and Planners |  | PM: TLC        |
|  |  | DATE: 10/16/14 |
|  |  | TECH: KRG      |
| 2727 S.W. SNYDER BLVD.<br>ANKENY, IA 50023 (515) 964-2020      |  |                |

PREPARED BY: TERRY COADY, SNYDER & ASSOCIATES, INC., 2727 SW SNYDER BLVD, ANKENY, IA 50023 (515)964-2020

RETURN TO: TERRY COADY, SNYDER & ASSOCIATES, INC., 2727 SW SNYDER BLVD, ANKENY, IA 50023 (515)964-2020

## ACQUISITION PLAT

### ACQUISITION DESCRIPTION:

A PART OF LOT 1 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND A PART OF LOT 4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 OF SECTION 21, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 AND BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH 25TH STREET AND 1ST AVENUE SOUTH; THENCE NORTH 89° 55' 45" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID 1ST AVENUE SOUTH, 22.00 FEET; THENCE SOUTH 44° 55' 45" WEST, 16.97 FEET; THENCE SOUTH 00° 05' 21" EAST, 321.40 FEET; THENCE SOUTH 89° 47' 57" WEST, 10.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH 25TH STREET; THENCE NORTH 00° 05' 21" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, 333.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,406 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

### BASIS OF BEARING

THE NORTH LINE OF LOT 1 NE1/4 OF THE SW1/4 OF COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 OF SECTION 21-89-28 IS ASSUMED TO BEAR N89°55' 45"E

### DATE OF SURVEY

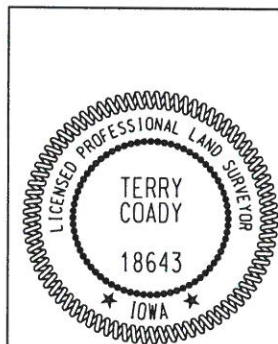
11-28-12

### OWNER

CROSSROADS MALL 1999, LLC.

### LEGEND

| Survey   | Found | Set |
|--|-------|-----|
| Section Corner   | ▲     | △   |
| 1/2" Rebar, Yellow Cap # 18643<br>(Unless Otherwise Noted) | ●     | ○   |
| ROW Marker   | ■     | □   |
| ROW Rail   | ≡     | ≡   |
| Control Point  | ○ CP  |     |
| Bench Mark   | ⊙     |     |
| Platted Distance   | P     |     |
| Measured Bearing & Distance                                | M     |     |
| Recorded As  | R     |     |
| Deed Distance  | D     |     |
| Calculated Distance  | C     |     |
| Minimum Protection Elevation                               | MPE   |     |
| Centerline   | ----- |     |
| Section Line   | ===== |     |
| 1/4 Section Line   | ===== |     |
| 1/4 1/4 Section Line                                       | ===== |     |
| Easement Line  | ----- |     |



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.

*Terry Coady* 10-20-2014  
Terry Coady, PLS Date

License Number 18643

My License Renewal Date is December 31, 2015

Pages or sheets covered by this seal:

