

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 115-13

AN ORDINANCE

approving the Final Plat of Village at Bearfield, Plat No. 1 located on the west side of Bearfield Road and south of Nifong Boulevard, a major subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; 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 hereby approves the Final Plat of Village at Bearfield, Plat No. 1, dated March 11, 2013, a major subdivision located on the west side of Bearfield Road and south of Nifong Boulevard, containing approximately 21.15 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with AEGIS Investment Group VI in connection with the approval of the Final Plat of Village at Bearfield, Plat No. 1. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. 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

PERFORMANCE CONTRACT

This contract is entered into on this day 13 of MARCH, 2013 between the City of Columbia, MO ("City") and **AEGIS Investment Group VI**. ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of **Village at Bearfield, Plat No. 1**, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.
2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.
3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.
4. No occupancy permit shall be issued to the Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.
5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection, or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by the City in collecting amounts owed by Subdivider under this paragraph.
6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.

7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.
8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.
9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHERE OF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: _____
Mike Matthes, City Manager

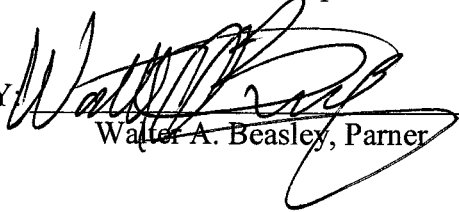
ATTEST:

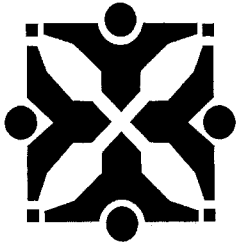
Sheela Amin, City Clerk

APPROVED AS TO FORM:

City Counselor

AEGIS Investment Group VI

BY: 
Walter A. Beasley, Partner



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: May 6, 2013

Re: Village at Bearfield, Plat No. 1 - final major plat (Case 13-47)

EXECUTIVE SUMMARY:

A request by AEGIS Investment Group, VI (owner) for approval of a final major subdivision to create 67 R-1 (One-Family Dwelling) zoned lots, to be known as "Village at Bearfield, Plat No. 1". The 21.15-acre subject site is located on the west side of Bearfield Road, approximately 1/3 mile south of Nifong Boulevard. (Case #13-47)

DISCUSSION:

The applicant is requesting approval of a final major subdivision to create 67 R-1 (One-Family Residential District) zoned lots for residential development. The proposed plat substantially conforms to the preliminary plat of The Village at Bearfield, which was approved by Council on December 3, 2012.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations.

Locator maps, a reduced copy of the plat, and performance contracts are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed final major plat

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 #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA



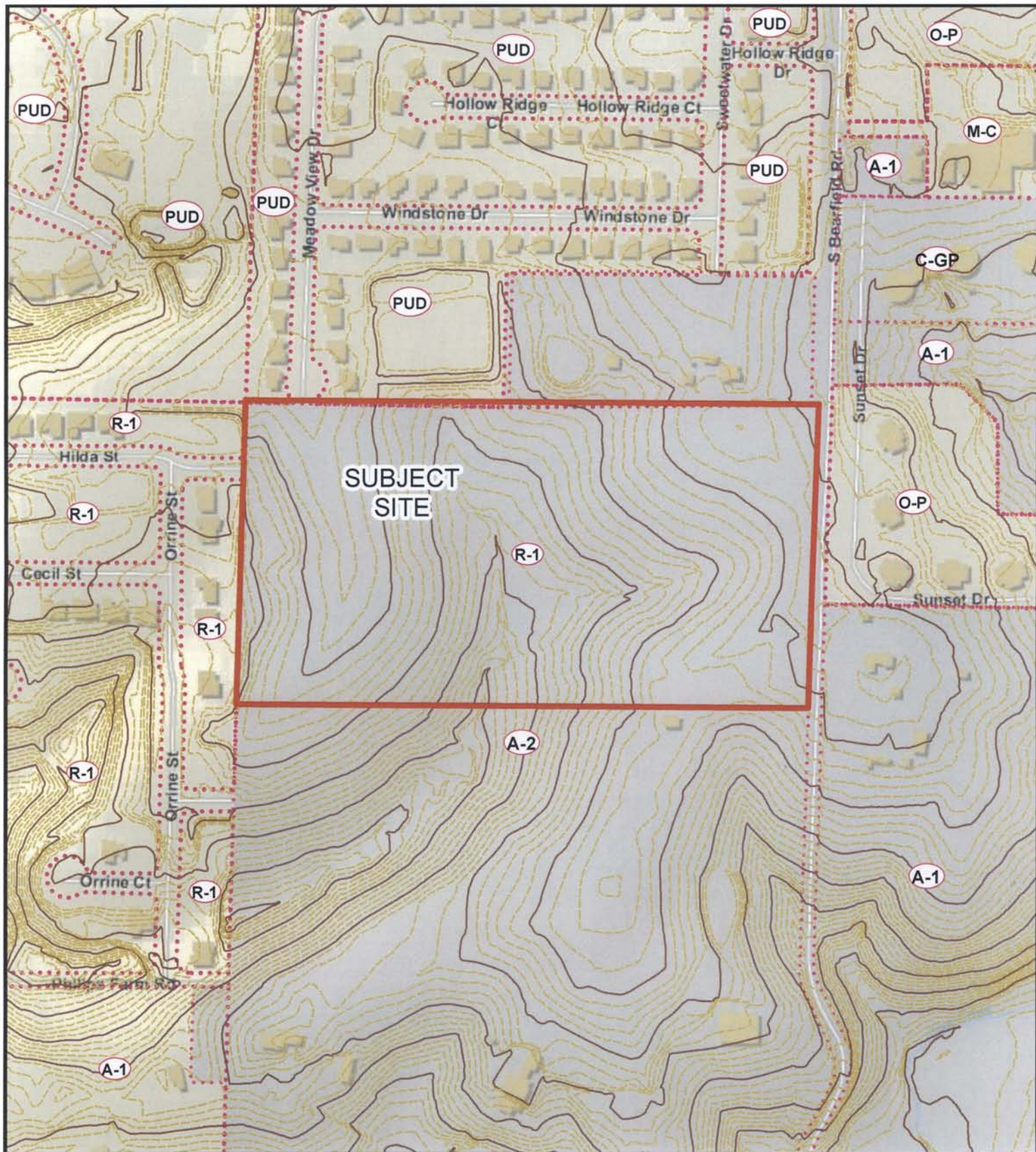
2011 Orthophoto
Source: Boone County Assessor

Case 13-47: Final Major Plat Village at Bearfield, Plat No. 1

0 150 300 600
Feet

1 inch = 300 feet





**Case 13-47: Final Major Plat
Village at Bearfield, Plat No. 1**

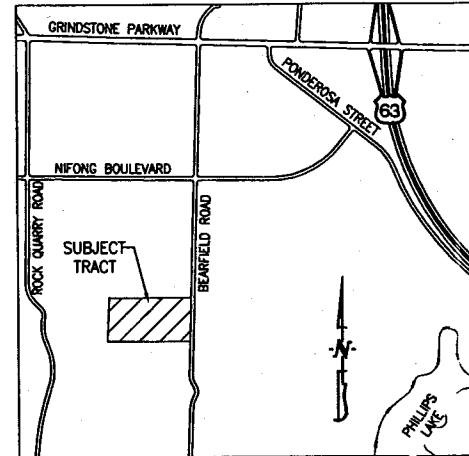


1 inch = 300 feet

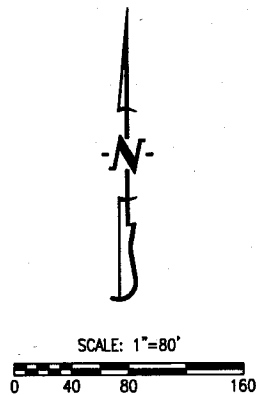


FINAL PLAT VILLAGE AT BEARFIELD, PLAT No. 1

A MAJOR SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF
SECTION 31, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
MARCH 11, 2013



LOCATION MAP
NOT TO SCALE



BEARINGS ARE REFERENCED TO GRID
NORTH, OF THE MISSOURI STATE PLANE
COORDINATE SYSTEM (CENTRAL ZONE),
OBTAINED FROM GPS OBSERVATION.

