

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 290-13

AN ORDINANCE

vacating sewer easements as part of the South Country Club Drive PCCE #6 sewer improvement project; directing the City Clerk to have a copy of this ordinance recorded; accepting conveyances; directing the City Clerk to have the conveyances 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 easements obtained as part of the South Country Club Drive PCCE #6 sewer improvement project, more particularly described as follows:

Permanent Sewer Easement

A strip of land sixteen (16) feet in width across a tract of land as described in a warranty deed recorded in Book 1196 at Page 601, also being Tract 1 of a survey as shown in Book 279 at Page 190, both of the Boone County Records; situate in the north half (1/2) of the southeast quarter (1/4) of Section 7, Township 48 North, Range 12 West in the City of Columbia, Boone County, Missouri; said strip being described as follows:

Beginning at the northwest corner of said Tract 1; thence along the west line of said tract, S.2°14'15"W., 16.03 feet; thence leaving said line, S.84°02'15"E., 18.35 feet; thence N.5°57'45"E., 16.00 feet to the north line of said tract; thence along said line, N.84°02'15"W., 19.40 feet to the POINT OF BEGINNING and containing 302 square feet.

Temporary Construction Easement

An irregular shaped parcel of land located on a tract of land as described in a warranty deed recorded in Book 1196 at Page 601, also being Tract 1 of a survey as shown in Book 279 at Page 190, both of the Boone County Records; situate in the north half (1/2) of the southeast quarter (1/4) of Section 7, Township 48 North, Range 12 West in the City of Columbia, Boone County, Missouri; said strip being described as follows:

Beginning at the northwest corner of said Tract 1; thence along the west line of said tract, S.2°14'15"W., 38.55 feet; thence leaving said line, S.84°26'25"E., 121.51 feet; thence S.39°03'50"E., 51.04 feet; thence N.5°57'45"E., 60.45 feet to the north line of said tract; thence along said line, N.61°29'50"W., 34.55 feet to a corner on the north side of said tract; thence continuing along said line, N.84°02'15"W., 128.20 feet to the POINT OF BEGINNING and containing 6,167 square feet exclusive of 302 square feet of permanent sanitary sewer easement granted this date.

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. The conveyances to the City of Columbia, Missouri, a municipal corporation, more particularly described as follows:

Grant of Easement for sewer purposes from Gary L. and Patty Gramm Kespohl, dated August 13, 2013, more particularly described in Exhibit "A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

Agreement for Temporary Construction Easement from Gary L. and Patty Gramm Kespohl, dated August 13, 2013, more particularly described in Exhibit "B" attached hereto and made a part hereof as fully as if set forth herein verbatim.

are hereby accepted.

SECTION 4. The City Clerk is hereby authorized and directed to have the conveyances recorded in the office of the Boone County Recorder of Deeds.

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

GRANT OF EASEMENT FOR SEWER PURPOSES

THIS INDENTURE, made on the 13th day of August, 2013, by and between Gary L. and Patty Gramm Kespohl, husband and wife, of the County of Boone in the State of Missouri, Grantor, and the City of Columbia, Missouri, a municipal corporation in the County of Boone and the State of Missouri, Grantee; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, to us in hand paid by the City of Columbia, Missouri, Grantee, mailing address Post Office Box 6015, Columbia, MO 65205, a municipal corporation, the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes, including the necessary manholes and other fixtures, under, across and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to wit:

Project: PCCE #6 – S. Country Club Drive

Parcel: 17-118-00-00-002.00 01

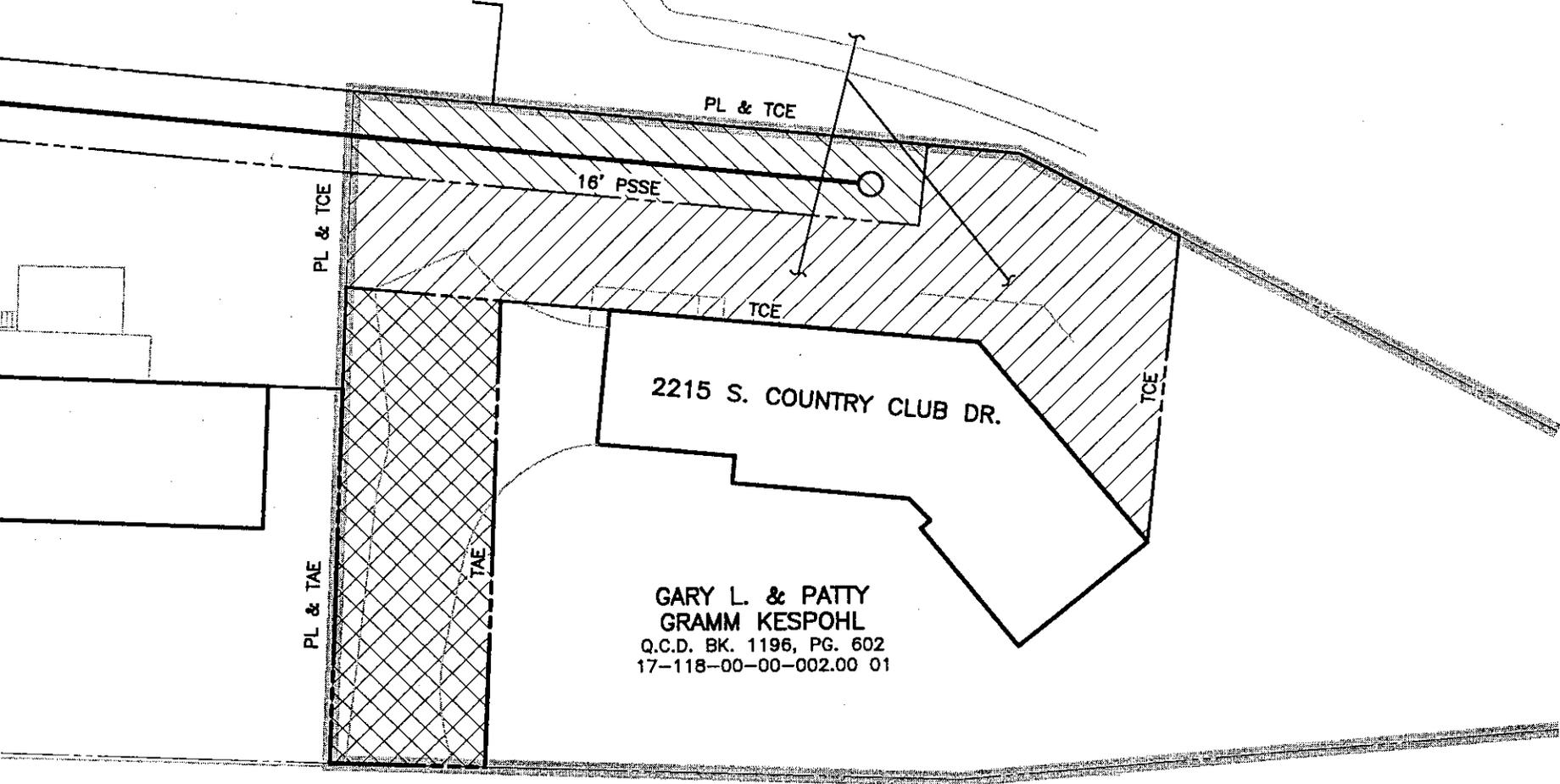
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Said easement being the right to construct, operate, replace, repair and maintain sewers and pipes under or across said easement, and rights incidental and covenant thereto, and a right of access thereto over the above-described tract of land across the Grantor's adjacent property.



