

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 272-13

AN ORDINANCE

vacating public rights-of-way located north of Chapel Hill Road, between Face Rock Court and Madison Park Drive; directing the City Clerk to have a copy of this ordinance recorded; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The City Council finds and determines that certain public rights-of-way located north of Chapel Hill Road, between Face Rock Court and Madison Park Drive, more particularly described as follows:

RIGHT-OF-WAY SEGMENT #1

A TRACT OF LAND LOCATED IN THE SOUTHEAST PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED AS THE RIGHT-OF-WAY BY COURT ORDER RECORDED IN BOOK 316, PAGE 218 OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 22 THENCE FOLLOWING THE ¼ SECTION LINE N00°27'45"E, 279.07 FEET TO THE POINT OF BEGINNING THENCE N54°50'40"W, 30.41 FEET; THENCE N00°27'45"E, 547.12 FEET'; THENCE N69°36'50"E, 26.75 FEET; THENCE S00°27'45"W, 573.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.32 ACRES.

RIGHT-OF-WAY SEGMENT #2

TRACT 1

A TRACT OF LAND LOCATED IN THE SOUTHWEST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 324, PAGE 545 OF THE RECORDS OF BOONE COUNTY.

are in excess and surplus to the needs of the City and are hereby vacated.

SECTION 2. The City Clerk is hereby authorized and directed to cause a copy of this ordinance to be recorded in the office of the Recorder of Deeds of Boone County, Missouri.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

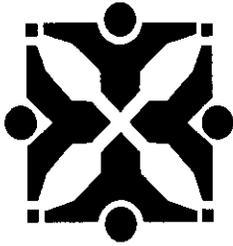
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Community Development - Planning ^T

Agenda Item No:

To: City Council
From: City Manager and Staff *MM*

Council Meeting Date: Sep 16, 2013

Re: Right-of-way vacations - Rock Valley Plat 4 (Case #13-152)

EXECUTIVE SUMMARY:

A request by Central Missouri Land, LLC and C-Hill, LLC. (owners) to vacate Hillcrest Road and two additional right-of-way segments located on property north of Chapel Hill Road between Face Rock Court and Madison Park Drive. The vacation of the rights-of-way are in conjunction with a one-lot final plat to be known as "Rock Valley Plat 4". (Case # 13-152)

DISCUSSION:

The applicants are seeking authorization to vacate three segments of public right-of-way. The vacation request has been prompted by the proposed redevelopment of the 12 acres surrounding the rights-of-way into an assisted living/continuing care retirement community (CCRC).

Two of the three right-of-way segments do not provide access to any existing structures and are of no practical use to the applicant nor adjacent properties. The third, Hillcrest Road, currently provides the sole access to two occupied rental properties (1800 and 1804 Hillcrest Road) under the applicants ownership and has public utilities located within it. A request to demolish the two rental structures has been submitted and is pending issuance subject to the tenants vacating the property. Once the structures are removed, this right-of-way will also serve no useful purpose to the applicants or the public.

The request to vacate the three right-of-way segments has been reviewed by internal and external departments and agencies and is supported. However, due to the necessity to maintain legal access to 1800 and 1804 Hillcrest Road the Law Department requests that the vacation of Hillcrest Road be approved contingent on demolition and relocation of utilities. The Community Development Director will notify the City Clerk in writing when such conditions have been met. The ordinance would be signed once the occupied dwellings and utilities have been removed and relocated.

A delayed effective date for the vacation of the Hillcrest Road right-of-way ensures that public access for city services and utilities is maintained as long as the structures are occupied. Proceeding forward with the other vacation requests is not believed premature since those rights-of-way are non-essential.

A locator map, vacation exhibits, and legal descriptions are attached.

FISCAL IMPACT:

This action will reduce future fiscal impacts by the removal of a segment of public right-of-way. Redevelopment of the property will install privately maintain improvements.

