

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 230-15

Department Source: Public Works

To: City Council

From: City Manager & Staff

Council Meeting Date: 8/3/2015

Re: Acquisition of Easements for Bike Boulevard Project - MKT to Parkade

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Diagrams (construction, route, etc.)

Executive Summary

Authorizing the acquisition of easements necessary to construct the Bike Boulevard project from MKT to Parkade. The public hearing for this project was held on June 2, 2014.

Discussion

The Bike Boulevard - MKT to Parkade project is part of the Non Motorized Transportation (GetAbout) program. This project consists of connecting the MKT trail on Lathrop Road to the Parkade Plaza just north of Business Loop 70. Preliminary design was completed in-house under original GetAbout Phase 2 funding. The project involves four major intersection improvements, including a pedestrian haven at Broadway and Edgewood and at Providence and Forest, a small pedway section on Worley Street from Alexander Street to Banks Avenue, and sidewalk improvements on Business Loop 70 at Madison Avenue and Parkade Street. The project also includes traffic signal modifications on Business Loop 70 at Parkade Street and on Providence at Forest Avenue.

Eight (8) temporary construction easements, five (5) permanent sidewalk easements, and one (1) permanent utility easement are required. Plans showing the proposed easements are attached. Staff anticipates construction to be completed by the summer of 2016.

Fiscal Impact

Short-Term Impact: The current project estimate is \$664,800 which includes engineering, right of way acquisition and construction, and will be funded through the GetAbout grant project.

Long-Term Impact: Minimal maintenance of the intersection improvements, as well as replacement of bike boulevard striping, will be needed.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Community Character, Environment, Parks Recreation and Greenways, Transportation

Strategic Plan Impact: Health, Safety and Wellbeing, Infrastructure

Comprehensive Plan Impact: Infrastructure, Mobility, Connectivity, and Accessibility, Livable & Sustainable Communities

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Suggested Council Action

Authorize the acquisition of easements necessary to construct the Bike Boulevard project from MKT to Parkade.

Legislative History

05/05/14 (R79-14) Setting a public hearing for June 2, 2014 for construction of the MKT to Parkade

08/06/13 - IP meeting held

02/06/13 - IP meeting held

Department Approved

City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 230-15

AN ORDINANCE

declaring the need to acquire easements for construction of the MKT to Parkade Bike Boulevard Project; 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, following the public hearing held on June 2, 2014, the City Council determined it was in the public interest to construct the MKT to Parkade Bike Boulevard Project and by motion directed the City Manager to proceed with having plans and specifications prepared; 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 easements for construction of the MKT to Parkade Bike Boulevard Project, described as follows:

Herman Hardt and Elizabeth A. Hardt
PERMANENT SIDEWALK EASEMENT
Parcel: 16-314-00-07-038.00

An irregular shaped parcel of land along the south line of a tract of land described in a deed of conservator in Book 2667 at Page 89, said tract being Lot 22 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said lot; thence along the west line of said lot, said line also being the east Right-of-Way line of Banks Avenue, N.5°32'20"E., 14.15 feet; thence leaving said line S.38°42'55"E., 16.00 feet; thence S.82°51'55"E., 49.84 feet to the east line of said lot; thence along said line S.4°46'45"W., 3.00 feet to the southeast corner of said lot; thence along the south line of said lot, said line also being the north Right-of-Way line of Worley Street, N.82°51'55"W., 61.05 feet to the POINT OF BEGINNING and containing 245 square feet.

Herman Hardt and Elizabeth A. Hardt
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-314-00-07-038.00

An irregular shaped parcel of land along the south line of a tract of land described in a deed of conservator in Book 2667 at Page 89, said tract being Lot 22 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said lot; thence along the west line of said lot, said line also being the east Right-of-Way line of Banks Avenue, N.5°32'20"E., 26.15 feet; thence leaving said line S.18°58'00"E., 20.20 feet; thence S.82°51'55"E., 52.56 feet to the east line of said lot; thence along said line S.4°46'45"W., 8.01 feet to the southeast corner of said lot; thence along the south line of said lot, said line also being the north Right-of-Way line of Worley Street, N.82°51'55"W., 61.05 feet to the POINT OF BEGINNING and containing 319 square feet exclusive of permanent street easement granted this date.

Christina Smith and Martin Smith
PERMANENT SIDEWALK EASEMENT
Parcel: 16-314-00-07-039.00

The south three (3) feet of a tract of land described as Parcel 4 in a warranty deed in Book 4179 at Page 39, said tract being Lot 21 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 183 square feet.

Christina Smith and Martin Smith
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-314-00-07-039.00

The south eight (8) feet of a tract of land described as Parcel 4 in a warranty deed in Book 4179 at Page 39, said tract being Lot 21 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 305 square feet exclusive of permanent street easement granted this date.

Geneva L. Moody, Trustee of the Geneva L. Moody Declaration of Trust
PERMANENT SIDEWALK EASEMENT
Parcel: 16-314-00-07-040.00

The south three (3) feet of a tract of land described as Parcel 1 in a warranty deed in Book 4179 at Page 162, said tract being Lot 20 and the west ten (10) feet of Lot 19 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 216 square feet.

