

**ORDINANCE NO. 2016-1200**

**AN ORDINANCE VACATING VARIOUS EASEMENTS IN  
WOLF CREEK TOWNHOMES PLAT 9**

**WHEREAS**, on the 10<sup>th</sup> day of February, 2014, pursuant to published notice as required by law, the City Council has held a public hearing on a proposal to vacate the following easements:

**STORM SEWER EASEMENT – BOOK 10266, PAGE 542-545**

A STORM SEWER EASEMENT IN LOTS 43, 48, 66 AND OUTLOT 'V', WOLF CREEK TOWNHOMES PLAT 1, AN OFFICIAL PLAT IN THE CITY OF POLK CITY, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE SOUTHEAST CORNER OF LOT 'C' LYING ADJACENT TO SHELDAHL ROAD; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 41.46 FEET, A CHORD BEARING OF N42°50'58"W TO A POINT OF TANGENCY; THENCE S89°38'14"W, 110.38 FEET TO THE POINT OF BEGINNING; THENCE S00°24'40"E, 37.51 FEET TO A POINT; THENCE S89°35'20"W, 117.37 FEET TO A POINT; THENCE S84°15'28"W, 44.23 FEET TO A POINT; THENCE N06°33'42"W, 29.37 FEET TO A POINT ON THE NORTH LINE OF OUTLOT 'V'; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 0.88 FEET, A CHORD BEARING N69°38'18"E ALONG SAID NORTH LINE TO A POINT; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET, AN ARC LENGTH OF 74.60 FEET, A CHORD BEARING N80°08'21"E ALONG THE NORTH LINE OF OUTLOT 'V' TO A POINT OF TANGENCY; THENCE N89°38'14"E, 90.49 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;

AND

A STORM SEWER EASEMENT IN LOTS 45, 46, 54, 63 AND OUTLOT 'V', WOLF CREEK TOWNHOMES PLAT 1, DESCRIBED AS: 15.00 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF LOT 'A' LYING ADJACENT TO SHELDAHL ROAD, THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.53 FEET, A CHORD BEARING S43°35'07"W ALONG SAID EAST LINE TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 410.39 FEET, A CHORD BEARING N46°25'27"W ALONG THE WEST LINE OF OUTLOT 'V' TO A POINT; THENCE N81°54'50"E, 22.90 FEET TO THE POINT OF BEGINNING; THENCE N81°54'50"E, 94.68 FEET TO A POINT; THENCE N59°24'31"E, 67.56 FEET TO A POINT OF TERMINUS;

**SANITARY SEWER EASEMENT – BOOK 10266, PAGE 546-549**

A SANITARY SEWER EASEMENT IN OUTLOT 'V', WOLF CREEK TOWNHOMES PLAT 1, DESCRIBED AS: COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF SAID OUTLOT 'V' LYING ADJACENT TO SHELDAHL ROAD; THENCE S04°39'50"W, 6.35 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE S04°39'50"W, 61.51 FEET ALONG SAID EAST LINE TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING

A RADIUS OF 2342.00 FEET, AN ARC LENGTH OF 179.19 FEET, A CHORD BEARING S02°28'20"W ALONG SAID EAST LINE TO A POINT; THENCE N69°40'40"W, 27.21 FEET TO A POINT; THENCE N00°00'53"W, 230.59 FEET TO A POINT; THENCE N89°38'14"E, 38.19 FEET TO THE POINT OF BEGINNING;

AND

A SANITARY SEWER EASEMENT IN LOTS 59, 63, 66 AND OUTLOT 'V', WOLF CREEK TOWNHOMES PLAT 1, DESCRIBED AS: 15.00 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF SAID OUTLOT 'V' LYING ADJACENT TO SHELDAHL ROAD; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 41.46 FEET, A CHORD BEARING OF N42°50'58"W TO A POINT OF TANGENCY; THENCE S89°38'14"W, 139.78 FEET ALONG THE NORTH LINE OF OUTLOT 'V' TO A POINT; THENCE S00°49'19"E, 28.51 FEET TO THE POINT OF BEGINNING; THENCE S00°49'19"E, 139.76 FEET TO A POINT; THENCE S18°42'28"E, 79.77 FEET TO A POINT; THENCE S70°09'58"E, 91.18 FEET TO A POINT OF TERMINUS;