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

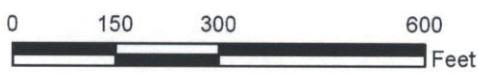
Approval of the vacation requests provided that:

- 1 - The ordinance vacating that portion of Hillcrest Road providing access to 1800 and 1804 Hillcrest Road be delayed until the structures are removed.

| FISCAL and VISION NOTES: | | | | | |
|---|--------|---|----|---|-----|
| City Fiscal Impact Enter all that apply | | Program Impact | | Mandates | |
| City's current net FY cost | \$0.00 | New Program/ Agency? | No | Federal or State mandated? | No |
| Amount of funds already appropriated | \$0.00 | Duplicates/Expands 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? | No |
| One Time | \$0.00 | Requires add'l FTE Personnel? | No | Primary Vision, Strategy and/or Goal Item # | N/A |
| Operating/ Ongoing | \$0.00 | Requires add'l facilities? | No | Secondary Vision, Strategy and/or Goal Item # | N/A |
| | | Requires add'l capital equipment? | No | Fiscal year implementation Task # | N/A |



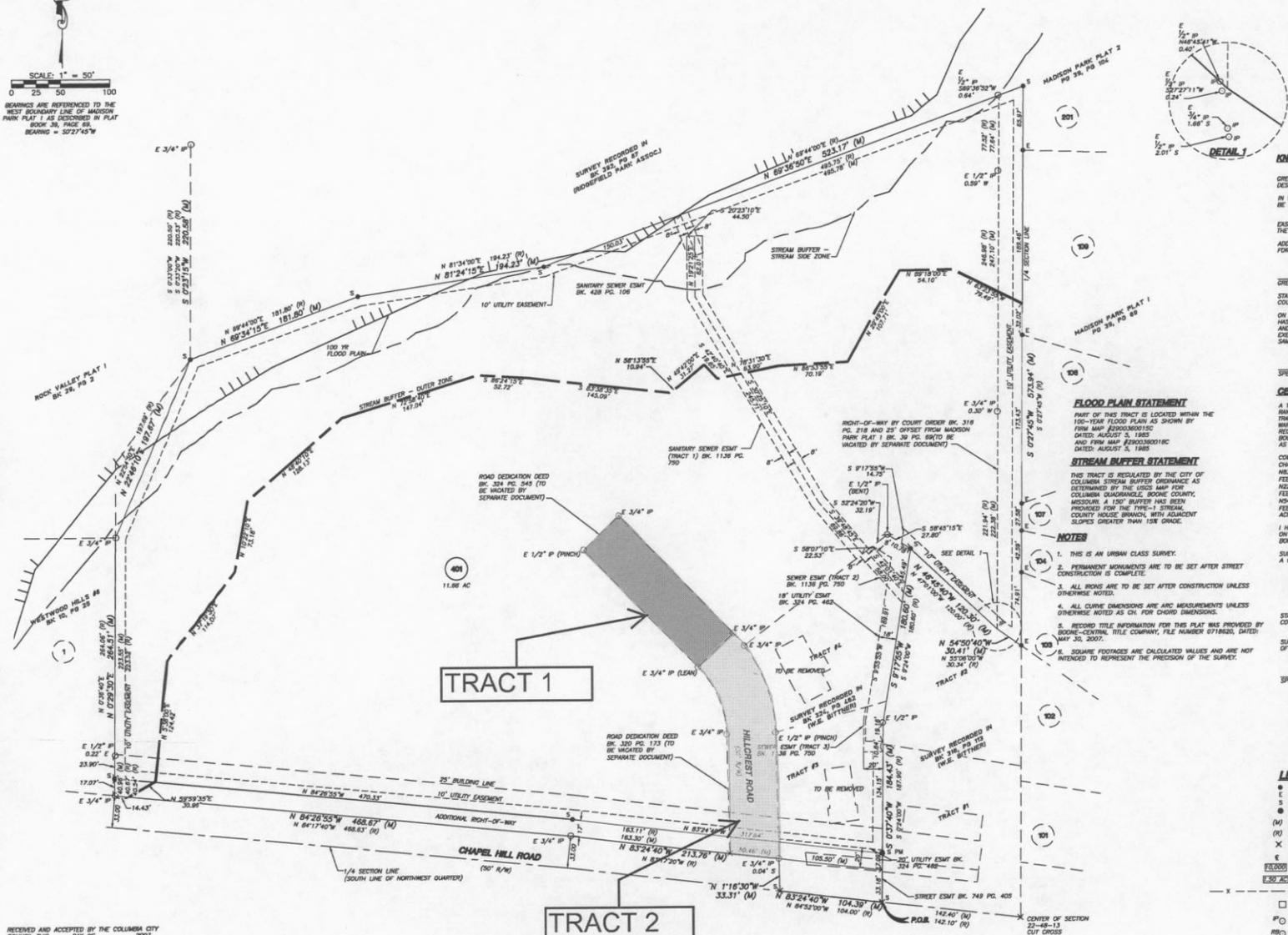
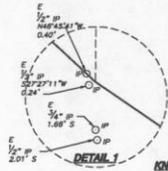
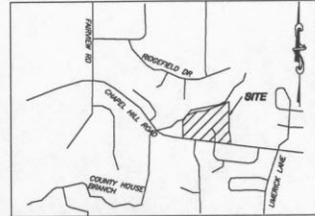
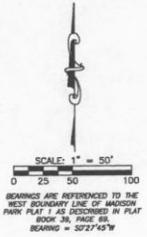
13-152 Right of Way Vacations Rock Valley Plat 4



