

WAYSIDE ACRES COMMERCIAL

FINAL PLAT

2025-09-23 10:00:00
 16516-49-57

LOCATION: LOTS 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 OF LOT 8, WAYSIDE ACRES, ALTOONA, IOWA
REQUESTOR: WAYSIDE ACRES LLC
PREPARED BY: WAYSIDE ACRES LLC
DATE: 09/23/2016
SCALE: 1"=30'
PROJECT NO.: 16516-49-57
DATE: 09/23/2016
BY: MICHAEL D. LEE
CHECKED BY: JAMES P. HENNING

OWNER: WAYSIDE ACRES LLC
 2540 SE CROSSROADS DR, SUITE 0
 URBANDALE, IOWA 50322

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

DATE OF SURVEY: SEPTEMBER 23, 2016

PROPERTY DESCRIPTION: LOT 36, LOT 37, AND THE EAST 212.00 FEET OF LOT 37, WAYSIDE ACRES AN ORIGINAL PLAT IN THE CITY OF ALTOONA, POLK COUNTY, IOWA AND PARCEL 2016-89 OF LOT 10, WAYSIDE ACRES AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 18447, PAGES 471-472, POLK COUNTY, IOWA AND CONTAINING 2.41 ACRES (105,089 SQUARE FEET) THE PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

ZONING: C-2, COMMERCIAL

BULK REGULATIONS:
 FRONT YARD: 20 FEET MINIMUM
 SIDE YARDS: NONE EXCEPT WHERE SIDE YARD IS ADJACENT TO AN "N" DISTRICT, IN WHICH CASE A BUFFER YARD SHALL BE PROVIDED
 REAR YARD: 20 FEET MINIMUM

BENCH MARK:
 ALTOONA CITY BENCH MARK @ SE CORNER OF ADVENTURELANDS DRIVE & PRAIRIE MEADOWS DRIVE. ELEVATION=981.31
 BURY BOLT ON HYDRANT @ NE CORNER OF 31ST AVENUE SW & 8TH STREET SW. ELEVATION=936.09
 BURY BOLT ON HYDRANT EAST SIDE OF 31ST AVENUE SW 200 FEET +/- NORTH OF 8TH STREET SW. ELEVATION=936.06

BOUNDARY CLOSURE:
 LINE COURSE: S89°08'02"W LENGTH: 238.70'
 LINE COURSE: S89°08'02"W LENGTH: 410.85'
 LINE COURSE: N07°02'27"E LENGTH: 208.87'
 LINE COURSE: N07°02'27"E LENGTH: 199.15'
 LINE COURSE: N07°02'07"E LENGTH: 90.94'
 LINE COURSE: N89°58'10"W LENGTH: 719.90'

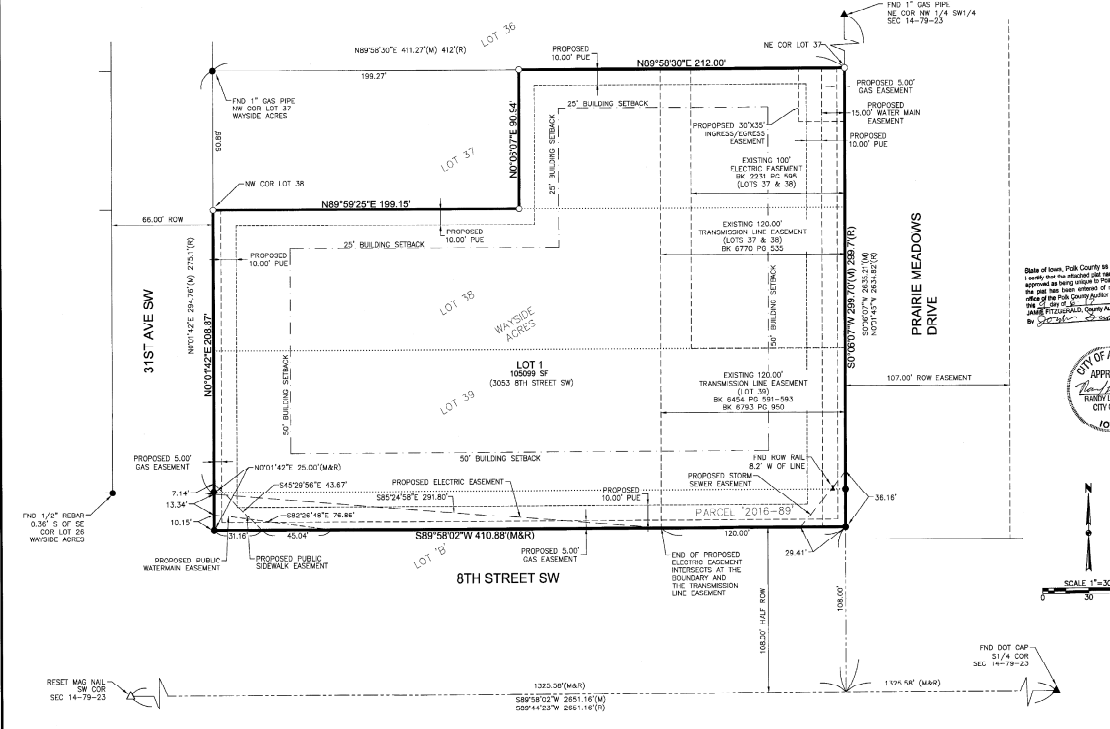
PERIMETER: 1,421.54'
 AREA: 105,089.00 SQ.FT. (2.41 ACRES)