**SANITARY AND STORM SEWER EASEMENT – BOOK 10266, PAGE 550-553**

A SANITARY AND STORM SEWER EASEMENT IN LOTS 44, 45, 49, 50, 56, 57 AND OUTLOT 'V' IN SAID PLAT DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF LOT A LYING ADJACENT TO SHELDAHL ROAD, THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.53 FEET, A CHORD BEARING S43°35'07"W ALONG SAID EAST LINE TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 434.89 FEET, A CHORD BEARING N43°49'29"W ALONG THE WEST LINE OF OUTLOT 'V' TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 380.00 FEET, AN ARC LENGTH OF 104.79 FEET, A CHORD BEARING N05°34'56"W ALONG SAID WEST LINE TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 35.83 FEET, A CHORD BEARING N27°34'35"E ALONG SAID WEST LINE TO A POINT; THENCE S06°33'42"E, 198.44 FEET TO A POINT; THENCE S16°00'33"E, 92.55 FEET TO A POINT; THENCE S53°36'40"E, 136.55 FEET TO A POINT; THENCE N89°38'14"E, 60.13 FEET TO A POINT; THENCE N16°11'14"E, 124.78 FEET TO A POINT; THENCE S69°40'40"E, 35.87 FEET TO A POINT ON THE EAST LINE OF ,OUTLOT 'V'; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2342.00, AN ARC LENGTH OF 128.44 FEET, A CHORD BEARING S01°17'27"E ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

**WATER MAIN EASEMENT – BOOK 10266, PAGE 554-558**

A WATER MAIN EASEMENT ACROSS LOTS 55, 58 AND OUTLOT 'V' IN SAID PLAT DESCRIBED AS: 15.00 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF LOT 'A' LYING ADJACENT TO SHELDAHL ROAD; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.53 FEET, A CHORD BEARING S43°35'07"W ALONG THE SOUTH LINE OF OUTLOT 'V' TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG A

CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 23.07 FEET, A CHORD BEARING OF N87°31'12"W TO THE POINT OF BEGINNING; THENCE N00°21'46"W, 114.61 FEET TO A POINT; THENCE N45°21 '46"W, 28.28 FEET TO A POINT; THENCE S89°38'14"W, 70.30 FEET TO A POINT; THENCE N21 °59'54"W, 130.55 FEET TO A POINT; THENCE N00°21 '46"W, 171.11 FEET TO A POINT OF TERMINUS ON THE NORTH LINE OF OUTLOT 'V';

AND

A WATER MAIN EASEMENT ACROSS LOTS 63, 64 AND OUTLOT 'V' IN SAID PLAT DESCRIBED AS: 15.00 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF LOT 'A' LYING ADJACENT TO SHELDAHL ROAD; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 40.53 FEET, A CHORD BEARING S43°35'07"W ALONG THE SOUTH LINE OF OUTLOT 'V' TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 23.07 FEET, A CHORD BEARING OF N87°31'12"W TO THE POINT OF BEGINNING; THENCE N00°21 '46"W, 114.61 FEET TO A POINT; THENCE N45°21 '46"W, 28.28 FEET TO A POINT; THENCE S89°38'14"W, 70.30 FEET TO A POINT; THENCE N21 °59'54"W, 130.55 FEET TO A POINT; THENCE N00°21 '46"W, 49.92 FEET TO THE POINT OF BEGINNING; THENCE N89°38'14"E, 137.00 FEET TO A POINT; THENCE N00°21 '46"W, 91.67 FEET TO A POINT OF TERMINUS; and

**WHEREAS**, the City Council of the City of Polk City, Iowa, has determined that it is in the best interests of the City to vacate said easements.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Polk City, Iowa, as follows:

