



Document 2019 2476

Book 2019 Page 2476 Type 06 044 Pages 13
Date 8/12/2019 Time 10:58:11AM
Rec Amt \$67.00 Aud Amt \$5.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Preparer

and Return to Robert D. Andeweg 700 Walnut, Suite 1600 Des Moines, IA 50309; 515-283-3106

m/ RETURN TO: CITY OF WDM
PO BOX 65320

APPROVAL OF SUBDIVISION PLAT NAME

WEST DES MOINES, IA. 50265 **BY MADISON COUNTY**

Date: April 4, 2019.

The Madison County Auditor's Office has reviewed the final plat of

OSMIUM WEST PLAT 1

Pursuant to Iowa Code §354.6(2) and §354.11(6), we approve of the subdivision name or title and have no objections to the subdivision plat being recorded.

Signed Shelley D. Kaster

By: Shelley D. Kaster

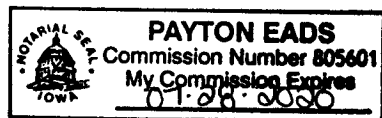
Title: Madison County Auditor

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me this April 4, 2019 by Shelley D. Kaster as County Auditor of Madison County, Iowa.

Payton Eads
Notary Public in and for the State of Iowa

STAMP



RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AND RELEASING THE FINAL PLAT OSMIUM WEST PLAT 1 (FP-004230-2019) FOR THE PURPOSE OF CREATING 2 LOTS FOR INDUSTRIAL DEVELOPMENT AND 2 STREET LOTS

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, Microsoft Corporation has requested approval for a Final Plat (FP-004230-2019) for that approximately 39-acre site located at the southwest corner of the future extension of Veterans Parkway and Interstate 35 for the purpose of subdividing the property into 2 lots for industrial development and 2 street lots;

Legal Description

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BEING A PART OF WEST DES MOINES, MADISON COUNTY, IOWA CONTAINING 38.91 ACRES (1,694,706 SQUARE FEET).

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

WHEREAS, the West Des Moines Plan and Zoning Commission has reviewed the Preliminary Plat for Osmium West Plat 1(f/k/a Microsoft Osmium) and recommended approval on January 28, 2019; and

WHEREAS, the Final Plat that was submitted for review was determined to be generally consistent with the Preliminary Plat for Osmium West Plat 1(f/k/a Microsoft Osmium) that was reviewed and approved by the City Council on February 4, 2019; and

WHEREAS, on August 5, 2019, this City Council held a duly-noticed meeting to consider the application for Final Plat (FP-004230-2019); and

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Final Plat for Osmium West Plat 1 at their meeting on August 5, 2019, subject to any conditions of approval; and

WHEREAS, the applicant has supplied a Warranty Deed to the City of West Des Moines for Lot(s) A & B to be dedicated as public street right(s)-of-way; and

WHEREAS, the City Council did accept the Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement for this property; and

WHEREAS, the City Council approves of the following address assignments;

19-08-05-35

Lot 1 = 5855 SW Kerry Street
Lot 2 = 5925 SW Kerry Street

WHEREAS, Osmium West Plat 1 is zoned Light Industrial and meets all requirements of the City's Zoning Code.

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 as stated in the staff report, dated August 5, 2019, or as amended orally at the City Council meeting of August 5, 2019, are adopted.

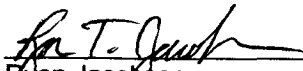
SECTION 2. Final Plat, Osmium West Plat 1 (FP-004230-2019) is approved, subject to compliance with all the conditions in the staff report, dated August 5, 2019, including conditions added at the meeting, if any, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

SECTION 3. This resolution does release the Final Plat (FP-004230-2019) for recordation. The City Council of West Des Moines, Iowa directs the City Clerk to release said plat for recordation in accordance with said City Council approval of the final plat on August 5, 2019 and Roll Call No.

19-402

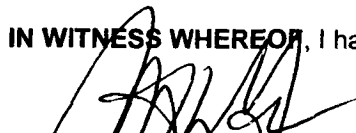
CERTIFICATE

I, Ryan 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 August 5, 2019, among other proceedings, Roll Call No. 19-402 approved said plat on August 5, 2019, and released said Final Plat for recordation.



Ryan Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of August, 2019.

