

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 233-13

AN ORDINANCE

declaring the need to acquire additional easements for construction of the Scott Boulevard Phase 2 Street Improvement Project, from Brookview Terrace to Vawter School Road; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby declares the need to acquire additional easements for construction of the Scott Boulevard Phase 2 Street Improvement Project, from Brookview Terrace to Vawter School Road, described as follows:

Boone County, Missouri, a Political Subdivision of the State of Missouri
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-712-29-03-001.00

An irregular shape parcel of land over a part of a tract of land described as part "a" in a warranty deed in Book 903 at Page 627, being part of Lot 1 of Turner Station Subdivision as recorded in Plat Book 11 at Page 128, both of the Boone County Records; situate in Boone County, Missouri; said parcel being described as follows:

Starting at the southeast corner of said Lot 1 on the east line of said section; thence along the south line of said lot N.68°19'20"W., 288.51 feet to the southwest corner of the permanent drainage easement as recorded in Book 4126 at Page 111 of the Boone County Records; thence continuing along said south line N.68°19'20"W., 15.59 feet; thence leaving said line N.5°48'15"E., 29.50 feet to the POINT OF BEGINNING; thence N.44°11'05"W., 40.00 feet; thence N.11°58'40"W., 20.50 feet; thence N.44°30'50"E., 59.00 feet; thence S.5°48'15"W., 29.53 feet to the northwesterly line of the permanent drainage easement granted this date; thence along the lines of said easement S.51°43'15"W., 13.12 feet; S.15°34'30"E., 25.85 feet; thence leaving said lines S.5°48'15"W., 28.55 feet to the POINT OF BEGINNING and containing 1,746 square feet.

Boone County, Missouri, a Political Subdivision of the State of Missouri
PERMANENT DRAINAGE EASEMENT
Parcel: 16-712-29-03-001.00

A three (3) sided parcel of land being over a part of a tract of land described as part "a" in a warranty deed in Book 903 at Page 627, being part of Lot 1 of Turner Station Subdivision as recorded in Plat Book 11 at Page 128, both of the Boone County Records; situate in Boone County, Missouri; said parcel being described as follows:

Starting at the southeast corner of said Lot 1 on the east line of said section; thence along the south line of said lot N.68°19'20"W., 288.51 feet to the southwest corner of the permanent drainage easement as recorded in Book 4126 at Page 111 of the Boone County Records; thence leaving said line along the west line of said easement N.5°48'15"E., 24.00 feet to the POINT OF BEGINNING; thence leaving said line N.15°34'30"W., 67.00 feet; thence N.51°43'15"E., 34.00 feet to the southwest corner of the tract described in the warranty deed in Book 2643 at Page 68 of said Records; thence along the west line of said easement S.5°48'15"W., 86.04 to the POINT OF BEGINNING and containing 1,051 square feet.

Boone County Fire Protection District, a Political Subdivision of the State of Missouri
PERMANENT UTILITY EASEMENT
Parcel: 16-801-00-08-001.00

A three (3) sided parcel of land along the south line of a tract of land described in a trustees deed in Book 1568 at Page 152, said tract being Lot 1 of BCFPD Subdivision, Plat No. 1 as recorded in Plat Book 34 at Page 108, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

Starting at the northwest corner of said Lot 1; thence along the north line of said Lot S.85°17'25"E., 10.32 feet to the POINT OF BEGINNING; thence continuing along said line S.85°17'25"E., 25.76 feet; thence leaving said line S.2°24'55"E., 120.79 feet; thence S.9°32'30"E., 20.10 feet; thence along a non-tangent curve to the right having a radius of

775.76 feet a distance of 143.31 feet (the chord of said curve having bearing and distance of S.4°15'05"E., 143.11 feet); thence S.9°32'55"E., 39.08 feet; thence S.25°29'05"E., 164.48 feet to the line of the platted utility easement; thence along the lines of said easement along a curve to the right having a radius of 113.00 feet a distance of 15.81 feet (the chord of said curve having bearing and distance of N.64°45'05"W., 15.80 feet); N.25°29'05"W., 153.65 feet; N.9°32'35"W., 41.40 feet; along a curve to the left having a radius of 765.76 feet a distance of 142.39 feet (the chord of said curve having bearing and distance of N.4°13'00"W., 142.18 feet; N.9°32'30"W., 146.30 feet to the POINT OF BEGINNING and containing 5,801 square feet.