-  Temporary Construction Easement
-  Permanent Sanitary Sewer Easement
-  Temporary Access Easement



GARY L. & PATTY
 GRAMM KESPOHL
 Q.C.D. BK. 1196, PG. 602
 17-118-00-00-002.00 01

S. COUNTRY CLUB DR.

	City of Columbia, Missouri	
	Department of Public Works	
Easement Diagram		
2215 S. Country Club Dr		
PCCE #6		
Scale: 1"=30'	Dwn: J.K.M.	Date: 8/12/13

AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT for temporary construction easement entered into this 13th day of August, 2013, by and between Gary L. and Patty Gramm Kespohl, husband and wife, Grantor, and the City of Columbia, Missouri, Grantee; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205, a municipal corporation in the County of Boone and the State of Missouri;

WITNESSETH:

That the Grantor, in consideration of the sum of Ten Dollars (\$10.00), to us in hand paid by the City of Columbia, Missouri, the receipt of which is hereby acknowledged, do hereby grant unto the Grantee, a temporary easement and right-of-way to be in effect during the time of construction of the **PCCE #6 – South Country Club Drive** project in Boone County for the following purposes, namely: to provide access to said construction project by granting the right to enter upon, permanently alter the grade, store materials, and operate and park equipment on, over and across the right-of-way hereinafter described, which is located within the boundaries of a parcel of land situated in the County of Boone and State of Missouri and described as follows:

Project: PCCE #6 – South Country Club Drive

LEGAL DESCRIPTION:

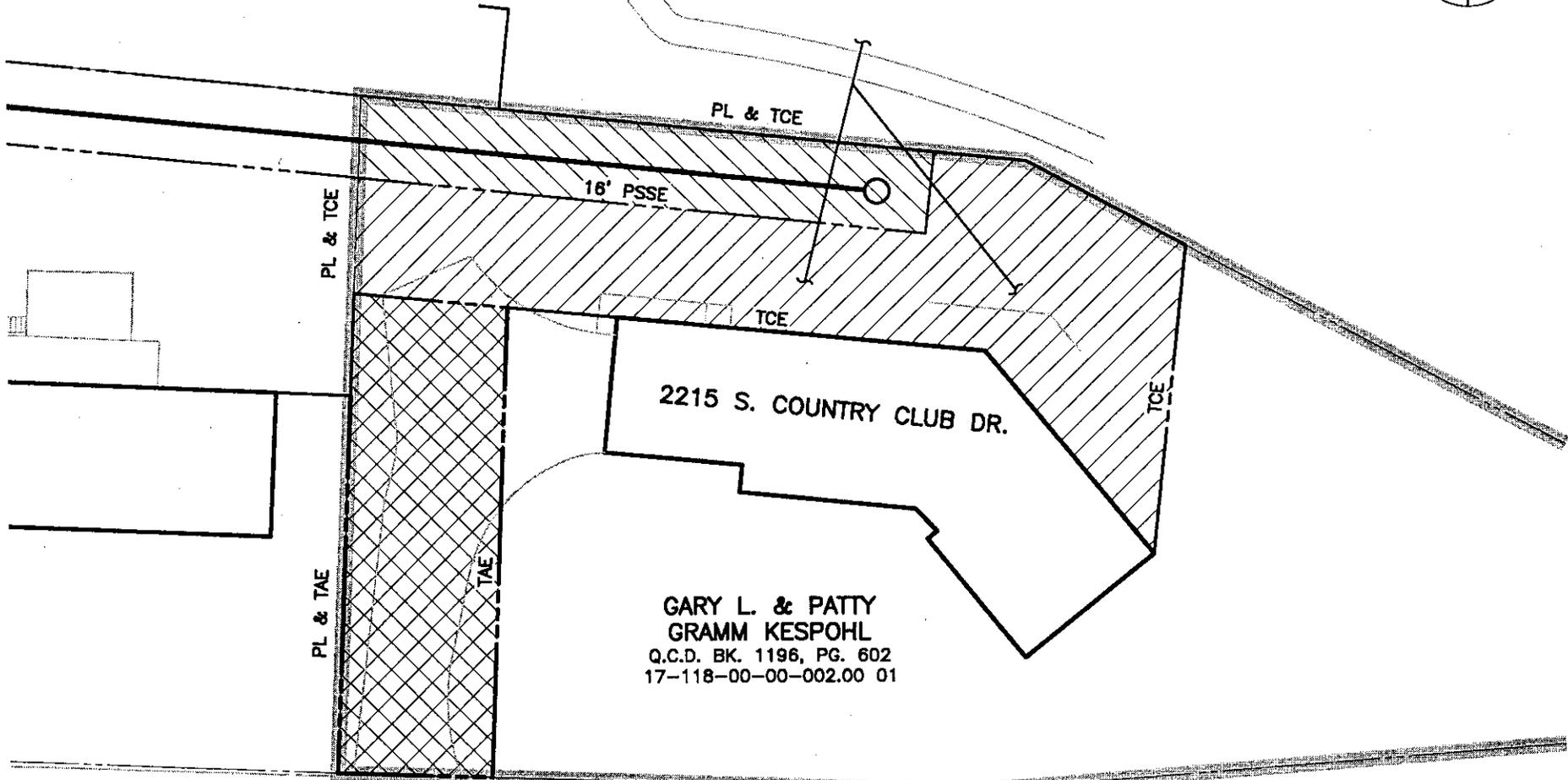
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TO HAVE AND TO HOLD said temporary easement and right-of-way unto the Grantee and to its successors

