

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 48-14

AN ORDINANCE

vacating public right-of-way adjacent to property located on the northwest corner of Cliff Drive and McNab Drive (1809 Cliff 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 right-of-way adjacent to property located on the northwest corner of Cliff Drive and McNab Drive (1809 Cliff Drive), more particularly described as follows:

A TRACT LOCATED IN SECTION 18, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING THAT PART OF CLIFF DRIVE ADJOINING AND ABUTTING LOT 18 AS SHOWN BY EAST HIGHLANDS ADDITION IN PLAT BOOK 1 PAGE 11 OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF LOT 18 OF EAST HIGHLANDS ADDITION S 8959'00" E 100.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 18 ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MCNABB DRIVE AS SHOWN BY MCNABB SUBDIVISION PLAT BOOK 4 PAGE 42 OF THE BOONE COUNTY RECORDS; THENCE WITH THE WEST RIGHT-OF-WAY LINE OF SAID MCNABB DRIVE S 4357'15" W 25.35 FEET; THENCE 23.54 FEET WITH A CURVE TO THE RIGHT, CURVE RADIUS 20.00 FEET, CHORD S 7740'30" W, 22.20 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CLIFF DRIVE FORMALLY KNOWN AS HIGHLAND DRIVE AS SHOWN BY THE REVISION PLAT OF MILLER'S REARRANGEMENT OF FYFER'S & EAST HIGHLAND ADDITION PLAT BOOK 4 PAGE 5 OF THE BOONE COUNTY RECORDS; THENCE WITH THE NORTH LINE OF SAID CLIFF DRIVE FORMALLY KNOWN AS HIGHLAND DRIVE 63.49 FEET WITH A NON TANGENT CURVE TO THE LEFT, CURVE RADIUS 406.97 FEET, CHORD N 7304'30" W, 63.45 FEET; THENCE LEAVING SAID NORTH

RIGHT-OF-WAY LINE N 0020'00" W 4.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES.

is in excess and surplus to the needs of the City and is 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 _____, 2014.

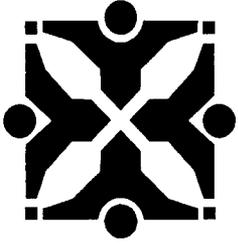
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Community Development - Planning

TT

Agenda Item No:

To: **City Council**

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

Council Meeting Date: Mar 3, 2014

Re: 1809 Cliff Drive - Right of way vacation request (Case #14-19)

EXECUTIVE SUMMARY:

A request by Brush & Associates (applicant) on behalf of Nancy Kennedy (owner) to vacate right of way adjacent to property located at the northwest corner of Cliff Drive and McNab Drive, and addressed 1809 Cliff Drive. (Case #14-19)

DISCUSSION:

The applicant requests approval of a vacation of public right of way that is along Cliff Drive and is adjacent to the south property line of the subject property. The applicant's property was originally platted in 1907 as Lot 18 of the East Highland's Addition, which included dedication of right of way that generally was oriented east/west along the south property line of the lot. In 1939, as part of the plat of Miller's Rearrangement of Fyfer's and East Highland's Additions, the right of way was shifted so that it veered to the southeast, away from the subject property. As seen on the plat of survey submitted by the applicant, a triangular piece of right of way, approximately 0.03 acres, remains from the original right of way dedication and is not currently required or utilized by the City.

Staff has reviewed the request and does not object to the vacation of the identified right of way. The remaining right of way will be adequate for roadway purposes, and is consistent with the amount of right of way found on adjacent properties and throughout the immediate area.

A letter from the applicant's surveyor is attached, along with locator maps and a description of the right of way to be vacated.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

Approval of the requested right of way vacation.

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/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?	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