Boone County Fire Protection District, a Political Subdivision of the State of Missouri
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-801-00-08-001.00

A three (3) sided parcel of land and an irregular shaped parcel of land along the south and west lines of a tract of land described in a trustees deed in Book 1568 at Page 152, said tract being Lot 1 of BCFPD Subdivision, Plat No. 1 as recorded in Plat Book 34 at Page 108, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcels being described as follows:

BEGINNING (for the first parcel) at the southeast corner of said Lot 1; thence along the south line of said Lot 1, said line also being the north Right-of-Way line of Vawter School Road, N.83°10'30"W., 136.64 feet to the south corner of a drainage easement as recorded in Book 1329 at Page 283 of said Boone County Records; thence along the southeast line of said easement N.42°59'30"E., 66.00 feet; thence leaving said line S.54°33'55"E., 111.27 feet to the POINT OF BEGINNING and containing 2,982 square feet inclusive of 959 square feet of platted utility easement and exclusive of permanent drainage easement granted this date.

AND

Starting (for the second parcel) at the northwest corner of said Lot 1; thence along the north line of said Lot S.85°17'25"E., 36.09 feet to the POINT OF BEGINNING at the northeast corner of the permanent utility easement granted this date; thence continuing along said line S.85°17'25"E., 41.91 feet; thence leaving said line S.8°56'00"W., 132.00 feet; thence S.22°26'40"E., 85.50 feet; thence S.0°09'10"W., 86.00 feet; thence S.87°46'25"W., 21.75 feet; thence S.9°32'35"E., 19.27 feet; thence S.25°29'05"E., 159.49 feet; thence S.88°59'45"E., 39.87 feet to the northwesterly line of a drainage easement as recorded in Book 1329 at Page 283 of said Records; thence along said line S.42°59'30"W., 32.00 feet to the south line of said Lot 1, also being the north Right-of-Way line of Vawter School Road; thence along the lines of said lot N.77°25'30"W., 11.65 feet; along a curve to the right having a radius of 123.00 feet a distance of 93.83 feet (the chord of said curve having bearing and distance of N.55°33'35"W., 91.58 feet); N.55°28'10"E., 19.71 feet; N.25°29'05"W., 104.31 feet; N.9°32'35"W., 43.74 feet; along a non-tangent curve to the left

having a radius of 755.76 feet a distance of 141.46 feet (the chord of said curve having bearing and distance of N.4°10'55"W., 141.25 feet); N.9°32'30"W., 148.84 feet to the POINT OF BEGINNING and containing 11,064 square feet exclusive of permanent utility easement granted this date and 6,017 square feet of platted utility easement.

Hugh E. Stephenson, Jr.
B. J. McClatchey and Shirley McClatchey
Marilyn M. Mitchell
PERMANENT UTILITY EASEMENT
Parcel: 16-803-00-00-003.00

An irregular shaped parcel of land along the west and north part of a tract of land described in a warranty deed in Book 381 at Page 404 and a warranty deed in Book 3775 at Page 24, said tract being Tract 1-A of the survey as recorded in Book 2860 at Page 59, all of the Boone County Records; situate in the northwest quarter (1/4) of the northwest quarter (1/4) of Section 33, Township 48 North, Range 13 West, Boone County, Missouri; said parcels being described as follows:

Starting at the southwest corner of said Tract 1-A; thence along the south line of said tract S.88°39'30"E., 33.00 feet to the east Right-of-Way line of Scott Boulevard; thence along the lines of said Right-of-Way N.1°27'00"E., 557.80 feet; along a curve to the right having a radius of 1,006.70 feet a distance of 212.20 feet (the chord of said curve having bearing and distance of N.7°35'15"E., 211.81 feet); N.13°37'35"E., 43.45 feet; N.23°16'25"E., 90.65 feet to the POINT OF BEGINNING; thence continuing along the lines of tract N.60°02'30"E., 77.47 feet to the southwest corner of the permanent street easement granted this date; thence along the south line of said easement S.83°10'45"E., 104.30 to the Right-of-Line of Vawter School Road; thence along said line S.39°06'30"E., 1.46 feet; thence leaving said line S.81°39'25"W., 173.44 feet to the POINT OF BEGINNING and containing 2,528 square feet inclusive of 1,397 square feet of waterline and gas line easements as recorded in Book 1948 at Page 876, Book 1461 at Page 52 and Book 1183 at Page 243 all of said Boone County Records.