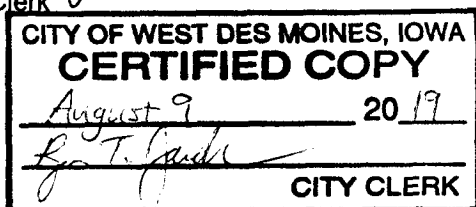


Steven K Gaef, Mayor

ATTEST:



Ryan Jacobson
City Clerk



COUNCIL ACTION	YEAS	NAYS	ABST.	ABSENT
TREVILLYAN				✓
MICKELSON				✓
TRIMBLE	✓			
HARDMAN	✓			
SANDAGER	✓			

MOTION BY Trimble
SECOND BY: Hardman
ROLL CALL # 19-402

EXHIBIT A:
CONDITIONS OF APPROVAL

1. The applicant agreeing that Warren Avenue shall be vacated prior to any occupancy, including temporary occupancy being issued for the DSM09-10 buildings.

April 3, 2019

City of West Des Moines, Iowa

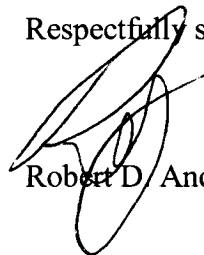
Pursuant to Iowa Code § 354.11(3) (2019), I have examined Abstract No. 01772641 of Madison County Abstract Co., showing record title from original entry and root of title, to and including March 11, 2019, at 8:00 a.m., for the following described property located in Madison County, Iowa, to-wit ("Real Estate"):

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) SECTION 1,
TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN,
MADISON COUNTY, IOWA

As of the date of the last continuation of this abstract, record title was vested in **Microsoft Corporation**, subject to the Special Exceptions shown on Schedule A hereto and also subject to the Standard Exceptions shown on Schedule B hereto.

Insofar as this opinion is prepared pursuant to Iowa Code § 354.11(3) (2019), certain items which may affect the Real Estate, but which are not required to be noted for platting purposes, may have been omitted from this opinion. This opinion is given strictly for platting purposes, and no opinion is expressed herein with respect to such matters that affect the Real Estate which are not required to be noted pursuant to Iowa Code § 354.11(3) (2019).

Respectfully submitted,



Robert D. Andeweg

SCHEDULE A--SPECIAL EXCEPTIONS

1. **MORTGAGES:** None.
2. **REAL ESTATE TAXES:** Real estate taxes for fiscal year 2017-2018, and all prior years, have been paid in full. The Real Estate is designated as Parcel 010010188000000 for tax purposes.
3. **LIEN SEARCHES:** The abstracter has noted that customary lien searches have been conducted against the appropriate titleholders, and, except as may be noted above, no adverse showings have been found.

SCHEDULE B—STANDARD EXCEPTIONS

1. Encroachments, overlaps, boundary lines, and any other matters which would be disclosed by an accurate survey and inspection of the Real Estate.
2. Stolen or forged documents.
3. Rights of undisclosed spouses.
4. Rights or claims of parties in possession not shown in the abstract.
5. Rights of access to and from the Real Estate.
6. You should ascertain that no improvements either in the form of labor or materials, which have been placed on the premises in the last ninety days, still remain unpaid, as they would constitute liens without being shown of record.
7. Real estate taxes for periods subsequent to those noted in Schedule A.

OWNERS' CONSENT TO PLAT
Recorder's Cover Sheet

Preparer Information:

Robert D. Andeweg, 700 Walnut Street, Suite 1600, Des Moines, IA 50309 Telephone: (515) 283-3106

Taxpayer Information:

Microsoft Corporation
One Microsoft Way
Redmond, WA 98052-8300

Return Address

Robert D. Andeweg, 700 Walnut Street, Suite 1600, Des Moines, IA 50309

Grantors: Microsoft Corporation, a Washington corporation

Grantees: To Whom It May Concern

Legal Description: See Exhibit "A"

Document or instrument number if applicable:

OWNERS' CONSENT TO PLAT

KNOWN BY ALL MEN PRESENT:

The undersigned owner and proprietor, Microsoft Corporation, a Washington corporation, does hereby consent to the platting of the property to be platted as Osmium West Plat 1, specifically described on Exhibit "A" attached hereto and by this reference incorporated herein (the "Property").

This consent is as owner and proprietor of the Property and is given with the free consent and in accordance with the desires of the undersigned as owner and proprietor.