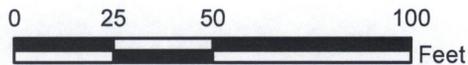
SUBJECT SITE

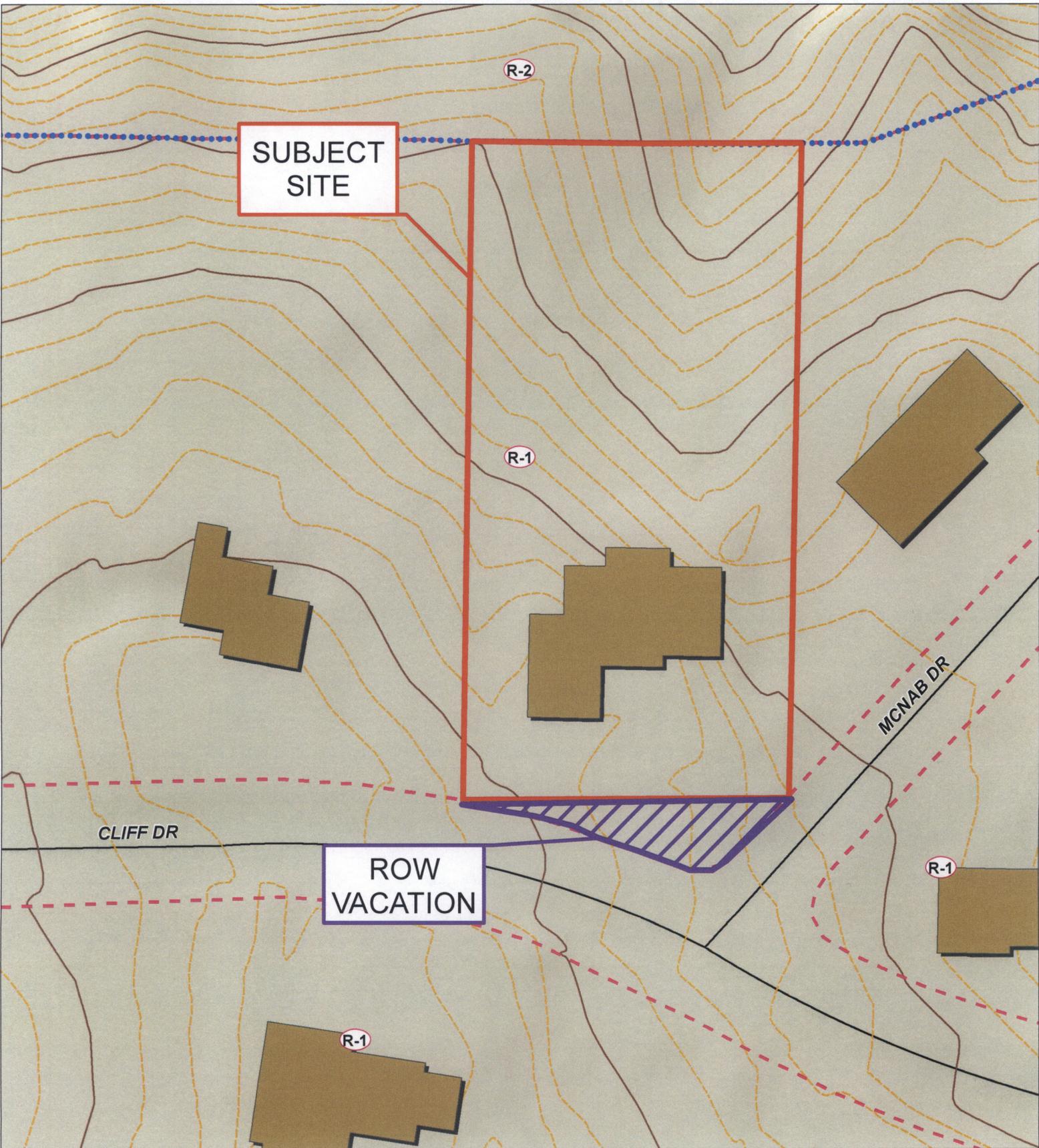
ROW VACATION

14-19: 1809 Cliff Drive Right-of-Way Vacation



Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
Imagery: Boone County Assessor's Office, Sanborn Map Company
Created by The City of Columbia - Community Development Department

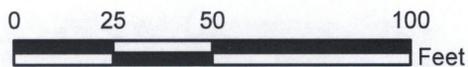




14-19: 1809 Cliff Drive Right-of-Way Vacation



Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
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Created by The City of Columbia - Community Development Department



BRUSH & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE : (573) 442-3110 FAX: (573) 442-4851

PROFESSIONAL ENGINEERS
JAMES W. BRUSH PE - RETIRED
J. DANIEL BRUSH PE

LAND SURVEYORS
JAMES W. BRUSH PLS - RETIRED
J. DANIEL BRUSH PLS
KEVIN SCHWEIKERT PLS

January 28, 2014

Tim Teddy
City of Columbia Planning Director
City of Columbia Planning Department
P.O. Box N
Columbia Mo. 65205

RE: Street right-of-way vacation request

Dear Mr. Teddy,

Please consider this a request to vacate part of the street right-of-way for Cliff Drive adjacent to 1805 Cliff Drive. The street was replatted and built further south than the original platted right-of-way. We found no records that the original platted Cliff Drive was ever vacated.