Linda Riegler Cooperstock, Trustee of the Linda Riegler Cooperstock Living Trust
PERMANENT STREET EASEMENT
Parcel: 16-700-32-00-001.06

An irregular shaped parcel of land along the east line of a tract of land described in a quit-claim deed in Book 3147 at Page 85, said tract being Tract 1 of the survey as recorded in Book 765 at Page 714, both of the Boone County Records; situate in the northeast quarter (1/4) of the northeast quarter (1/4) of the northeast quarter (1/4) of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said Tract 1, also being the northeast corner of said Section 32; thence along the east line of said Tract 1, also being the east line of said Section 32, S.1°27'00"W., 128.19 feet to the POINT OF BEGINNING; thence continuing along said line S.1°27'00"W., 46.25 feet to the west line of a Boone County Roadway and Utility easement as recorded in Book 1288 at Page 746 of said Boone County Records; thence along said line S.13°31'50"W., 44.23 feet; thence along a non-tangent curve to the left having a radius of 1,072.70 feet a distance of 79.96 feet (the chord of said curve having bearing and distance of S.11°23'25"W., 79.94 feet) to the south line of said Tract 1; thence along said line N.88°36'50"W., 7.05 feet; thence leaving said line along a non-tangent curve to the right having a radius of 1,543.50 feet a distance of 171.01 feet (the chord of said curve having bearing and distance of N.11°35'40"E., 170.92 feet) to the POINT OF BEGINNING and containing 1,287 square feet all within the unspecified Boone County easement in the Report of Commissioners as recorded in Book 392 at Page 203 of said Boone County Records.

Linda Riegle Cooperstock, Trustee of the Linda Riegle Cooperstock Living Trust
PERMANENT UTILITY EASEMENT
Parcel: 16-700-32-00-001.06

An irregular shaped parcel of land over and across the east part of a tract of land described in a quit-claim deed in Book 3147 at Page 85, said tract being Tract 1 of the survey as recorded in Book 765 at Page 714, all of the Boone County Records; situate in the northeast quarter (1/4) of the northeast quarter (1/4) of the northeast quarter (1/4) of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said Tract 1, also being the northeast corner of said Section 32; thence along the east line of said Tract 1, also being the east line of said Section 32, S.1°27'00"W., 66.69 feet to the southerly line of a permanent street easement granted this date, the POINT OF BEGINNING; thence continuing along said east line S.1°27'00"W., 61.49 feet to the north corner of a permanent street easement granted this date; thence along the west line of said easement along a non-tangent curve to the left having a radius 1,543.50 feet a distance of 171.01 feet (the chord of said curve having bearing and distance of S.11°35'40"W., 170.92 feet) to the south line of said tract; thence along said line N.88°36'50"W., 20.15 feet; thence leaving said line along a non-tangent curve to the right having a radius of 1,563.50 feet a distance of 238.12 feet (the chord of said curve having bearing and distance of N.12°41'35"E., 237.89 feet) to the southerly line of said easement; thence along said line along a non-tangent curve to the right having a radius of 66.00 feet a distance of 5.26 feet (the chord of said curve having bearing and distance of S.45°57'55"E., 5.26 feet) to the POINT OF BEGINNING and containing 4,223 inclusive of 2,856 square feet of unspecified Boone County easement in the Report of Commissioners as recorded in Book 392 at Page 203 of said Boone County Records.

Majed Dweik and Cathy Dweik
PERMANENT STREET EASEMENT
Parcel: 16-700-32-00-001.00