LEGEND:

- E EXISTING
- S SET
- o 1/2" IRON PIPE
(UNLESS NOTED OTHERWISE)
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DHx DRILL HOLE
- W/ CHISELED X

NOTES:

1. THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY THE MISSOURI CODE OF STATE REGULATIONS 20 CSR 2030-16.040(2)(A).
2. THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY FLOOD PLAIN MAPS, PANEL NUMBER 29019C 0295D, DATED MARCH 17, 2011.
3. THERE SHALL BE NO DIRECT ACCESS FROM LOTS 101-107 AND 166 ONTO BEARFIELD ROAD.
4. THIS TRACT IS REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230A ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. THERE ARE NO REGULATED STREAMS ON THIS SITE AS SHOWN BY THE COLUMBIA USGS QUAD MAP.
5. LOT C1 IS TO BE A DRAINAGE AND UTILITY EASEMENT.
6. A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
7. ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETE.
8. THE SIGNAGE EASEMENT SHOWN IS FOR NEIGHBORHOOD SIGN AND LANDSCAPING WHICH IS TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.

KNOW ALL MEN BY THESE PRESENTS:

THAT AEGIS INVESTMENT GROUP VI, LLC IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID LIMITED LIABILITY COMPANY HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ABOVE DRAWING IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE EASEMENTS EXCEPT THE SIGNAGE EASEMENT (SEE NOTE 8) AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "VILLAGE AT BEARFIELD, PLAT NO. 1"

IN WITNESS WHEREOF, AEGIS INVESTMENT GROUP VI, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNERS, THIS ____ DAY OF _____, 2013.

AEGIS INVESTMENT GROUP VI, LLC.

STEVEN M. DRESNER, PARTNER

WALTER A. BEASLEY, PARTNER

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY OF _____, 2013.

DANIELLE GRIFFITH

NOTARY PUBLIC
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201

CERTIFICATION:

I HEREBY CERTIFY THAT IN MARCH 2013, I COMPLETED A SURVEY AND SUBDIVISION FOR AEGIS INVESTMENT GROUP VI, LLC OF A TRACT OF LAND LOCATED IN SECTION 31 OF TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4088, PAGE 6 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

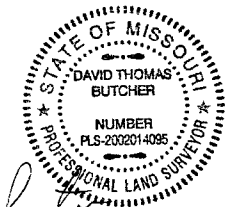
BEGINNING AT THE SOUTHWEST CORNER OF BEARFIELD MEADOWS, RECORDED IN PLAT BOOK 35, PAGE 1 AND WITH THE SOUTH LINE THEREOF AND THE SOUTH LINE EXTENDED, S89°34'30"E, 1320.29 FEET TO THE EAST LINE OF SAID SECTION 31; THENCE LEAVING SAID SOUTH LINE EXTENDED AND WITH THE EAST LINE OF SAID SECTION, S1°34'00"W, 697.87 FEET TO THE NORTHEAST CORNER OF THE SURVEY RECORDED IN BOOK 3931, PAGE 167; THENCE LEAVING SAID EAST LINE OF SAID SECTION AND WITH THE NORTH LINE OF SAID SURVEY, N89°34'15"W, 1321.29 FEET TO THE EAST LINE OF FOREST PARK SOUTH, RECORDED IN PLAT BOOK 40, PAGE 21; THENCE LEAVING THE NORTH LINE OF SAID SURVEY AND WITH THE LINES OF SAID FOREST PARK SOUTH, N1°38'55"E, 697.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 21.15 ACRES.

THIS SURVEY WAS MADE IN CONFORMANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKETT ENGINEERING CONSULTANTS, LLC
2608 NORTH STADIUM BLVD.
COLUMBIA, MO 65202

CORPORATE NUMBER: 2000151304



DAVID T. BUTCHER, PLS-2002014095

4/19/13
DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY OF _____, 2013.