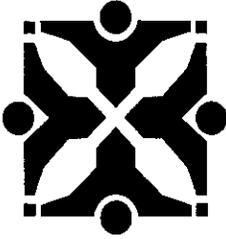


-  Temporary Construction Easement
-  Permanent Sanitary Sewer Easement
-  Temporary Access Easement



S. COUNTRY CLUB DR.

	City of Columbia, Missouri Department of Public Works	
	Easement Diagram 2215 S. Country Club Dr PCCE #6	
Scale: 1"=30'	Dwn: J.K.M.	Date: 6/12/13



Source: Community Development - Planning 

Agenda Item No:

To: City Council
From: City Manager and Staff 

Council Meeting Date: Oct 7, 2013

Re: PCCE #6 permanent and temporary sewer easement vacation and dedication (Case #13-160)

EXECUTIVE SUMMARY:

A request by the City of Columbia Public Works Department (owner) to vacate and dedicate sanitary sewer easements associated with the PCCE #6 (South Country Club Drive) project. The easement vacations and dedications are located on property addressed as 2215 S. Country Club Drive. **(Case # 13-160)**

DISCUSSION:

The City's Public Works Department is currently in the process of completing the construction associated with PCCE #6 - South Country Club Drive. As part of the installation process field changes were made to optimize the location of the new sewer line. As a result, the previously recorded permanent and temporary easements need to be vacated and new easements need to be dedicated. The previously acquired easements do not match the improvements being installed.

This request has been reviewed by internal and external departments/agencies and is supported for approval. A project location map and the legal descriptions and maps for the easements to be vacated and dedication are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

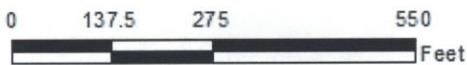
SUGGESTED COUNCIL ACTIONS:

Approval of the request to vacate existing easements associated with PCCE #6 and acceptance of new easements for temporary construction access and the actual improvement being installed.