An irregular shaped parcel of land across the east part of a tract of land described in a warranty deed in Book 2910 at Page 4, said tract being part of Tract 2 of a survey as recorded in Book 765 at Page 714, both of the Boone County Records; situate in the northeast quarter of the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows: Starting at the northeast corner of said tract; thence along the north line of said tract N.88°36'50"W., 23.05 feet to the POINT OF BEGINNING on the west line of the roadway and utility easement as recorded in Book 1288 at Page 746 of said Records; thence leaving said north line and along said west line along a non-tangent curve to the left having a radius of 1,072.70 feet a distance of 146.13 feet (the chord of said curve having bearing and distance of S.5°21'20"W., 146.01 feet); thence continuing along said line S.1°27'00"W., 139.48 feet to the south line of said tract at a point N.88°32'55"W., 33.00 feet from the southeast corner of said tract; thence along said south line N.88°32'55"W., 8.70 feet; thence leaving said line N.1°33'40"E., 97.91 feet; thence along a curve to the right having a radius of 1,543.50 feet a distance of 188.56 feet (the chord of said curve having bearing and distance of N.4°57'10"E., 188.44 feet) to the north line of said tract; thence along said line S.88°36'50"E., 7.05 feet to the POINT OF BEGINNING and containing 2,208 square feet inclusive of 205 square feet of existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Majed Dweik and Cathy Dweik
PERMANENT UTILITY EASEMENT
Parcel: 16-700-32-00-001.00

An irregular shaped parcel of land across the east part of a tract of land described in a warranty deed in Book 2910 at Page 4, said tract being part of Tract 2 of a survey as recorded in Book 765 at Page 714, both of the Boone County Records; situate in the northeast quarter of the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows: Starting at the northeast corner of said tract; thence along the north line of said tract N.88°36'50"W., 30.10 feet to the POINT OF BEGINNING at the northwest corner of the permanent street easement granted this date; thence leaving said north line and along the west line of said easement along a non-tangent curve to the left having a radius of 1,543.50 feet a distance of 187.70 feet (the chord of said curve having bearing and distance of S.4°56'10"W., 187.58 feet); thence continuing along said line S.1°33'40"W., 97.91 feet to the south line of said tract at a point N.88°32'55"W., 41.70 feet from the southeast corner of said tract; thence along said south line N.88°32'55"W., 20.00 feet; thence leaving said line N.1°33'40"E., 97.93 feet; thence along a curve to the right having a radius of 1,563.50 feet

a distance of 187.64 feet (the chord of said curve having bearing and distance of N.4°53'30"E., 187.53 feet) to the north line of said tract; thence along said line S.88°36'50"E., 20.15 feet to the POINT OF BEGINNING and containing 5,712 square feet.

Majed Dweik and Cathy Dweik
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-700-32-00-001.00

An irregular shaped parcel of land across the east part of a tract of land described in a warranty deed in Book 2910 at Page 4, said tract being part of Tract 2 of a survey as recorded in Book 765 at Page 714, both of the Boone County Records; situate in the northeast quarter of the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows: BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 285.18 feet to the southeast corner of said tract; thence along the south line of said tract N.88°32'55"W., 61.70 feet to the southwest corner of the permanent utility easement granted this date; thence leaving said line N.1°33'40"E., 97.93 feet; thence along a curve to the right having a radius of 1,563.50 feet a distance of 187.64 feet (the chord of said curve having bearing and distance of N.4°53'30"E., 187.53 feet) to the north line of said tract; thence along said line S.88°36'50"E., 50.25 feet to the POINT OF BEGINNING and containing 16,848 square feet all within the permanent street and permanent utility easements granted this date, the existing roadway and utility easement recorded in Book 1327 at Page 264 and the unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203, both of said Records.

Richard R. Webel and Connie J. Webel
PERMANENT STREET EASEMENT
Parcel: 16-700-32-00-001.05

An irregular shaped parcel of land along the east line of a tract of land described in a warranty deed in Book 859 at Page 171 and a warrant deed in Book 765 at Page 996, said tract being Tracts 3, 4 and 5 of a survey as recorded in Book 765 at Page 714, all of the Boone County Records; situate in the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 549.09 feet to the southeast corner of said tract; thence along the south line of said tract N.88°32'25"W., 42.10 feet; thence leaving said line N.1°16'05"E., 130.73 feet; thence N.1°33'40"E., 418.36 feet to the north line of said tract; thence along said line S.88°32'55"E., 41.70 feet to the POINT OF BEGINNING and containing 23,147 square feet inclusive of 16,473 square feet

of existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Richard R. Webel and Connie J. Webel
PERMANENT UTILITY EASEMENT
Parcel: 16-700-32-00-001.05