MAPCHECK CLOSURE:
 ERROR CLOSURE: S.0223 CORNERS: N00°40'00"E
 ERROR NORTH: 0.00154 EAST: 0.00189
 PRECISION: 1:295,202

NOTE:

- INDIVIDUAL PROPERTY OWNERS MAY BE RESPONSIBLE FOR THE CONSTRUCTION OF SIDEWALKS ON THEIR PROPERTY. FROM THE CONSTRUCTION OF ANY SIDEWALKS REFER TO THE PROJECT CONSTRUCTION DRAWINGS AND CONFORM WITH CITY OF ALTOONA ORDINANCES.
- ANY ELEVATIONS SHOWN ON THE FINAL PLAT WERE PROVIDED BY PROJECT ENGINEER AND ARE NOT CERTIFIED BY THIS SURVEYOR.
- ANY ELEVATION MEASUREMENT SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
- NO DRIVEWAY CONNECTIONS TO 8TH STREET SW WILL BE ALLOWED.

LEGEND:
 SECTION CORNER AS NOTED
 1/2" REBAR YELLOW CAP#8747
 UNLESS OTHERWISE NOTED
 PLATTED BEARING & DISTANCE
 MEASURED BEARING & DISTANCE
 RECORDED BEARING & DISTANCE
 DEEDED BEARING & DISTANCE
 MINIMUM PROTECTION ELEVATION
 PUBLIC UTILITY EASEMENT
 CENTERLINE
 SECTION LINE
 EASEMENT LINE



WAYSIDE ACRES COMMERCIAL
FINAL PLAT

3405 SE CROSSROADS DRIVE SUITE G
 ALTOONA, IOWA 50111
 PHONE: (515) 398-1400 FAX: (515) 398-4410

ENGINEER: MICHAEL D. LEE
DATE: 09/23/2016
SCALE: 1"=30'
PROJECT NO.: 16516-49-57

TECH: JAMES P. HENNING

1
16516-49-57

72
CHG. JHO

RETURN TO:

Prepared by & Return to: Courtney Schultz, Hogan Law Office, 3101 Ingersoll Avenue, Suite 103, Des Moines, IA 50312 515-279-9059

CONSENT TO PLAT BY OWNER AND DEDICATION

THE UNDERSIGNED, acting pursuant to Iowa Code § 354.11(2017), hereby states that it is the proprietor of the real estate described as follows:

Lots 38, 39 and the East 212 feet of Lot 37 in Wayside Acres, an Official Plat in the City of Altoona, Polk County, Iowa, and Parcel 2016-89 of Lot "B" in Wayside Acres, as shown on Plat of Survey recorded in Book 16447 at Page 471,

that the real estate is to be subdivided and platted as Wayside Acres Commercial, an Official Plat, Altoona, Polk County, Iowa; and that the real estate is platted with the free consent of and in accordance with the desires of the undersigned.