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



**13-160 Sewer Easement Vacation & Dedication
2215 S. Country Club Drive**



Parcel Data and Aerial Photo
Source: Boone County Assessor

Kespohl Permanent and Temporary Legal Descriptions to be Vacated

Project: PCCE #6 – South Country Club Drive – Sewer Easement

LEGAL DESCRIPTION

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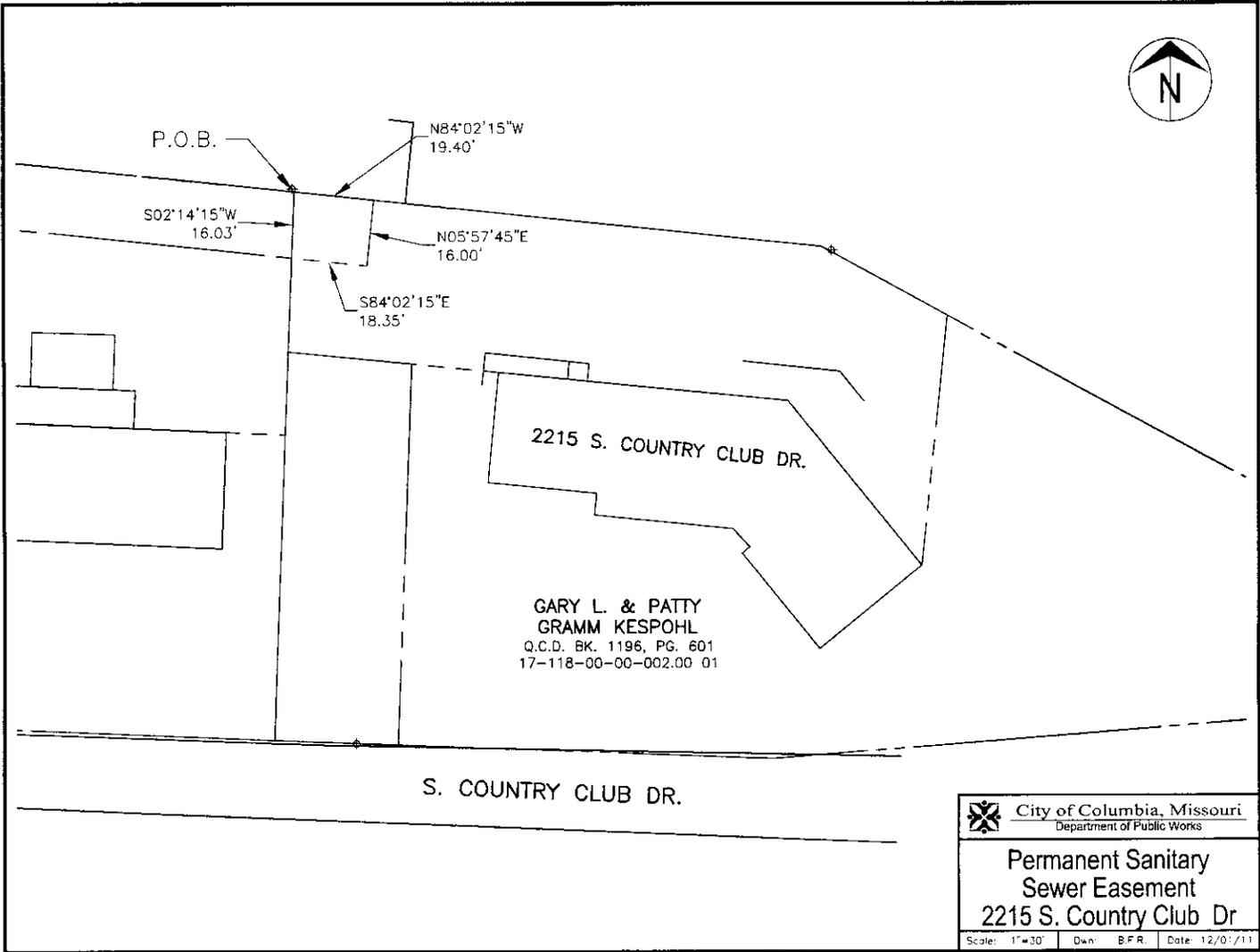
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Project PCCE #6 – South Country Club Drive – Temporary Easement