An irregular shaped parcel of land across the east part of a tract of land described in a warranty deed in Book 859 at Page 171 and a warrant deed in Book 765 at Page 996, said tract being Tracts 3, 4 and 5 of a survey as recorded in Book 765 at Page 714, all of the Boone County Records; situate in the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said tract; thence along the north line of said tract N.88°32'55"W., 41.70 feet to the POINT OF BEGINNING at the northwest corner of the permanent street easement granted this date; thence along the west line of said easement S.1°33'40"W., 418.36 feet; thence continuing along said line S.1°16'05"W., 130.73 feet to the south line of said tract at a point N.88°32'25"W., 42.10 feet from the southeast corner of said tract; thence along said line N.88°32'25"W., 20.00 feet; thence leaving said line N.1°16'05"E., 130.71 feet; thence N.1°33'40"W., 418.37 feet to the north line of said tract; thence along said line S.88°32'55"E., 20.00 feet to the POINT OF BEGINNING and containing 10,982 square.

Richard R. Webel and Connie J. Webel
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-700-32-00-001.05

An irregular shaped parcel of land along the east line of a tract of land described in a warranty deed in Book 859 at Page 171 and a warrant deed in Book 765 at Page 996, said tract being Tracts 3, 4 and 5 of a survey as recorded in Book 765 at Page 714, all of the Boone County Records; situate in the northeast quarter of the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 549.09 feet to the southeast corner of said tract; thence along the south line of said tract N.88°32'25"W., 62.10 feet; thence leaving said line N.18°12'40"W., 53.50 feet; thence N.59°25'45"E., 21.00 feet to the west line of the permanent utility easement granted this date; thence along said line N.1°16'05"E., 69.19 feet; thence continuing along said line N.1°33'40"E., 45.81 feet; thence leaving said line N.10°57'40"W., 211.00 feet; thence N.33°05'00"E., 87.50 feet to the west line of said easement; thence along said line N.1°33'40"E., 92.00 feet to the north

line of said tract; thence along said line S.88°32'55"E., 61.70 feet to the POINT OF BEGINNING and containing 6,967 square feet exclusive of permanent street and permanent utility easements granted this date and of existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Brian Christensen and Tonya Christensen
PERMANENT STREET EASEMENT
Parcel: 16-700-32-00-001.04

A four (4) sided parcel of land along the east line of a tract of land described in a trustee's deed in Book 751 at Page 997, said tract being Tract 2 of a survey as recorded in Book 751 at Page 76, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 499.70 feet to the southeast corner of said tract; thence along the south line of said tract N.84°09'30"W., 40.64 feet; thence leaving said line N.1°16'05"E., 496.60 feet to the north line of said tract; thence along said line S.88°32'25"E., 42.10 feet to the POINT OF BEGINNING and containing 20,576 square feet inclusive of 14,957 square feet of existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Brian Christensen and Tonya Christensen
PERMANENT UTILITY EASEMENT
Parcel: 16-700-32-00-001.04

A four (4) sided parcel of land across the east part of a tract of land described in a trustee's deed in Book 751 at Page 997, said tract being Tract 2 of a survey as recorded in Book 751 at Page 76, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said tract; thence along the north line of said tract N.88°32'25"W., 42.10 feet to the POINT OF BEGINNING at the northwest corner of the permanent street easement granted this date; thence leaving said line along the west line of said easement S.1°16'05"W., 496.60 feet to the south line of said tract at the southwest corner of said easement at a point N.84°09'30"W., 40.64 feet from the southeast corner of said tract; thence along said line N.84°09'30"W., 20.06 feet; thence leaving said line N.1°16'05"E., 495.07 feet to the north line of said tract; thence along said line S.88°32'25"E., 20.00 feet to the POINT OF BEGINNING and containing 9,917 square feet.

Brian Christensen and Tonya Christensen
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-700-32-00-001.04

An irregular shaped parcel of land along the east line of a tract of land described in a trustee's deed in Book 751 at Page 997, said tract being Tract 2 of a survey as recorded in Book 751 at Page 76, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 499.70 feet to the southeast corner of said tract; thence along the south line of said tract N.84°09'30"W., 60.70 feet to the southwest corner of the permanent utility easement granted this date; thence leaving said line along the west line of said easement N.1°16'05"E., 429.00 feet; thence leaving said line N.88°33'25"W., 26.50 feet; thence N.16°25'45"W., 34.00 feet; thence N.68°19'25"E., 40.00 feet to the west line of said easement; thence along said line N.1°16'05"E., 18.00 feet to the north line of said tract; thence along said line S.88°32'25"E., 62.10 feet to the POINT OF BEGINNING and containing 1,314 square feet exclusive of permanent street and permanent utility easements granted this date and existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Eric W. Kurzejeski
PERMANENT STREET EASEMENT
Parcel: 16-700-32-00-001.07