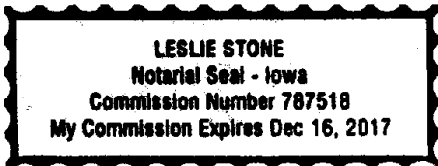
FURTHER, the undersigned acting pursuant to Iowa Code § 354.19(2017), hereby dedicates to the public for full public use the public streets and street right-of-ways and the land within the plat designated as dedicated to the public for parkland or other public use, and grants utility, sewer, drainage, access, walkway, sidewalks, or other public easements as shown on the plat.

Dated 4/27, 2017. WAYSIDE ACRES, LLC

By: [Signature]
Andre J. Ekis, Manager

STATE OF IOWA, COUNTY OF POLK:

This record was acknowledged before me on 4/27, 2017, by Andre J. Ekis, Manager of Wayside Acres, LLC.



By: [Signature]
Notary Public

Prepared by & Return to: Courtney Schultz, Hogan Law Office, 3101 Ingersoll Avenue, Suite 103, Des Moines, IA 50312 515-279-9059

CONSENT TO PLAT BY LENDER AND DEDICATION

THE UNDERSIGNED, acting pursuant to Iowa Code § 354.19(2017), hereby states that it is a mortgage holder of the real estate described as follows:

Lots 38, 39 and the East 212 feet of Lot 37 in Wayside Acres, an Official Plat in the City of Altoona, Polk County, Iowa, and Parcel 2016-89 of Lot "B" in Wayside Acres, as shown on Plat of Survey recorded in Book 16447 at Page 471,

that the real estate is to be subdivided and platted as Wayside Acres Commercial, an Official Plat, Altoona, Polk County, Iowa; and that the real estate is platted with the free consent of and in accordance with the desires of the undersigned mortgage holder.

FURTHER, the undersigned dedicates to the public for full public use all public streets and street right-of-ways, access, walkways, sidewalks, utility, sewer, drainage, or other public easements as shown on the plat and any other land within the plat designated as dedicated to public for parkland or other public use, and subordinates its interest in the public streets and easements to the City's rights under those public streets and easements.

Dated June 2, 2017.

UNIVERSITY OF IOWA COMMUNITY
CREDIT UNION


By: 

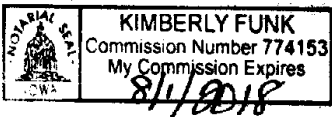
Name: John Poley

Title: Market President

STATE OF IOWA, COUNTY OF POLK:

This record was acknowledged before me on June 2nd, 2017, by John Poley as Market President of University of Iowa Community Credit Union.

By: 
Notary Public





RESOLUTION # 7-18-2016# 02

RESOLUTION APPROVING THE FINAL PLAT FOR "WAYSIDE ACRES COMMERCIAL PLAT"

WHEREAS, the City of Altoona has received a request for approval of the above referenced final plat; and

WHEREAS, the Altoona City Council has reviewed said final plat and found it to be in true order.

THEREFORE, BE IT RESOLVED BY THE ALTOONA CITY COUNCIL to approve the request for said final plat.

Passed this 18th day of July, 2016

J.M. Skip Conkling, Mayor

Attest:

Randy Pierce, City Clerk

Council member Mertz introduced and moved for the adoption of RESOLUTION #7-18-2016# 02 . Seconded by O'Connor .

Table with 5 columns: Council Vote, Ayes, Nays, Absent, Abstain. Rows include Boka, Mertz, O'Connor, Sloan, Willey.

HOGAN LAW OFFICE
3101 INGERSOLL AVENUE, SUITE 103
DES MOINES, IOWA 50312
(515) 279-9059
FAX (515) 277-5836

TIMOTHY C. HOGAN
COURTNEY SCHULTZ

June 2, 2017

City of Altoona
407 8th Street SE
Altoona, Iowa 50009

RE: Wayside Acres Commercial

Dear Gentilepersons:

Pursuant to Iowa Code § 354.11(2017), I have examined the abstract of title numbered 694820 showing record title from Root of Title to and including May 17, 2017, at 6:00 A.M., last continued by Iowa Title Company for the real estate located in Polk County, Iowa, described as follows:

Lots 38, 39 and the East 212 feet of Lot 37 in Wayside Acres, an Official Plat in the City of Altoona, Polk County, Iowa, and Parcel 2016-89 of Lot "B" in Wayside Acres, as shown on Plat of Survey recorded in Book 16447 at Page 471.