DANIELLE GRIFFITH

NOTARY PUBLIC
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI,
THIS ____ DAY OF _____, 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

FILED FOR RECORD IN BOONE COUNTY, MISSOURI
BETIE JOHNSON, RECORDER OF DEEDS

FINAL PLAT VILLAGE AT BEARFIELD, PLAT No. 1

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SECTION 31, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
MARCH 11, 2013

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CURVE TABLE					CURVE TABLE				
CURVE	L	R	Δ	CHDIST	CURVE	L	R	Δ	CHDIST
1	195.97'	100.00'	112°16'55"	166.08'	11	39.66'	60.00'	37°52'10"	38.94'
2	681.37'	195.00'	200°12'10"	383.95'	12	24.48'	20.00'	70°07'55"	22.98'
3	671.52'	205.00'	187°41'00"	409.08'	13	36.28'	20.00'	103°58'20"	31.51'
4	258.54'	125.00'	118°30'30"	214.86'	14	20.86'	30.00'	39°50'55"	20.45'
5	47.32'	100.00'	27°06'40"	46.88'	15	36.61'	60.00'	36°52'10"	37.95'
6	300.83'	200.00'	86°10'50"	273.26'	16	40.83'	30.00'	77°58'30"	37.75'
7	60.95'	100.00'	34°55'25"	60.01'	17	23.92'	20.00'	68°30'50"	22.52'
8	47.12'	30.00'	90°00'00"	42.43'	18	37.46'	20.00'	107°19'15"	32.22'
9	27.64'	20.00'	79°11'35"	25.50'	19	8.78'	20.00'	25°09'15"	8.71'
10	44.21'	20.00'	126°39'45"	35.74'					

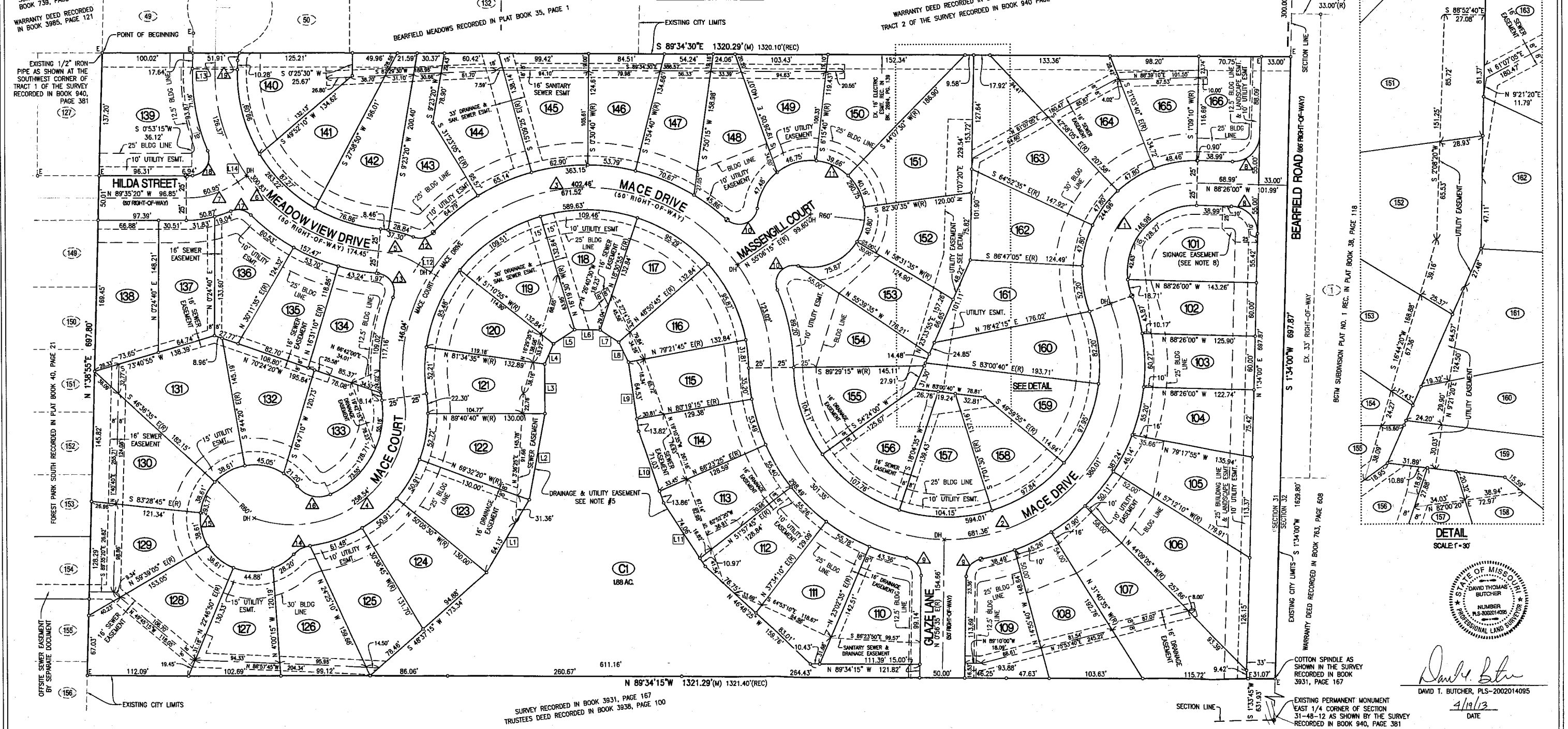
LINE TABLE		
LINE#	BEARING	DISTANCE
L1	S 30°11'05" W	94.58'
L2	S 10°23'30" W	97.91'
L3	S 0°03'05" E	55.32'
L4	S 23°30'00" W	24.71'
L5	S 56°14'45" W	28.25'
L6	N 88°54'15" W	28.24'
L7	N 56°19'10" W	24.67'
L8	N 25°53'45" W	24.82'
L9	S 8°13'30" E	78.35'
L10	S 18°54'25" E	84.89'
L11	S 32°50'55" E	85.03'
L12	S 57°22'45" E	16.10'
L13	N 1°41'25" E	18.19'
L14	N 55°29'15" E	12.19'