A four (4) sided parcel of land along the east line of a tract of land described in a warranty deed in Book 1273 at Page 864, said tract being part of Tract 1B of a survey as recorded in Book 866 at Page 187, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 101.06 feet to the southeast corner of said tract; thence along the south line of said tract N.87°57'25"W., 40.19 feet; thence leaving said line N.1°16'05"E., 103.76 feet to the north line of said tract; thence along said line S.84°09'30"E., 40.64 feet to the POINT OF BEGINNING and containing 4,132 square feet inclusive of 3,062 square feet of existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

Eric W. Kurzejeski
PERMANENT UTILITY EASEMENT
Parcel: 16-700-32-00-001.07

A four (4) sided parcel of land across the east part of a tract of land described in a warranty deed in Book 1273 at Page 864, said tract being part of Tract 1B of a survey as recorded in Book 866 at Page 187, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said tract; thence along the north line of said tract N.84°09'30"W., 40.64 feet to the POINT OF BEGINNING at the northwest corner of the permanent street easement granted this date; thence along the west line of said easement S.1°16'05"W., 103.76 feet to the south line of said tract at a point N.87°57'25"W., 40.19 feet from the southeast corner of said tract; thence along said line N.87°57'25"W., 20.00 feet; thence leaving said line N.1°16'05"E., 105.09 feet to the north line of said tract; thence along said line S.84°09'30"E., 20.06 feet to the POINT OF BEGINNING and containing 2,088 square.

Eric W. Kurzejeski
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-700-32-00-001.07

An irregular shaped parcel of land along the east line of a tract of land described in a warranty deed in Book 1273 at Page 864, said tract being part of Tract 1B of a survey as recorded in Book 866 at Page 187, both of the Boone County Records; situate in the northeast quarter of Section 32, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northeast corner of said tract; thence along the east line of said tract, said line also being the east line of said Section 32, S.1°27'00"W., 101.06 feet to the southeast corner of said tract; thence along the south line of said tract N.87°57'25"W., 145.60 feet; thence leaving said line N.0°13'15"W., 22.00 feet; thence N.89°58'35"E., 86.00 feet to the west line of the permanent utility easement granted this date; thence along said line N.1°16'05"E., 80.00 feet to the north line of said tract; thence along said line S.84°09'30"E., 60.70 feet to the POINT OF BEGINNING and containing 2,017 square feet exclusive of the permanent street and permanent utility easements granted this date and the existing unspecified Boone County easement as described in the Report of Commissioners recorded in Book 392 at Page 203 of said Records.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

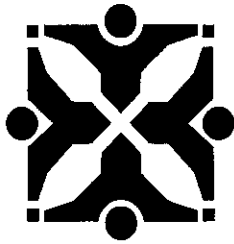
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Public Works

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: August 19, 2013

Re: Scott Boulevard Phase 2 (Brookview Terrace to Vawter School Road) Additional Easement Acquisition

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the acquisition of additional easements for the construction of Scott Boulevard Phase 2, from Brookview Terrace to Vawter School Road project. Council previously approved ordinances authorizing a bid call and easement acquisition for this project on February 04, 2013. In order to facilitate utility relocations, and reduce inconvenience to property owners, some of the easements needed for the Scott Blvd Phase 3 project are also being acquired at this time.

The current cost estimate for the Scott Boulevard Phase 2 project is \$5.8M, and has been identified for construction in 2014. Staff has recently attempted to contact all affected property owners from whom additional easements are required, and a contact log is attached.

DISCUSSION:

Council passed Ordinance 21590 on February 04, 2013 authorizing the acquisition of easements for the Scott Boulevard Phase 2 project. Since the passage of that ordinance, it has been determined that additional easements would be required to enable relocation of a Consolidated Public Water Supply District No. 1 waterline into a more advantageous location as we look forward to the Scott Boulevard Phase 3 project. In addition, four properties included in the Phase 2 project area overlap into the Phase 3 project area. To reduce future inconvenience to those property owners, those easements are being acquired with this ordinance. Scott Boulevard Phase 3, which extends south from Vawter School Road, is in preliminary design and is currently scheduled for construction in 2016.

