

**March 17, 2015**

**To: Mayor Bemrich and City Council**

**From: David Fierke, City Manager**

**Subject: Property Disposition**

**A 15' strip of land located between the City's Central Maintenance Facility, 3001 8<sup>th</sup> Avenue South and Northern Lights Distributing, 2949 8<sup>th</sup> Avenue South**



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**ACTION: Set Public Hearing for Monday, April 13, 2015**

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**Brief History**

As part of Phase 1C of the East Region Storm Sewer Project, the City will need to acquire interests in ROW from Garst Properties LC, 2949 8<sup>th</sup> Avenue South. Garst has proposed a property "swap" with the City requesting a 15' strip of land between the City's Central Maintenance Facility at 3001 8<sup>th</sup> Avenue South and the Northern Lights Distributing facility at 2949 8<sup>th</sup> Avenue South. The terms of the property "swap" are spelled out in a Memorandum of Understanding between the City and Garst.

**Analysis of Issue**

Disposing of this property would allow for Garst to expand and enhance the east drive entrance into their facility.

**Budget Impact**

There will be no budget impact from the disposal of this property.

**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**

The disposal of this property is consistent with the Envision 2030 Plan.

**Subcommittee or Commission Review / Recommendation**

None

**Staff Conclusions / Recommendations**

Staff recommends setting a public hearing for Monday, April 13, 2015 to consider the disposition of this property.

**Alternatives**

The only alternative would be to not dispose of this property, which is not recommended.

**Implementation and Accountability**

If this resolution is approved, a public hearing will be held on April 13, 2015. Following public hearing, the Memorandum of Understanding between the City and Garst will become effective.

Signed

Approved



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Vickie L. Reeck  
Community Development Manager

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David R. Fierke  
City Manager

## NOTICE OF PUBLIC HEARING

The City of Fort Dodge, Iowa, is offering the following property for disposal:

PARCEL "A" OF LOT 1

PART OF LOT 1 OF "SOUTH LAWN", AUDITOR'S PLAT FOR TAXATION PURPOSES OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5<sup>TH</sup> P.M., CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF SAID "SOUTH LAWN" AUDITOR'S PLAT; THENCE SOUTH 89°53'24" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°14'05" EAST, 356.84 FEET; THENCE NORTH 89°53'24" WEST, 15.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 00°14'05" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 356.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES (5,353 S.F.).

AND

PARCEL "A" OF LOT 2

A PART OF LOT 2 OF "SOUTH LAWN", AUDITOR'S PLAT FOR TAXATION PURPOSES OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5<sup>TH</sup> P.M., CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00°14'05" WEST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 599.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 8<sup>TH</sup> AVENUE SOUTH; THENCE SOUTH 89°53'24" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 15.00 FEET; THENCE SOUTH 00°14'05" EAST, 599.36 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 89°53'24" WEST ALONG THE WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.21 ACRES (8,990 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

The City of Fort Dodge will hold a Public Hearing for consideration of said disposal at 6:00 p.m., on the 13<sup>th</sup> day of April, 2015, in the City Council Chambers, Municipal Building, Fort Dodge, Iowa.

CITY OF FORT DODGE  
BY: JEFF NEMMERS  
CITY CLERK

Published in *The Messenger* this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

A RESOLUTION PROPOSING THE DISPOSAL OF AN INTEREST IN REAL ESTATE AND SETTING A HEARING DATE THEREON AND PRESCRIBING NOTICE.

WHEREAS, the City is proposing to dispose of the following described real estate parcel:

PARCEL "A" OF LOT 1

PART OF LOT 1 OF "SOUTH LAWN", AUDITOR'S PLAT FOR TAXATION PURPOSES OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5<sup>TH</sup> P.M., CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF SAID "SOUTH LAWN" AUDITOR'S PLAT; THENCE SOUTH 89°53'24" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°14'05" EAST, 356.84 FEET; THENCE NORTH 89°53'24" WEST, 15.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 00°14'05" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 356.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES (5,353 S.F.).

AND

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A PART OF LOT 2 OF "SOUTH LAWN", AUDITOR'S PLAT FOR TAXATION PURPOSES OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5<sup>TH</sup> P.M., CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00°14'05" WEST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 599.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 8<sup>TH</sup> AVENUE SOUTH; THENCE SOUTH 89°53'24" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 15.00 FEET; THENCE SOUTH 00°14'05" EAST, 599.36 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 89°53'24" WEST ALONG THE WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.21 ACRES (8,990 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD; and,

WHEREAS, the City has no use for said real estate except as hereinafter set out; and,

WHEREAS, it does appear that the highest and best use for this real estate is redevelopment by a source other than this Municipal Corporation.