Sheets 1 and 2 of 2

## FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 2

### PARCEL 2 - CROSSROADS MALL 1999, LLC.

SHEET 1 OF 2

PN: 1120558

PM: TLC

DATE: 9/03/14

TECH: KRG



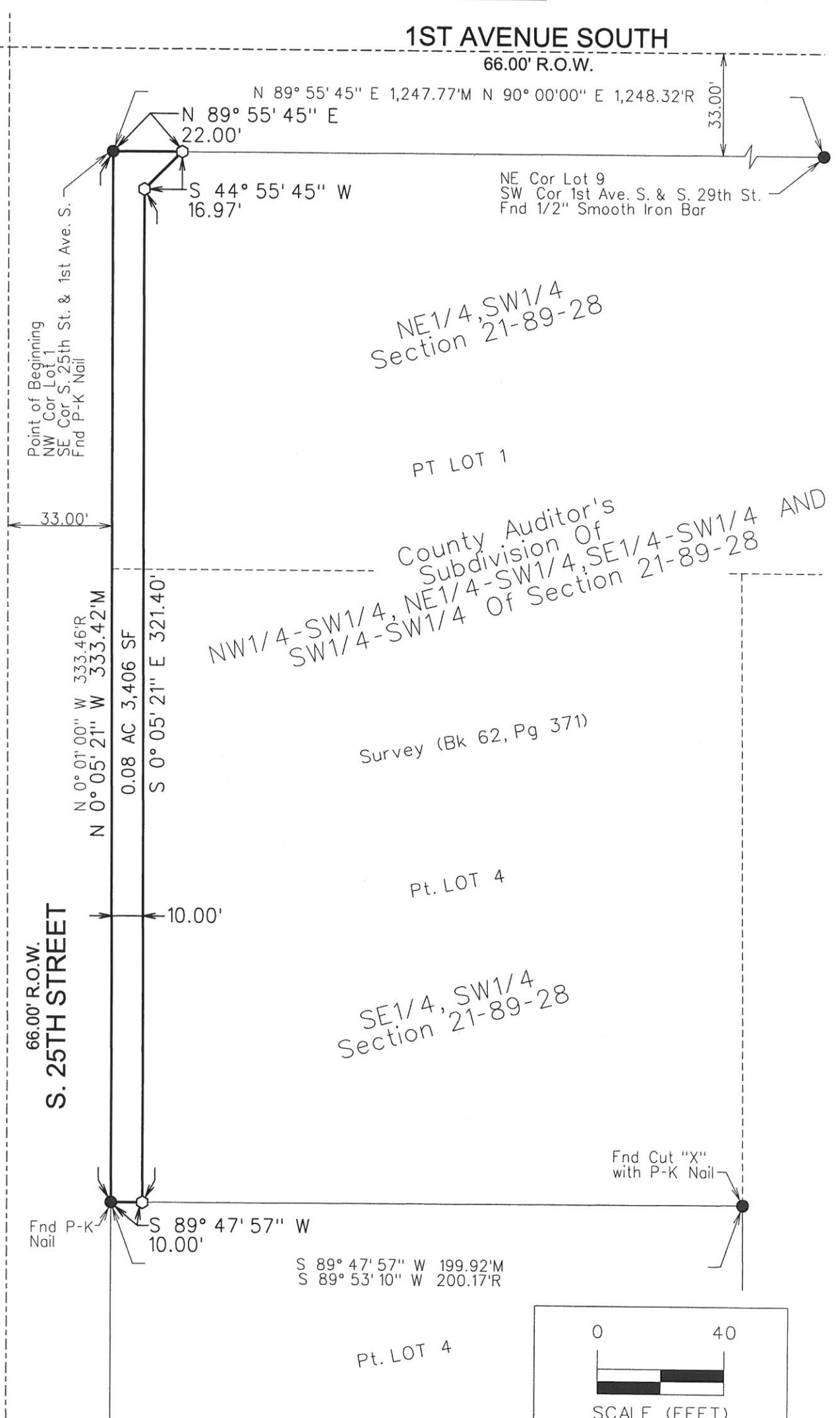
**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

# ACQUISITION PLAT

**1ST AVENUE SOUTH**

66.00' R.O.W.



**FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 2**  
**PARCEL 2 - CROSSROADS MALL 1999, LLC.**

|       |         |
|-------|---------|
| SHEET | 2 OF 2  |
| PN:   | 1120558 |
| PM:   | TLC     |
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RETURN TO: TERRY COADY, SNYDER & ASSOCIATES, INC., 2727 SW SNYDER BLVD, ANKENY, IA 50023 (515)964-2020

## ACQUISITION PLAT

### ACQUISITION DESCRIPTION:

A PART OF LOT 9 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 OF SECTION 21, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9 AND BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF 1ST AVENUE SOUTH AND SOUTH 29TH STREET; THENCE SOUTH 00° 11' 18" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH 29TH STREET, 30.00 FEET; THENCE NORTH 45° 07' 46" WEST, 25.48 FEET; THENCE SOUTH 89° 55' 45" WEST, 455.32 FEET; THENCE NORTH 00° 04' 15" WEST, 12.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 1ST AVENUE SOUTH; THENCE NORTH 89° 55' 45" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 473.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.13 ACRES (5,842 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

### BASIS OF BEARING

THE NORTH LINE OF LOT 9 NE1/4 OF THE SW1/4 OF COUNTY AUDITOR'S SUBDIVISION OF NW1/4-SW1/4, NE1/4-SW1/4, SE1/4-SW1/4 AND SW1/4-SW1/4 OF SECTION 21-89-28 IS ASSUMED TO BEAR N89°55' 45"E

### DATE OF SURVEY

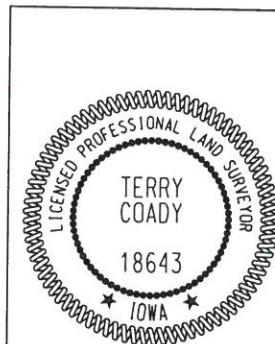
11-28-12

### OWNER

CROSSROADS MALL 1999, LLC.

### LEGEND

| <u>Survey</u>  | <u>Found</u> | <u>Set</u> |
|--|--------------|------------|
| Section Corner   | ▲            | △          |
| 1/2" Rebar, Yellow Cap # 18643<br>(Unless Otherwise Noted) | ●            | ○          |
| ROW Marker   | ■            | □          |
| ROW Rail   | I            | ≡          |
| Control Point  | ○ CP         |            |
| Bench Mark   | ⊙            |            |
| Platted Distance   | P            |            |
| Measured Bearing & Distance                                | M            |            |
| Recorded As  | R            |            |
| Deed Distance  | D            |            |
| Calculated Distance  | C            |            |
| Minimum Protection Elevation                               | MPE          |            |
| Centerline   | -----        |            |
| Section Line   | -----        |            |
| 1/4 Section Line   | -----        |            |
| 1/4 1/4 Section Line                                       | -----        |            |
| Easement Line  | -----        |            |



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.