Five (5) permanent street easements, one (1) permanent drainage easement, seven (7) permanent utility easements, and six (6) temporary construction easements are needed from eight (8) separate property owners. Of these eight property owners, four are located south of the Scott Boulevard Phase 2 project limits. Plan View diagrams (Exhibits 1A & 1B) are attached showing proposed additional easements, grading limits and project features.

FISCAL IMPACT:

The current cost estimate for the Scott Boulevard Phase 2 project is approximately \$5.8M. Funding sources include County Road Tax Rebate funds, Capital Improvement Sales Tax, Capital Fund Balance, and development fees. No additional funds will need to be appropriated to this project.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

A network of safe roadways in and around the City will provide sustainable, efficient mobility to vehicular travel and other modes in a complimentary manner.

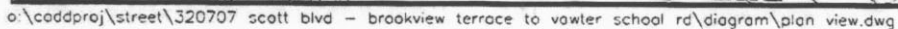
Maximize the capacity of existing roadway systems by having the City and County adopt and implement programs for traffic signal optimization, intersection improvements, turn lanes, effective access management, and etc.

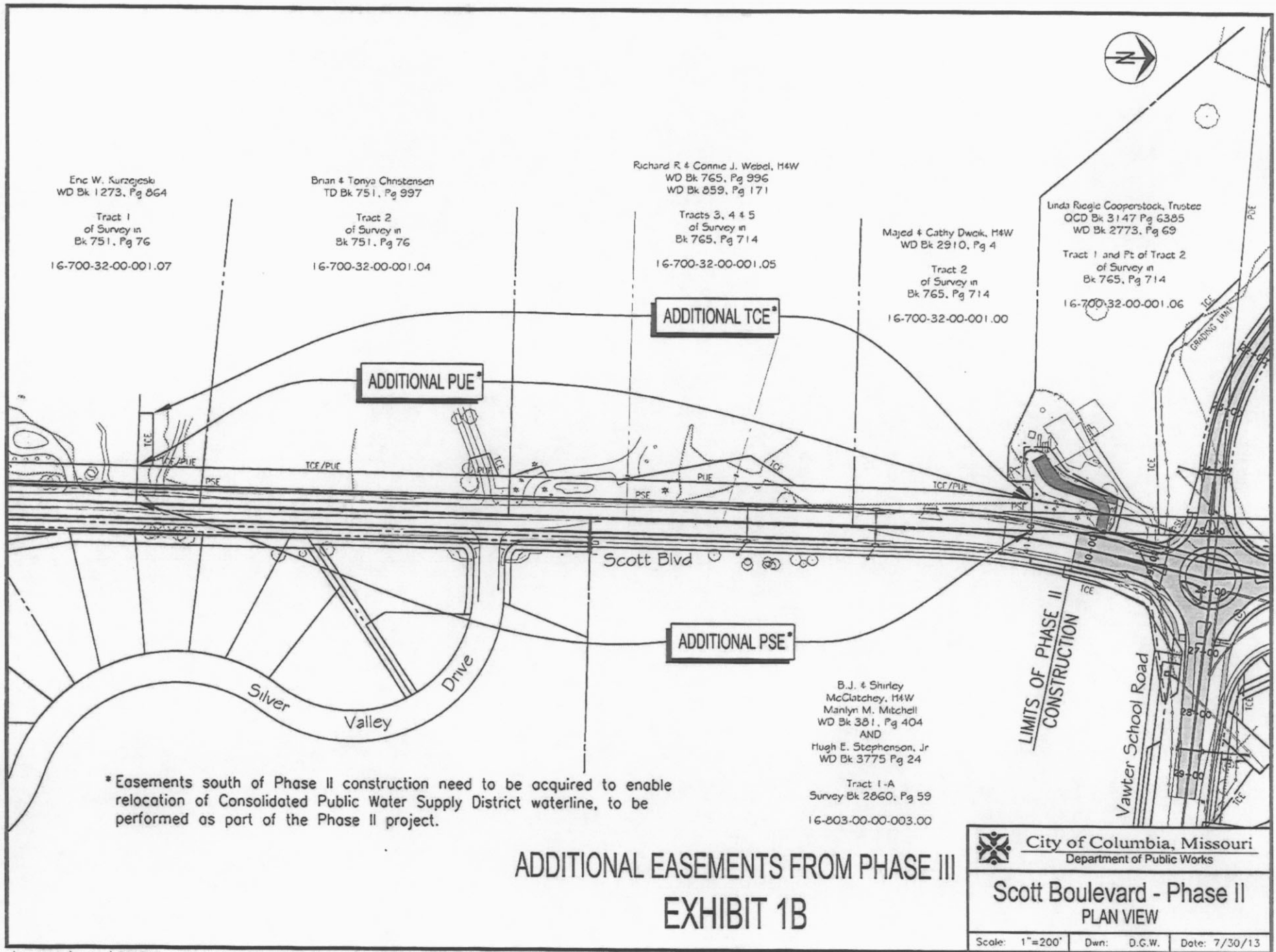
SUGGESTED COUNCIL ACTIONS:

Approval of the ordinance authorizing the acquisition of additional easements for the construction of Scott Boulevard Phase 2, from Brookview Terrace to Vawter School Road, project.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$836,822.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$5,918,781.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	#13
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	#13.3/13.3.4
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

CITY OF COLUMBIA, MO PUBLIC WORKS - ENGINEERING DIVISION			NOTIFIED 12/2/08 OF I.P. MEETING	ATTNDED 12/2/08 I.P. MEETING	NOTIFIED 3/20/09 OF P.H.	SPOKE WITH ON PHONE, EMAILED OR LEFT MESSAGE	NOTES
ADDITIONAL PROPERTY OWNER CONTACT LOG							
Project: Scott Boulevard Phase 2			By: Dave Watson				
PARCEL NO./ADDRESS	OWNER NAME	OWNER ADDRESS					
Parcel 16-712-29-03-001.01 16-712-29-03-001.00 16-712-29-00-006.00	Boone County	734 HESEMANN RIDGE CT BALLWIN , MO 63021	X		X	Emailed	7/23/13 - emailed Natalie Meighan about additional easements needed.
Parcel 16-801-00-06-001.00 3900 S SCOTT BLVD	Boone County Fire Protection District		X		X	Emailed	7/23/13 -emailed the fire chief Scott Olson about changes and additional easement needs.
Parcel 16-803-00-00-003.00 W VAWTER SCHOOL RD	B.J. & Shirley McClatchey, Marilyn M. Mitchell & Hugh E. Stephenson, Jr	5008 STEEPLECHASE DR COLUMBIA, MO 65203	X	B.J. Clatchey	X	Emailed to Dave Knight attorney for Stephenson	7/23/13 - emailed Dave Knight about overlap of easements needed.
Parcel 16-700-32-00-001.06 4051 S SCOTT BLVD	Linda Riegler Cooperstock	4051 S SCOTT BLVD COLUMBIA,MO 65203	X		X	Emailed & spoke with phone	7/23/13 - emailed Linda about additional easements needed. 7/24/13 - Linda acknowledged receiving the email. Will advise if there are any questions. 7/30/13 - Spoke with Linda about changes. Will meet with her mid-August.
Parcel 16-700-32-00-001.00 01 S SCOTT BLVD	Dr. Majed & Cathy Dweik	PO BOX 1968 COLUMBIA,MO 65205- 1968	X		X	Left messages	7/23/2013 - Left message. 8/2/13 - Left message
Parcel 16-700-32-00-001.05 01 4251 S SCOTT BLVD	Richard R. & Connie J. Webel	4251 S SCOTT BLVD COLUMBIA,MO 65203	X		X	Spoke with phone & left message	7/23/13 - Talked with Connie and she said Richard will contact soon. Left message on 8/2/13.
Parcel 16-700-32-00-001.04 01 4257 S SCOTT BLVD	Brian & Tonya Christensen	4257 S SCOTT BLVD COLUMBIA,MO 65203	X		X	Left message	7/23/2013 - Left message. 8/2/13 - Left message
Parcel 16-700-32-00-001.07 01 S SCOTT BLVD	Eric Kurzejeski	4320 S BRUSHWOOD LAKE RD. COLUMBIA,MO 65203	X		X	No answer	7/23/13 - Called. No answer, 8/2/13 - Called. No answer.





ADDITIONAL EASEMENTS FROM PHASE III EXHIBIT 1B