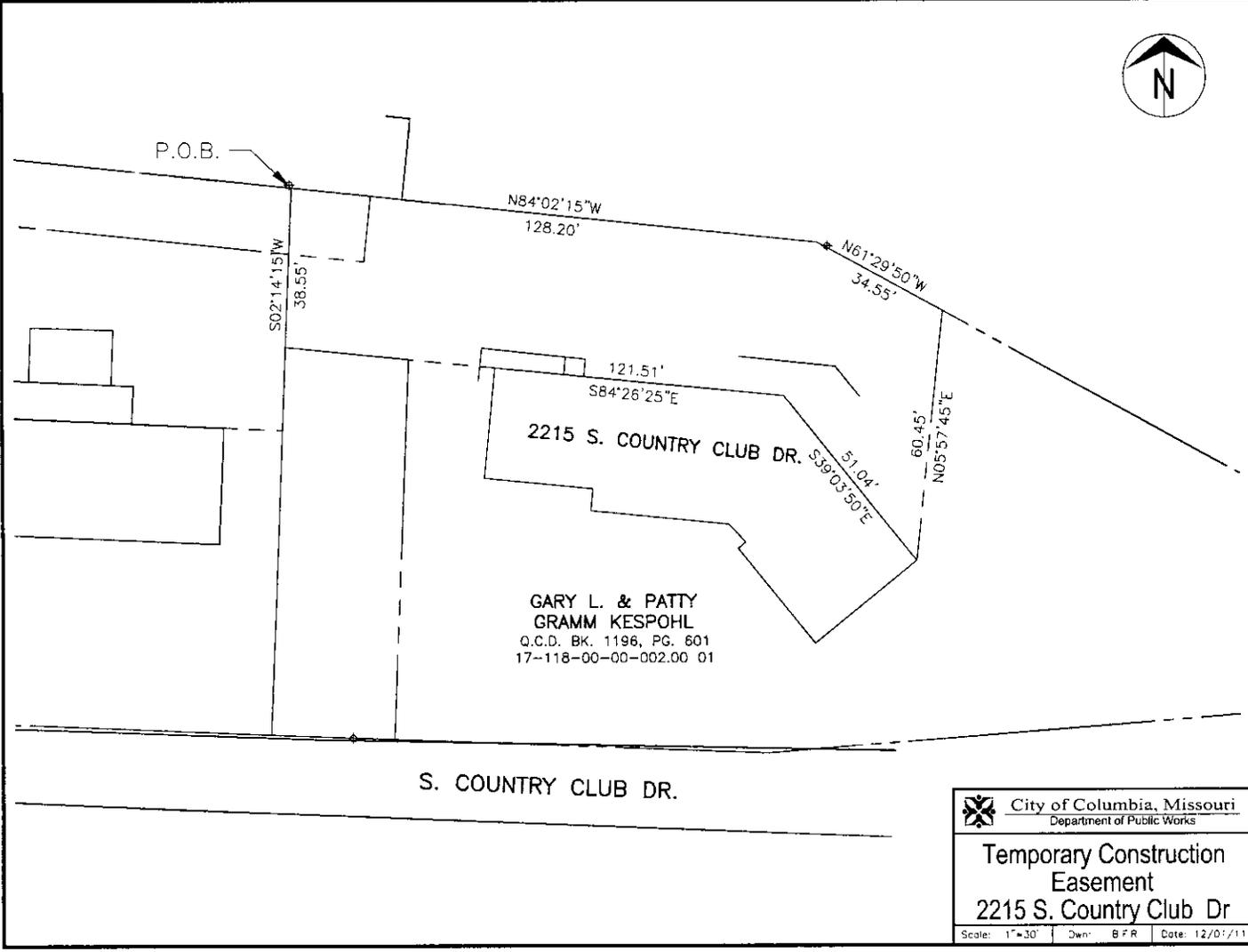
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	City of Columbia, Missouri Department of Public Works
Permanent Sanitary Sewer Easement 2215 S. Country Club Dr	
Scale: 1"=30'	Dwn: B.F.R. Date: 12/01/11