LEGEND:

- E EXISTING
- S SET
- 1/2" IRON PIPE (UNLESS NOTED OTHERWISE)
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH X DRILL HOLE
- W/ CHISELED X

SCALE: 1"=50'
BEARINGS ARE REFERENCED TO GRID NORTH, OF THE MISSOURI STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE), OBTAINED FROM GPS OBSERVATION.

SURVEY RECORDED IN BOOK 739, PAGE 166
WARRANTY DEED RECORDED IN BOOK 3985, PAGE 121



SURVEY RECORDED IN BOOK 3931, PAGE 167
TRUSTEES DEED RECORDED IN BOOK 3938, PAGE 100

WARRANTY DEED RECORDED IN BOOK 3143, PAGE 66
TRACT 2 OF THE SURVEY RECORDED IN BOOK 940 PAGE 381

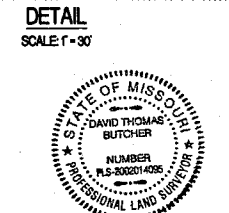
BEARFIELD MEADOWS RECORDED IN PLAT BOOK 35, PAGE 1

WARRANTY DEED RECORDED IN BOOK 2118, PAGE 36

BGM SUBDIVISION PLAT NO. 1 REC. IN PLAT BOOK 38, PAGE 118

EXISTING CITY LIMITS - S 1°34'00" W 1629.80'
WARRANTY DEED RECORDED IN BOOK 763, PAGE 608

COTTON SPINDLE AS SHOWN IN THE SURVEY RECORDED IN BOOK 3931, PAGE 167
EXISTING PERMANENT MONUMENT EAST 1/4 CORNER OF SECTION 31-48-12 AS SHOWN BY THE SURVEY RECORDED IN BOOK 940, PAGE 381



DATE
4/19/13