Parcel Data
Source: Boone County Assessor

FILED FOR RECORD, BOONE COUNTY MISSOURI
 BETTE JOHNSON, RECORDER OF DEEDS

FINAL PLAT
ROCK VALLEY PLAT 4
 A MINOR SUBDIVISION
 AUGUST 7, 2007



KNOW ALL MEN BY THESE PRESENTS
 GREGORY L. & LINDA M. BARTELS, HUSBAND AND WIFE, BEING SOLE OWNERS OF THE BELOW DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT. IN WITNESS WHEREOF, GREGORY L. & LINDA M. BARTELS HAVE CAUSED THESE PRESENTS TO BE SIGNED.
 EASEMENTS OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA, FOREVER.
 ADDITIONAL RIGHT-OF-WAY FOR CHAPEL HILL ROAD IS HEREBY DEDICATED TO PUBLIC USE FOREVER.

GREGORY L. BARTELS
 STATE OF MISSOURI }
 COUNTY OF BOONE } SS
 ON THIS _____ DAY OF _____ IN THE YEAR 2007, BEFORE ME, SPENCER M. HASSKAMP, A KNOWN PUBLIC NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GREGORY L. AND LINDA M. BARTELS, HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

SPENCER M. HASSKAMP
 STATE OF MISSOURI }
 COUNTY OF BOONE } SS
 MY COMMISSION EXPIRES JULY 11, 2011.

CERTIFICATION
 A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF THE TRACTS 1 AND 2 THE SURVEY AS RECORDED IN BOOK 224, PAGE 462 DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 762, PAGE 224, ALSO BEING PART OF THE SURVEY RECORDED IN BOOK 1036, PAGE 89 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 715, PAGE 48 ALL OF THE BOONE COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CENTER OF SECTION 22; THENCE FOLLOWING THE CENTERLINE OF CHAPEL HILL ROAD N82°44'00"W, 142.40 FEET TO THE POINT OF BEGINNING; THENCE N82°24'40"W, 104.39 FEET; THENCE N01°18'30"W, 33.31 FEET; THENCE N82°24'40"W, 213.76 FEET; THENCE N82°25'27"W, 486.87 FEET; THENCE N08°28'30"E, 264.81 FEET; THENCE N22°46'10"E, 197.67 FEET; THENCE N89°34'19"E, 181.80 FEET; THENCE N87°24'10"E, 184.23 FEET; THENCE N88°50'00"E, 323.17 FEET; THENCE S00°27'04"W, 573.84 FEET; THENCE N04°30'40"W, 30.41 FEET; THENCE N48°45'40"W, 120.30 FEET; THENCE S09°17'55"W, 185.80 FEET; THENCE S00°37'40"W, 184.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.04 ACRES.