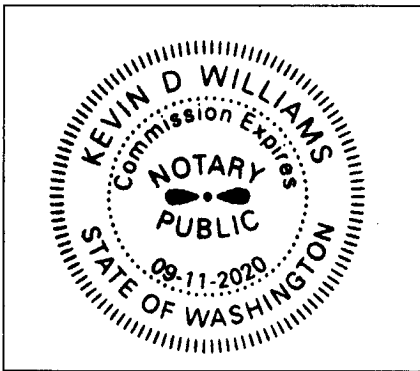
Signed July 16, 2019.

MICROSOFT CORPORATION,
a Washington corporation

By: [Signature]
Printed Name: BRIAN TANNER
Title: SR. DIRECTOR

STATE OF WASHINGTON }
 } SS.
COUNTY OF KING }

This record was acknowledged before me on 16th day of JULY, 2019 by BRIAN TANNER as SR. DIR. of Microsoft Corporation.



(Stamp)

[Signature]
(Signature of notary public)

NOTARY
(Title of office)

My Commission Expires: 11 SEPT 2020
(Date)

Exhibit "A"

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) SECTION
1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL MERIDIAN,
MADISON COUNTY, IOWA

Preparer
and Return to Robert D. Andeweg, 700 Walnut, Suite 1600 Des Moines, IA 50309; 515-283-3106

Certificate of Treasurer of Madison County, Iowa

State of Iowa :
 : SS
County of Madison :

I, Jana Corkrean, Treasurer of Madison County, Iowa, having examined the records in my office pertaining to the real property legally described as:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4)
SECTION 1, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH PRINCIPAL
MERIDIAN, MADISON COUNTY, IOWA

to be platted and known as:

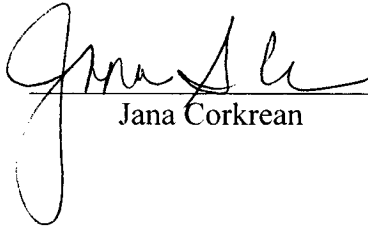
Osmium West Plat 1

do hereby certify that the same is free from Monies and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on Leased Land against:

Microsoft Corporation, a Washington corporation, who is the record title holder of said real estate.

Dated at Madison County, Iowa this 8 day of April, 2019.

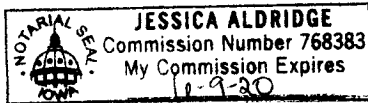
Madison County Treasurer

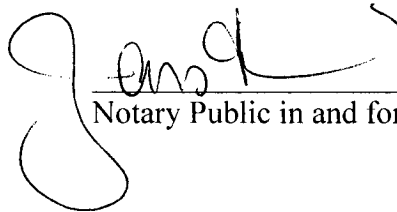


Jana Corkrean

Subscribed and sworn to before me this 8 day of April, 2019 by Jana
Corkrean, Madison County Treasurer.

STAMP





Notary Public in and for the State of Iowa

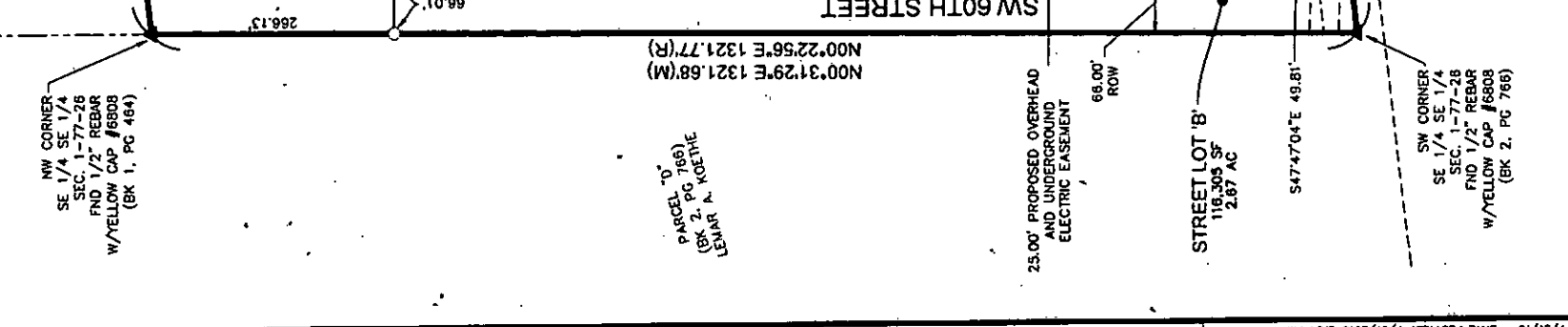
INDEX LEGEND
 SEC. 01-77-28, SE 1/4 SE 1/4
 LOCATION: MICROSOFT CORPORATION
 REQUESTOR: MICROSOFT CORPORATION
 PROPRIETOR: MICROSOFT CORPORATION
 SURVEYOR: MICHAEL A. BROOKER
 COMPANY: CIVIL DESIGN ADVANTAGE
 RETURN TO: CIVIL DESIGN ADVANTAGE
 3405 SE CROSSROADS DRIVE, SUITE G
 WEST DES MOINES, IOWA 50311
 PH: 515-369-4400