*Terry Coady* 11-14-2014  
Terry Coady, PLS Date

License Number 18643

My License Renewal Date is December 31, 2015

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Sheets 1 and 2 of 2

## FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 3 PARCEL 2 - CROSSROADS MALL 1999, LLC.



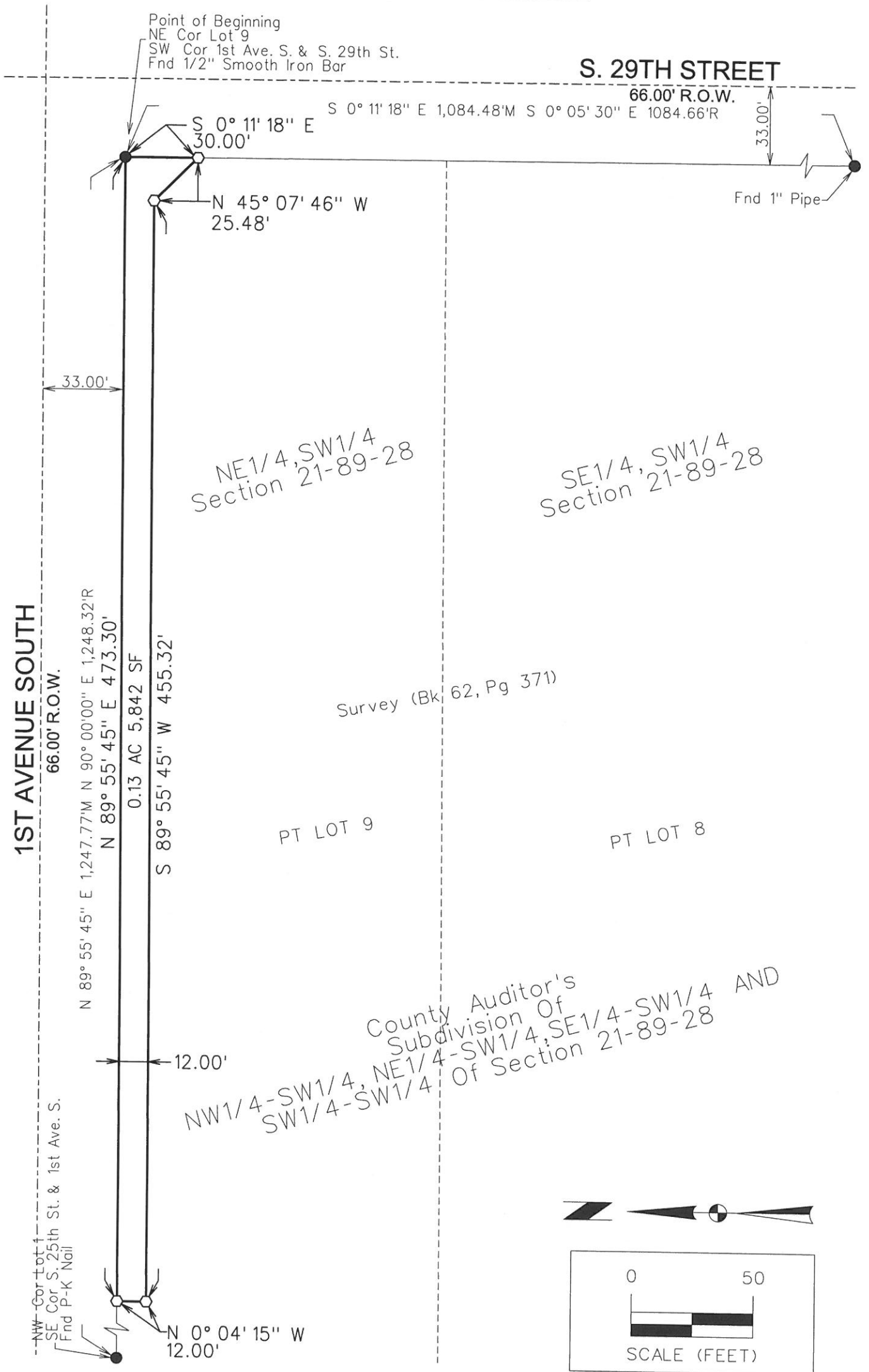
**SNYDER & ASSOCIATES, INC.**  
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|       |         |
|-------|---------|
| SHEET | 1 OF 2  |
| PN:   | 1120558 |
| PM:   | TLC     |
| DATE: | 9/03/14 |
| TECH: | KRG     |



# ACQUISITION PLAT



**FORT DODGE EAST REGION PUBLIC IMPROVEMENTS PHASE 3**  
**PARCEL 2 - CROSSROADS MALL 1999, LLC.**

|       |         |
|-------|---------|
| SHEET | 2 OF 2  |
| PN:   | 1120558 |
| PM:   | TLC     |
| DATE: | 9/03/14 |
| TECH: | KRG     |



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