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY A CIVIL GROUP
 JAY GEBHARDT, L.S. 2001001900
 DATE _____

STATE OF MISSOURI } SS
 COUNTY OF BOONE }
 SUBSCRIBED AND AFFIRMED BEFORE ME THIS _____ DAY OF _____, 2007.

SPENCER M. HASSKAMP
 MY COMMISSION EXPIRES JULY 11, 2011.

- LEGEND**
- IRON PIPE CAP #2001006115
 - EXISTING
 - S SET
 - PERM. PERMANENT MONUMENT
 - (M) MEASURED
 - (R) RECORD
 - X OH, DRILL HOLE WITH CHECKED "X"
 - CENTERLINE
 - 15,000 SQUARE FEET
 - 1,500 ACRES
 - - - EXISTING FENCE
 - EXISTING STONE
 - RP IRON PIPE
 - RR REBAR
 - CR(C) CURVE NUMBER



RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS _____ DAY OF _____, 2007.

DARREN FERGUSON, MAYOR
 SHEILA AMM, CITY CLERK

Plotted by: cooby, Jul 29 2013 - 4:40pm

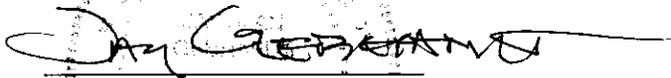
**PROPERTY DESCRIPTIONS FOR
VACATION OF HILLCREST ROAD**

TRACT 1

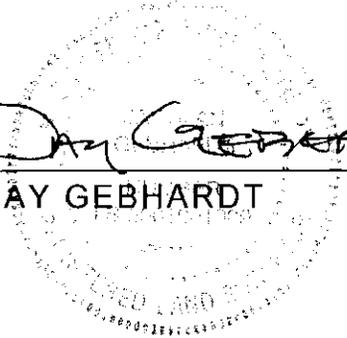
A TRACT OF LAND LOCATED IN THE SOUTHWEST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 324, PAGE 545 OF THE RECORDS OF BOONE COUNTY

TRACT 2

A TRACT OF LAND LOCATED IN THE SOUTHEAST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 320, PAGE 173 OF THE RECORDS OF BOONE COUNTY