Kespohl Sewer and Temporary Easements to be Dedicated

Project: PCCE #6 – S. Country Club Drive - Permanent

Parcel: 17-118-00-00-002.00 01

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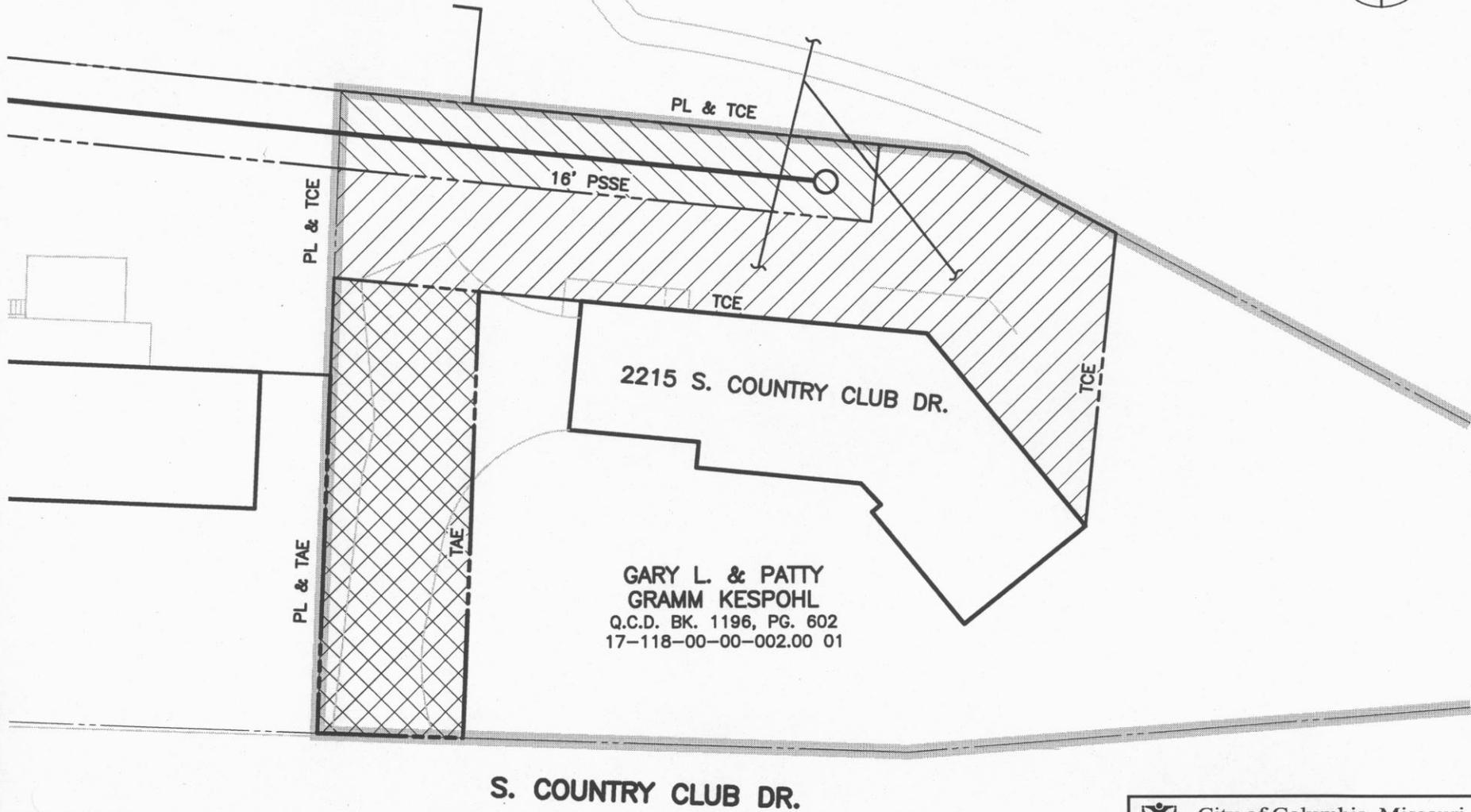
Project: PCCE #6 – South Country Club Drive - Temporary

LEGAL DESCRIPTION:

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-  Temporary Construction Easement
-  Permanent Sanitary Sewer Easement
-  Temporary Access Easement



 City of Columbia, Missouri
Department of Public Works

Easement Diagram
2215 S. Country Club Dr
PCCE #6

Scale: 1"=30' Dwn: J.K.M. Date: 6/12/13