I have attached the following for your review:

1. A signed and sealed description of the Street Right-of-way our client is asking to be vacated.
2. A copy of the Assessors photo to be used as a locator map.
3. A copy of the survey we completed of the lot.
4. A partial copy of East Highlands that shows the original Cliff Drive and a partial copy of McNabb Subdivision and a partial copy of Miller's Revision showing the street reconfiguration.
5. City of Columbia Development Review Application.
6. \$250 processing fee

If you have any questions or need additional information, please call me at 442-3110.

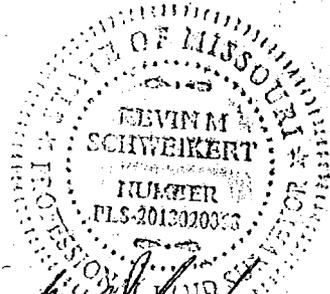
Sincerely,


Kevin Schweikert PLS

DESCRIPTION

A TRACT LOCATED IN SECTION 18, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING THAT PART OF CLIFF DRIVE ADJOINING AND ABUTTING LOT 18 AS SHOWN BY EAST HIGHLANDS ADDITION IN PLAT BOOK 1 PAGE 11 OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF LOT 18 OF EAST HIGHLANDS ADDITION S 89°59'00" E 100.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 18 ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MCNABB DRIVE AS SHOWN BY MCNABB SUBDIVISION PLAT BOOK 4 PAGE 42 OF THE BOONE COUNTY RECORDS; THENCE WITH THE WEST RIGHT-OF-WAY LINE OF SAID MCNABB DRIVE S 43°57'15" W 25.35 FEET; THENCE 23.54 FEET WITH A CURVE TO THE RIGHT, CURVE RADIUS 20.00 FEET, CHORD S 77°40'30" W, 22.20 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CLIFF DRIVE FORMALLY KNOWN AS HIGHLAND DRIVE AS SHOWN BY THE REVISION PLAT OF MILLER'S REARRANGEMENT OF FYFER'S & EAST HIGHLAND ADDITION PLAT BOOK 4 PAGE 5 OF THE BOONE COUNTY RECORDS; THENCE WITH THE NORTH LINE OF SAID CLIFF DRIVE FORMALLY KNOWN AS HIGHLAND DRIVE 63.49 FEET WITH A NON TANGENT CURVE TO THE LEFT, CURVE RADIUS 406.97 FEET, CHORD N 73°04'30" W, 63.45 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE N 00°20'00" W 4.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES.