As of the date of the last continuation of the abstract, I certify that record title to the Real Estate is vested in **Wayside Acres, LLC, an Iowa limited liability company**, subject to the following:

1. Pursuant to Iowa Code § 354.11(2017), I certify that there are no mortgages, liens, or other encumbrances on the real estate hereinabove described, except for:
 - A. Mortgage executed by Wayside Acres, LLC in favor of University of Iowa Community Credit Union recorded March 6, 2017 in Book 16394 at Page 937.
 - B. Assignment of Rents executed by Wayside Acres, LLC in favor of University of Iowa Community Credit Union recorded March 6, 2017 in Book 16394 at Page 948.
2. Real estate taxes are paid in full on the real estate for fiscal year 2015-2016 and all prior years. This property is assessed in District (171) as Parcel Nos. 00511-537-000, 00511-538-000, 00511-539-000 and 00511-541-000.

Insofar as this opinion is prepared pursuant to Iowa Code § 354.11(2017), certain items such as utility easements have been omitted from this opinion. This opinion is given strictly for platting purposes, and no opinion is expressed herein with respect to utility easements or similar matters that affect the property under examination herein.

In issuing this opinion, I pass only on the title as shown in the above-described description. I can give no report on (a) location of all public utility lines that service the property and the necessary easements therefor; (b) easements existing by virtue of usage, as the same does not appear on the abstract; (c) location of boundary lines; (d) stolen or forged documents; (e) rights of undisclosed spouses; and (f) rights of parties in possession.

You should ascertain also 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.

You should determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shown in the abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the conditions, and acquired the property without knowing about it.

No report is made by the abstracter of special assessments not yet shown on the tax books of Polk County, Iowa and, therefore, no examination is made as to these. Special assessments against any property within a municipality should be determined by checking with the City Clerk of said municipality.

This opinion is rendered solely for the benefit of the addressee or addressees named herein. No other persons shall be entitled to rely upon the contents of this opinion or the conclusions expressed herein without the prior written consent of the undersigned examining attorney.

Sincerely,



Courtney I. Schultz

CIS:rr

CERTIFICATE OF TREASURER OF POLK COUNTY, IOWA

STATE OF IOWA)
) ss:
COUNTY OF POLK)

I, Mary Maloney, Treasurer of Polk County, having examined the records of my office, in accordance with the provisions of Section 354.11 of the Code of Iowa pertaining to real properties, specifically set forth in Exhibit "A" attached hereto and made part hereof, to be hereinafter designated as:

WAYSIDE ACRES COMMERCIAL an Official Plat, Polk County, Iowa

do hereby certify that same is free from all certified taxes,
special assessments and special rates and charges.

Nor are there any taxes due for Moneys and Credits, Bushels of Grain,
Industrial Machinery, Data Processing Equipment, Utilities or Buildings on Leased Land against

WAYSIDE ACRES, LLC,

who is(are) the record title holder(s) of said real estate.

Dated at Des Moines, IA , Tuesday, June 06, 2017 .

MARY MALONEY
POLK COUNTY TREASURER

by Jodi Peterson
Deputy

(Treasurer's Seal)

Subscribed and sworn to before me on this
6th day of June, 2017.

by Mary Mahnke
Notary Public in and for Polk County, IA

(Notary Seal)



PREPARED BY: Rebecca Lawrence, Property Description Specialist

EXHIBIT A

Lots 38, 39 and the East 212 feet of Lot 37 in Wayside Acres, an Official Plat in the City of Altoona, Polk County, Iowa, and Parcel 2016-89 of Lot "B" in Wayside Acres, as shown on Plat of Survey recorded in Book 16447 at Page 471.