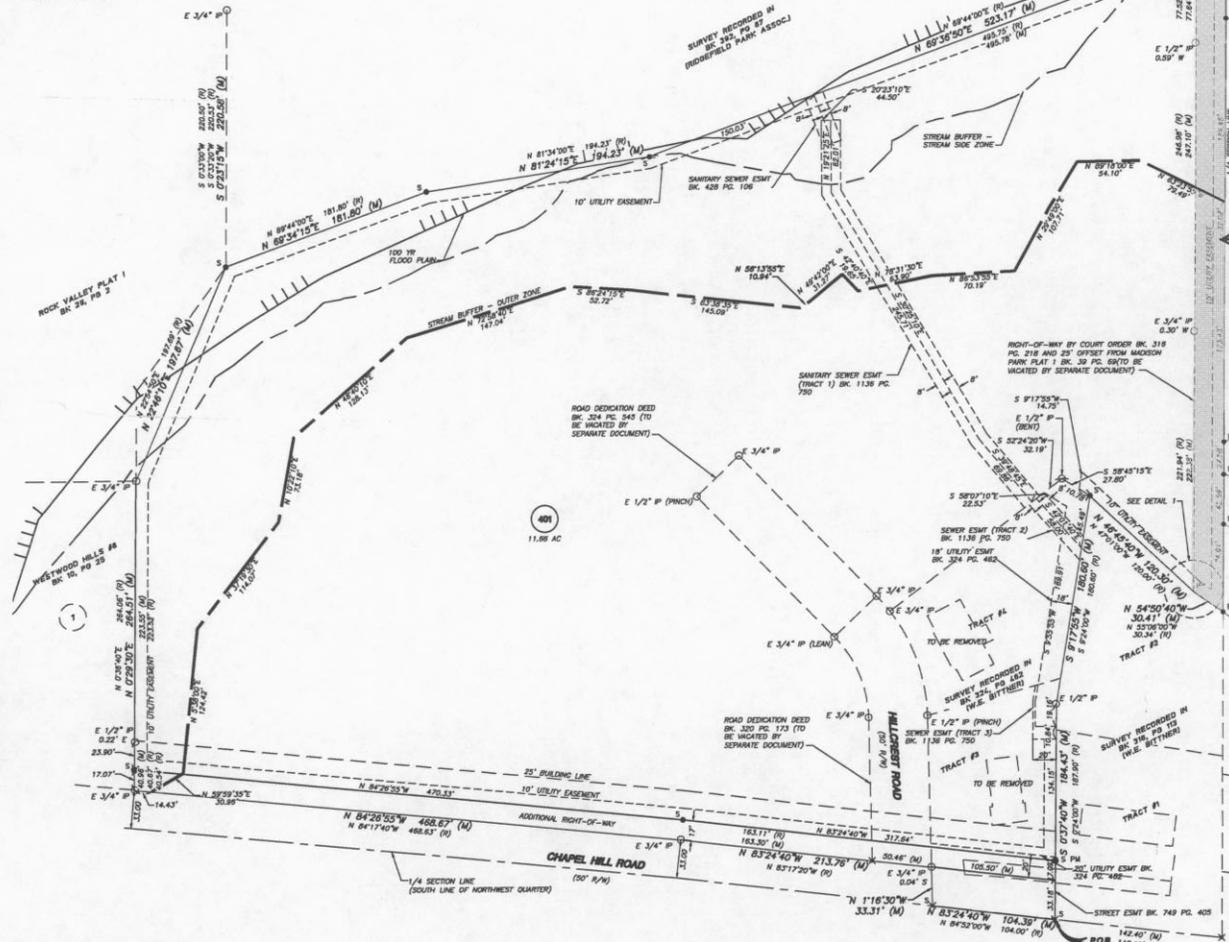
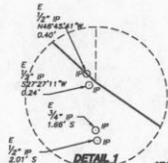
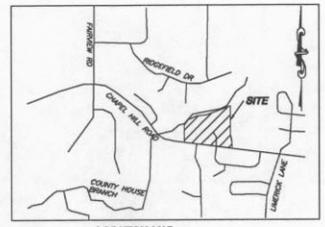
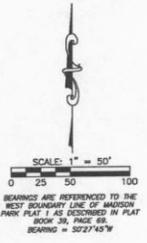


JAY GEBHARDT LS-2001001909



FILED FOR RECORD, BOONE COUNTY MISSOURI
 BETTE JOHNSON, RECORDER OF DEEDS

FINAL PLAT
ROCK VALLEY PLAT 4
 A MINOR SUBDIVISION
 AUGUST 7, 2007



ROW TO BE VACATED

FLOOD PLAN STATEMENT
 PART OF THIS TRACT IS LOCATED WITHIN THE 100-YEAR FLOOD PLAN AS SHOWN BY THE FIRM MAP FLOODINSURANCE DATED AUGUST 5, 1985 AND FIRM MAP FLOODINSURANCE DATED AUGUST 5, 1985.

STREAM BUFFER STATEMENT
 THIS TRACT IS REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER ORDINANCE AS DETERMINED BY THE 1985 MAP FOR COLUMBIA QUADRANGLE, BOONE COUNTY, MISSOURI. A 150' BUFFER HAS BEEN PROVIDED FOR THE 178-C1 STREAM. COUNTY HOUSE BRANCH, WITH ADJACENT SLOPES GREATER THAN 15% GRADE.

- NOTES**
1. THIS IS AN URBAN CLASS SURVEY.
 2. PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
 3. ALL MONUMENTS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
 4. ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
 5. RECORD TITLE INFORMATION FOR THIS PLAT HAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, FILE NUMBER 8718632, DATED MAY 30, 2007.
6. SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.