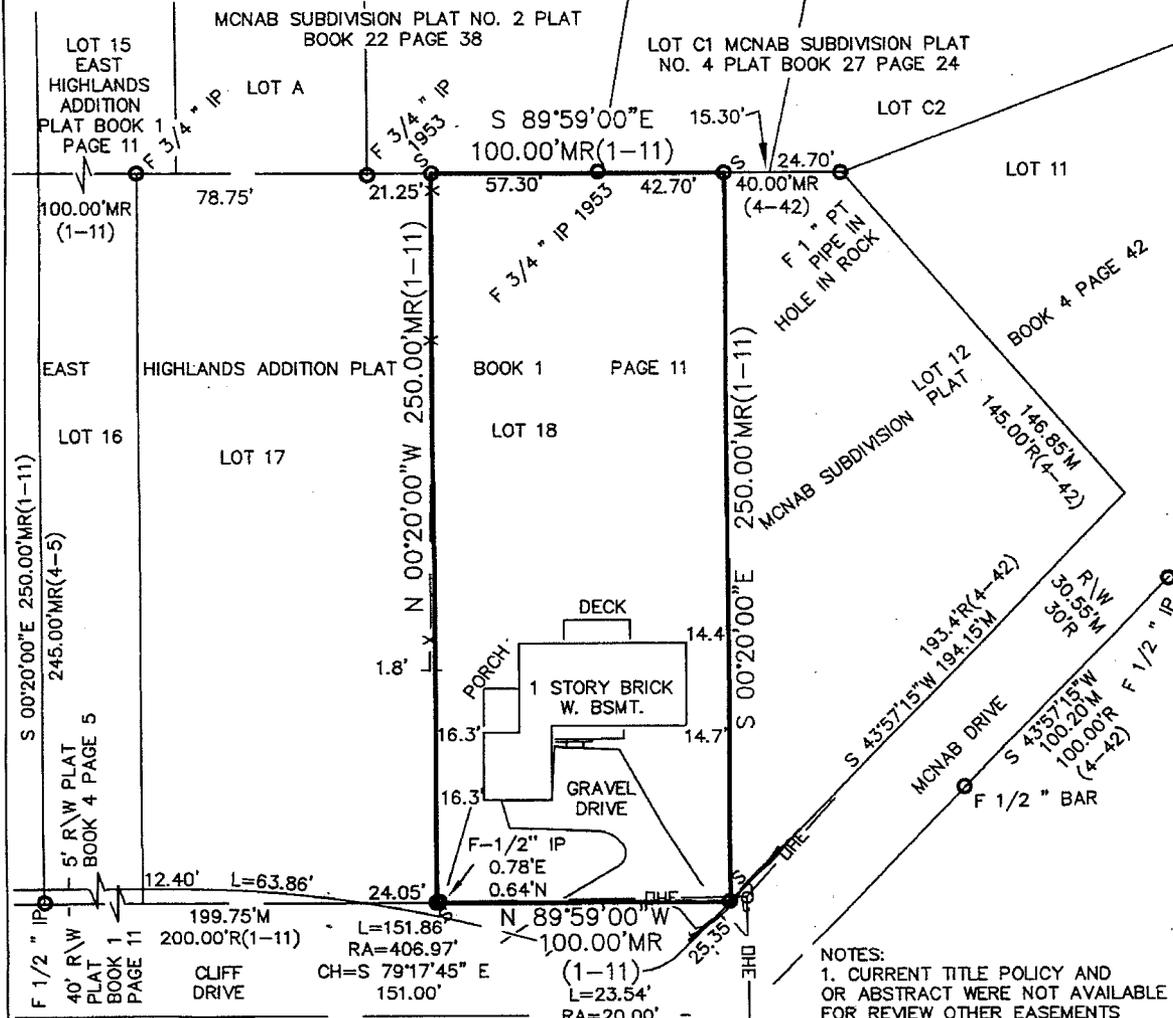
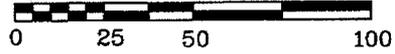


Kevin M. Schweikert
KEVIN M. SCHWEIKERT
PLS 2013020068
DATE: *January 28, 2014*

**SURVEY
1809 CLIFF DRIVE**

- LEGEND**
- F FOUND
 - S SET 5/8" ROD WITH CAP
 - BRUSH AND ASSOC. LC 321
 - IP IRON PIPE
 - R RECORD
 - M MEASURED
 - L ARC LENGTH
 - CH CHORD
 - RA RADIUS
 - X- FENCE
 - UTILITY POLE
 - OVER HEAD ELECTRIC
 - (1-11) BOOK AND PAGE OF RECORDED DOCUMENT
 - PT PINCHED TOP

SCALE 1"=50'



NOTES:
1. CURRENT TITLE POLICY AND OR ABSTRACT WERE NOT AVAILABLE FOR REVIEW OTHER EASEMENTS MAY EXIST.

LOT 38 | LOT 37
REVISION PLAT OF MILLER'S REARRANGEMENT
FYFER'S & EAST HIGHLAND ADDITION | LOT 36
PLAT BOOK 4 PAGE 5

DATE: 11-29-13
THIS SURVEY CONFORMS TO TYPE URBAN
ACCURACY STANDARD 20 CSR 2030-16.040

SURVEY FOR: TOM KENNEDY

REFERENCE BEARING: THE SOUTH LINE OF
MCNAB SUBDIVISION PLAT 2 AS SHOWN IN
PLAT BOOK 22 PAGE 38:
ASSUMED S 89°59'00" W

THE RESULTS OF THIS SURVEY ARE AS SHOWN ON THE PLAT.

I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE UNDER MY DIRECTION AND CONFORMS TO THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY BRUSH & ASSOCIATES, INC
506 NICHOLS STREET SUITE A
COLUMBIA, MO. 65201
573-442-3110
LC 321

Kevin M. Schweikert
KEVIN M. SCHWEIKERT PLS 2013020068

DESCRIPTION
A TRACT LOCATED IN SECTION 18, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING THE TRACT DESCRIBED BY THE DEED IN BOOK 3476 PAGE 11 AND BEING LOT 18 OF EAST HIGHLANDS ADDITION AS SHOWN IN PLAT BOOK 1 PAGE 11 OF THE BOONE COUNTY RECORDS.