NOW, THEREFORE, BE IT RESOLVED that said real estate be considered for disposal and that a Public Hearing on said consideration and disposal be hereby set for the 13<sup>th</sup> day of April, 2015, at 6:00 p.m. in the City Council Chambers, Municipal Building, Fort Dodge, Iowa, and that Notice of said Hearing be published by the City Clerk as required by law.

PASSED AND APPROVED by the Fort Dodge City Council 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

## PLAT OF SURVEY

PARCEL "A" OF LOT 1:

A PART OF LOT 1, "SOUTH LAWN" AUDITOR'S PLAT FOR TAXATION PURPOSES OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., CITY OF FORT DODGE, WEBSTER COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF SAID "SOUTH LAWN" AUDITOR'S PLAT; THENCE SOUTH 89°53'24" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET; THENCE SOUTH 00°14'05" EAST, 356.84 FEET; THENCE NORTH 89°53'24" WEST, 15.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 00°14'05" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 356.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES (5,353 S.F.).

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### DATE OF SURVEY

MARCH 05, 2015

### OWNER

CITY OF FORT DODGE, IOWA

### BASIS OF BEARING

THE EAST LINE OF LOT 3, "SOUTH LAWN" IS ASSUMED TO BEAR NORTH 00° 14' 05" WEST.

### LEGEND

#### Survey

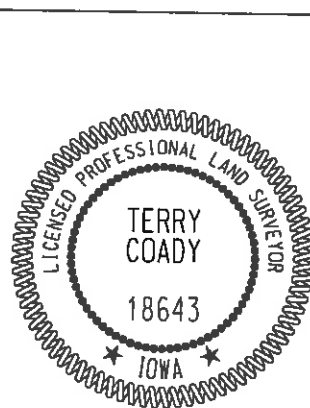
Section Corner  
1/2" Rebar, Yellow Cap # 18643  
(Unless Otherwise Noted)  
ROW Marker  
ROW Rail  
Control Point  
Bench Mark  
Plotted Distance  
Measured Bearing & Distance  
Recorded As  
Deed Distance  
Calculated Distance  
Yellow Plastic Cap  
Centerline  
Section Line  
1/4 Section Line  
1/4 1/4 Section Line  
Easement Line

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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* 3-10-2015  
Terry Coady, PLS Date

License Number 18643

My License Renewal Date is December 31, 2015

Pages or sheets covered by this seal:

