

Prepared by: Kara Tragesser, City of West Des Moines Development Services Dept., PO Box 65320,  
 West Des Moines, Iowa 50265-0320 515-222-3620  
 When Recorded, Return to: City Clerk, City of West Des Moines, PO 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 LAKE SHORE ESTATES PLAT-OF-SURVEY FOR  
 THE PURPOSE OF CREATING ONE (1) LOT FOR TRANSFER OF OWNERSHIP**

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations, of the West Des Moines Municipal Code, the property owner, Terra Tender, Inc., requests approval of a Plat of Survey for the approximately 37.09-acre property located south of 120<sup>th</sup> Street at Valleyview Court and legally described in attached Exhibit 'B'. The applicant proposes to create one (1) lot intended for transfer of ownership; and

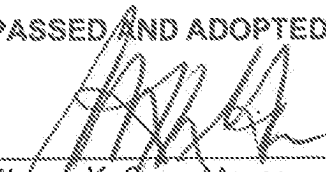
WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference; and

WHEREAS, this Plat of Survey complies with Iowa Code Chapters 354 and 414, the City of West Des Moines Comprehensive Plan and City Code; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the Plat-of-Survey application; and

NOW, THEREFORE, the City Council does approve the Lakeshore Estates Plat of Survey (POS-005238-2021), subject to compliance with all of the conditions of approval, including any conditions added at the meeting, attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City. This resolution does release the Plat-of-Survey for recordation. The City Council of West Des Moines, Iowa directs the City Clerk to release said document for recordation.

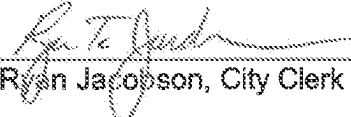
PASSED AND ADOPTED on August 2, 2021.

  
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 Steven K. Gaer, Mayor

COUNCIL ACTION	YEAS	NAYS	ABST.	ABSENT
TREVILLYAN	✓			
HUDSON	✓			
TRIMBLE	✓			
HARDMAN	✓			
MCKINNEY	✓			
MOTION BY	Trimble			
SECOND BY:	Trevillyan			
ROLL CALL #	21-396			

21-08-02-21

ATTEST:

  
Ryan Jacobson, City Clerk



I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on August 2, 2021, by the following vote.

#### Exhibit A: Conditions of Approval

1. The applicant and property owner acknowledging and agreeing that approval of this Plat of Survey is for the transfer of ownership only and that the current or future property owner(s) remain responsible for any public improvements required of the property regardless of whether further subdivision of the property occurs or not.
2. The applicant and property owner acknowledging that any future subdivision of the Plat of Survey parcel will require replatting through the City's Subdivision process.

## Exhibit B: Legal Description

### Legal Description of full parcel

That part of Parcel "C", located in the West Half (1/2) of the Northwest Quarter (1/4) of Section Fifteen (15), and East Half (1/2) of the Northeast Quarter (1/4) of Section Sixteen (16), all in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa, containing 144.064 acres, as shown in Plat of Survey filed in Book 2, Page 756 on February 14, 1997, in the Office of the Recorder of Madison County, Iowa, lying South of Lakeshore Estates Plat 1, as shown in the Subdivision filed in Book 2008 Page 2636 on August 28, 2008 in the Office of the Recorder of Madison County, Iowa and lying West of Parcel "L", as shown in Plat of Survey filed in Book 2020, Page 3578 on September 22, 2020, in the Office of the Recorder of Madison County, Iowa, said parcel contains 37.09 acres, more or less.

### Legal Description of new parcel – Parcel "N"

All that part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 15 and the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 16, both in Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of the SE1/4 of the NE1/4 of said Section 16, also being the Southwest corner of the SW1/4 of the NW1/4 of said Section 15, thence South 84°00'45" West, along the South line of said SE1/4 of the NE1/4, a distance of 638.42 feet; thence North 19°27'01" East, a distance of 842.02 feet to the Southwest corner of Lot 12 of Lakeshore Estates Plat 1, an Official Plat, now included in and forming a part of Madison County, Iowa; thence South 70°17'23" East, along the Southerly line of said Lot 12, a distance of 421.60 feet; thence North 23°35'54" East, a distance of 168.01 feet, to the Southwest corner of Parcel "L" as filed in Book 2020 Page 3578 of the records of the Madison County Recorder's Office; thence South 63°34'58" East, along the Southerly line of said Parcel "L", a distance of 1,195.49 feet; thence South 18°25'32" East, a distance of 84.49 feet, to the South line of the SW1/4 of the NW1/4 of said Section 15; thence South 83°59'18" West, along said South line of the SW1/4 of the NW1/4, a distance of 1,213.64 feet to the Point of Beginning, and containing 19.59 acres of land, more or less.