City of West Des Moines
FINAL PLAT APPROVAL
 Osmium West Plat 1
 City Council Approval: August 5, 2019
 Case #: FP-004230-2019



OSMIUM WEST PLAT 1

FINAL PLAT

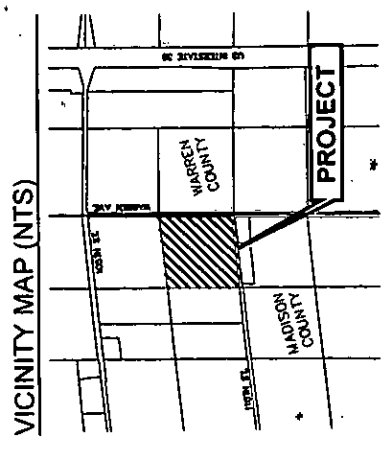


OWNER / DEVELOPER
 MICROSOFT CORPORATION
 ONE MICROSOFT WAY
 REDMOND, WA 98052

ENGINEER / SURVEYOR
 CIVIL DESIGN ADVANTAGE
 3405 SE CROSSROADS DRIVE, SUITE G
 GRIMES, IOWA 50111

DATE OF SURVEY
 DECEMBER 11, 2018

ZONING
 U - LIGHT INDUSTRIAL



PLAT DESCRIPTION
 THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 7 NORTH, RANGE 28 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BEING A PART OF WEST DES MOINES, MADISON COUNTY, IOWA CONTAINING 38.91 ACRES (1,694,708 SQUARE FEET).

NOTES
 PROPERTY OWNERS MAY BE RESPONSIBLE FOR THE CONSTRUCTION OF SIDEWALKS ON THEIR PROPERTY. PRIOR TO CONSTRUCTION OF ANY SIDEWALKS REFER TO THE PROJECT CONSTRUCTION DRAWINGS AND CONFIRM WITH CITY THE LOCATION, WIDTH AND ELEVATION OF SIDEWALKS.
 ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
 THE ERROR OF CLOSURE IS WITHIN THE ALLOWABLE LIMITS (1:10,000 FOR BOUNDARY, 1:5,000 FOR INDIVIDUAL LOTS)
 ALL BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR COMPUTATION PURPOSES WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 01-77-28 BEING S83°54'23"W
 LOTS MAY BE SUBJECT TO MINIMUM PROTECTION ELEVATIONS AND OTHER ELEVATION RESTRICTIONS NOT SHOWN ON THIS PLAT. REFER TO THE APPROVED PROJECT ENGINEERING DOCUMENTS FOR ANY ELEVATION RESTRICTIONS.

BULK REGULATIONS
 MINIMUM FRONT YARD DEPTH: 30'
 MINIMUM SIDE YARD WIDTH: 20'
 MINIMUM REAR YARD DEPTH: 35'

COMPREHENSIVE PLAN DESIGNATION
 LIGHT INDUSTRIAL

LEGEND

SECTION CORNER AS NOTED	FOUND	SET
1/2" REBAR, YELLOW CAP #15880 (UNLESS OTHERWISE NOTED)	▲	△
MEASURED BEARING & DISTANCE	●	○
RECORDED BEARING & DISTANCE	M	R
DEEDED BEARING & DISTANCE	D	D
PUBLIC UTILITY EASEMENT	P.U.E.	
CURVE ARC LENGTH	AL	
LOT ADDRESS	(1234)	
CENTERLINE		
SECTION LINE		
EASEMENT LINE		
BUILDING SETBACK LINE		
PLAT BOUNDARY		

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEYING INSTRUMENTS USED BY ME OR UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF IOWA.

MICHAEL A. BROOKER
 LICENSED PROFESSIONAL LAND SURVEYOR
 15980

DATE: **8-8-2019**

BY LICENSE RENEWAL DATE IS DECEMBER 31, 2020
 PAGES OR SHEETS COVERED BY THIS SEAL
 THIS SHEET