Sheets 1 & 2

PT LOT 1, "SOUTH LAWN" AUDITOR'S PLAT  
PLAT OF SURVEY

SHEET 1 OF 2

PN: 1120558

FIELD BK 1136B/21

T-R-S: 89-28-28



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

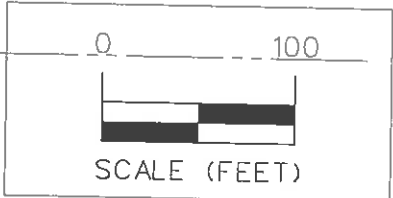
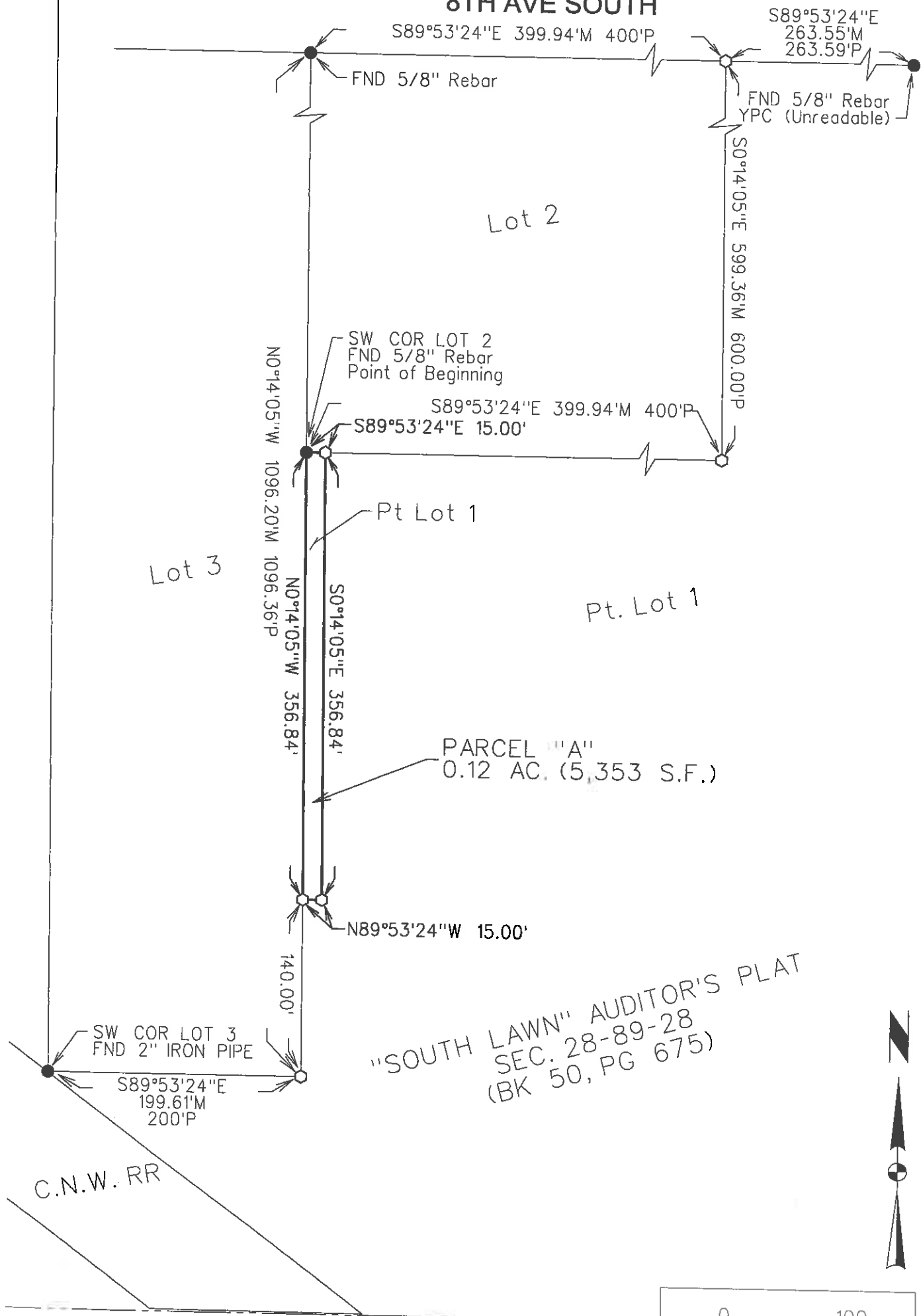
2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

DATE: 3/9/15

TECH/PM: JDP/TLC

# PLAT OF SURVEY

## 8TH AVE SOUTH



PT LOT 1, "SOUTH LAWN" AUDITOR'S PLAT  
PLAT OF SURVEY

SHEET 2 OF 2
PN: 1120558
T-R-S: 89-28-28
DATE: 3/9/15
TECH/PM: JDP/TLC



**SNYDER & ASSOCIATES, INC.**  
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Y:\pen\date.tbl  
Snyder

J:\2012\_Projects\112\_0558\Cadd\1120558-Pl Lot 1.PDS.dwg  
3/10/2015  
JDP

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

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### DATE OF SURVEY

MARCH 05, 2015

### OWNER

CITY OF FORT DODGE, IOWA

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### LEGEND

#### Survey

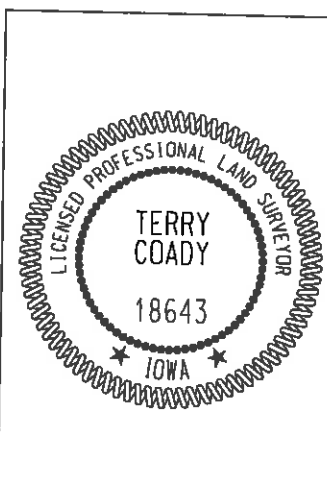
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Calculated Distance  
Yellow Plastic Cap  
Centerline  
Section Line  
1/4 Section Line  
1/4 1/4 Section Line  
Easement Line

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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* 3-10-2015  
Terry Coady, PLS Date

License Number 18643  
My License Renewal Date is December 31, 2015

Pages or sheets covered by this seal:  
Sheets 1 & 2

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PLAT OF SURVEY

SHEET 1 OF 2

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