KNOW ALL MEN BY THESE PRESENTS
 GREGORY L. & LINDA M. BARTELS, HUSBAND AND WIFE, BEING SOLE OWNERS OF THE BELOW DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT. IN WITNESS WHEREOF, GREGORY L. & LINDA M. BARTELS HAVE CAUSED THESE PRESENTS TO BE SIGNED.
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 RIGHT-OF-WAY FOR CHAPEL HILL ROAD IS HEREBY DEDICATED TO PUBLIC USE.

GREGORY L. BARTELS
 LINDA M. BARTELS
 COUNTY OF BOONE } 33
 BOONE } 33

SPENCER M. HUSKAMP
 MY COMMISSION EXPIRES JULY 11, 2011.

CERTIFICATION
 A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF THE TRACTS 3 AND 4 IN THE SURVEY AS RECORDED IN BOOK 124, PAGE 462 DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 782, PAGE 234, ALSO BEING PART OF THE SURVEY RECORDED IN BOOK 1036, PAGE 89 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 710, PAGE 46, ALL OF THE BOONE COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CENTER OF SECTION 22; THENCE FOLLOWING THE CENTERLINE OF CHAPEL HILL ROAD N82°44'00"W, 142.40 FEET TO THE POINT OF BEGINNING; THENCE N82°24'40"W, 104.39 FEET; THENCE N01°18'30"W, 33.31 FEET; THENCE N82°24'40"W, 213.76 FEET; THENCE N82°28'30"W, 466.67 FEET; THENCE N02°28'30"W, 294.51 FEET; THENCE N22°46'10"E, 187.67 FEET; THENCE N89°24'19"W, 181.80 FEET; THENCE N87°24'15"E, 184.23 FEET; THENCE N88°58'07"E, 323.17 FEET; THENCE S00°27'34"W, 573.94 FEET; THENCE N50°30'40"W, 30.41 FEET; THENCE N44°45'40"W, 100.30 FEET; THENCE S00°17'35"W, 180.80 FEET; THENCE S00°31'40"W, 184.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.04 ACRES.

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SURVEY AND PLAT BY
 A CIVIL GROUP
 JAY GEBHARDT, L.S. 200101809
 DATE

STATE OF MISSOURI } 33
 COUNTY OF BOONE } 33

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY OF _____, 2007.

SPENCER M. HUSKAMP
 MY COMMISSION EXPIRES JULY 11, 2011.

- LEGEND**
- IRON PIPE CAP #2001008115
 - ⊕ EXISTING
 - S SET
 - PERMANENT MONUMENT
 - (M) MEASURED
 - (R) RECORDED
 - X CH. DRILL HOLE WITH CHISELED "X"
 - CENTERLINE
 - SQUARE FEET
 - ACRES
 - EXISTING FENCE
 - EXISTING STONE
 - ⊕ IRON PIPE
 - ⊕ REBAR
 - (C#) CURVE NUMBER



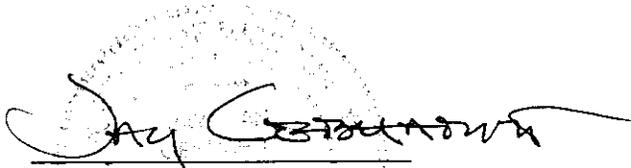
RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS ____ DAY OF _____, 2007.

DARREN FENHAGEN, MAYOR
 SHEELA AMAR, CITY CLERK

**PROPERTY DESCRIPTIONS FOR
RIGHT-OF-WAY BY COURT ORDER BK. 316, PG. 218
TO BE VACATED**

A TRACT OF LAND LOCATED IN THE SOUTHEAST PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED AS THE RIGHT-OF-WAY BY COURT ORDER RECORDED IN BOOK 316, PAGE 218 OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 22 THENCE FOLLOWING THE $\frac{1}{4}$ SECTION LINE N00°27'45"E, 279.07 FEET TO THE POINT OF BEGINNING THENCE N54°50'40"W, 30.41 FEET; THENCE N00°27'45"E, 547.12 FEET; THENCE N69°36'50"E, 26.75 FEET; THENCE S00°27'45"W, 573.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.32 ACRES.



JAY GEBHARDT

JAY GEBHARDT

LS-2001001909