**Section 1.** The City of Polk City, Iowa, hereby vacates the following described easements:

**STORM SEWER EASEMENT – BOOK 10266, PAGE 542-545**

A STORM SEWER EASEMENT IN LOTS 43, 48, 66 AND OUTLOT 'V', WOLF CREEK TOWNHOMES PLAT 1, AN OFFICIAL PLAT IN THE CITY OF POLK CITY, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE SOUTHEAST CORNER OF LOT 'C' LYING ADJACENT TO SHELDAHL ROAD; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 41.46 FEET, A CHORD BEARING OF N42°50'58"W TO A POINT OF TANGENCY; THENCE S89°38'14"W, 110.38 FEET TO THE POINT OF BEGINNING; THENCE S00°24'40"E, 37.51 FEET TO A POINT; THENCE S89°35'20"W, 117.37 FEET TO A POINT; THENCE S84°15'28"W, 44.23 FEET TO A POINT; THENCE N06°33'42"W, 29.37 FEET TO A POINT ON THE NORTH LINE OF OUTLOT 'V'; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 0.88 FEET, A CHORD BEARING N69°38'18"E ALONG SAID NORTH LINE TO A POINT; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET, AN ARC LENGTH OF 74.60 FEET, A CHORD BEARING N80°08'21"E ALONG THE

NORTH LINE OF OUTLOT 'V' TO A POINT OF TANGENCY; THENCE N89°38'14"E, 90.49 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;

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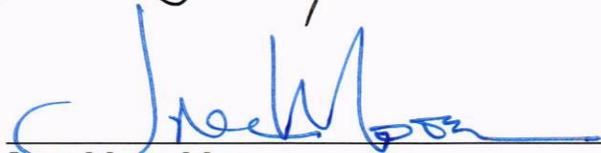
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**Section 2.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** this 25 day of January, 2016.

  
\_\_\_\_\_  
Jason Morse, Mayor

ATTEST:



\_\_\_\_\_  
Jenny Gibbons, City Clerk

First Reading: 1-25-16

Second Reading: waived

Third Reading: waived

Date Adopted: 1-25-16

Date of Publication: 2-5-16

S89°51'12"E 47.63'(M)  
S89°25'10"E 47.63'(P)

FND 5/8" REBAR W/CAP #7844

S89°55'43"E 230.36'(M)  
S89°38'14"W 230.36'(P)

50'00"  
ROW

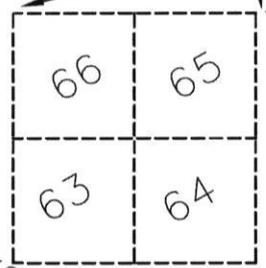
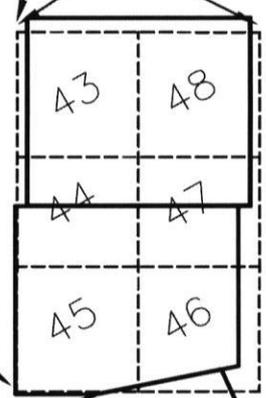
WEST VISTA LAKE AVENUE

C26  
NW COR LOT 43

NE COR  
LOT 65

N 3RD STREET

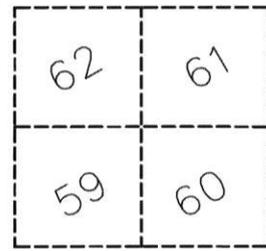
OUTLOT 'V'  
WOLF CREEK  
TOWNHOMES  
PLAT 1



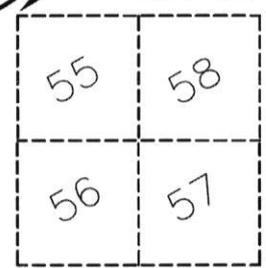
FND 5/8" REBAR  
W/CAP #7844

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C28



NW COR  
LOT 55



SE COR



ENG  
CIVIL DE  
3405 SI  
GRIMES,

DATI  
JUNE, 2

ZON  
PUD

ALONG WOLF CREEK DRIVE