Geneva L. Moody, Trustee of the Geneva L. Moody Declaration of Trust
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-314-00-07-040.00

The south eight (8) feet of a tract of land described as Parcel 1 in a warranty deed in Book 4179 at Page 162, said tract being Lot 20 and the west ten (10) feet of Lot 19 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 359 square feet exclusive of permanent street easement granted this date.

David W. Anderson and Mary G. Anderson
PERMANENT SIDEWALK EASEMENT
Parcel: 16-314-00-07-041.00

A four (4) sided parcel of land in the southwest corner of a tract of land described in a warranty deed in Book 1176 at Page 538, said tract being part of Lot 19 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said tract; thence along the west line of said tract N.2°04'25"E., 3.01 feet; thence leaving said line S.82°51'55"E., 13.55 feet; thence S.0°45'15"E., 3.03 feet to the south line of said tract; thence along said line, said line also being the north Right-of-Way line of Worley Street, N.82°51'55"W., 13.70 feet to the POINT OF BEGINNING and containing 41 square feet.

David W. Anderson and Mary G. Anderson
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-314-00-07-041.00

A four (4) sided parcel of land in the southwest corner of a tract of land described in a warranty deed in Book 1176 at Page 538, said tract being part of Lot 19 of Bank's Subdivision of Lots 33, 46 and 47 of Garth's Subdivision of Garth's Addition as recorded in Plat Book 2 at Page 14, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southwest corner of said tract; thence along the west line of said tract N.2°04'25"E., 8.03 feet; thence leaving said line S.82°51'55"E., 18.40 feet; thence S.0°45'15"E., 8.08 feet to the south line of said tract; thence along said line, said line also being the north Right-of-Way line of Worley Street, N.82°51'55"W., 18.80 feet to the POINT OF BEGINNING and containing 108 square feet exclusive of permanent street easement granted this date.

Bisk, L.L.C.

PERMANENT STREET EASEMENT

Parcel: 16-315-00-01-140.00

A triangular shaped parcel of land in the northeast corner of a tract of land described in a warranty deed in Book 4427 at Page 44, said tract being part of Lot 69 of Odon Guitar's Subdivision and Park Addition as recorded in Plat Book 1 at Page 16, both of the Boone County Records; situate in the City of Columbia, 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 west Right-of-Way line of Providence Road, S.0°52'10"W., 17.05 feet; thence leaving said line N.29°41'50"W., 19.80 feet to the north line of said tract, said line also being the south Right-of-Way line of Forest Avenue; thence along said line S.89°07'20"E., 10.07 feet to the POINT OF BEGINNING and containing 86 square feet.

Bisk, L.L.C.

TEMPORARY CONSTRUCTION EASEMENT

Parcel: 16-315-00-01-140.00

A triangular shaped parcel of land in the east part of a tract of land described in a warranty deed in Book 4427 at Page 44, said tract being part of Lot 69 of Odon Guitar's Subdivision and Park Addition as recorded in Plat Book 1 at Page 16, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

Starting at the northeast corner of said tract; thence along the east line of said tract, said line also being the west Right-of-Way line of Providence Road, S.0°52'10"W., 17.05 feet to the POINT OF BEGINNING; thence leaving said line N.88°18'15"W., 4.41 feet; thence N.0°34'15"W., 7.74 feet to the southwesterly line of the permanent utility easement granted this date; thence along said line S.29°41'50"E., 9.06 feet to the POINT OF BEGINNING and containing 17 square feet.

Stanley R. Evans and Carole A. Evans

TEMPORARY CONSTRUCTION EASEMENT

Parcel: 16-318-00-06-001.00

The north 3.5 feet of the east 19.00 feet of a tract of land described in a warranty deed in Book 634 at Page 338, said tract being part of Lots 20 and 21 of Smithton as recorded in Plat Book 1 at Page 45, also being Tract B of BCS #8043, all of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 67 square feet.

Geneva L. Moody, Trustee of the Geneva L. Moody Declaration of Trust
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-318-00-06-185.00

The north 3.0 feet of the west 20.00 feet of Parcel 2 of a tract of land described in a warranty deed in Book 4179 at Page 162, said tract being part of Lot 22 of Smithton as recorded in Plat Book 1 at Page 45, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 60 square feet.

United Savings & Loan Association
PERMANENT SIDEWALK EASEMENT
Parcel: 16-310-00-00-012.00

A four sided parcel of land in the southeast corner of a tract of land described in a warranty deed in Book 793 at Page 899, said tract being shown in the survey as recorded in Book 310 at Page 548, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the southeast corner of said tract; thence along the south line of said tract, said line also being the north Right-of-Way line of Business Loop 70, N.84°17'10"W., 12.80 feet; thence leaving said line N.6°57'00"E., 5.50 feet; thence S.84°17'10"E., 12.25 feet to the east line of said tract, said line also being the west Right-of-Way line of Parkade Boulevard; thence along said line S.1°10'50"W., 5.52 feet to the POINT OF BEGINNING and containing 69 square feet.

United Savings & Loan Association
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-310-00-00-012.00

An irregular shaped parcel of land in the southeast part of a tract of land described in a warranty deed in Book 793 at Page 899, said tract being shown in the survey as recorded in Book 310 at Page 548, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

Starting at the southeast corner of said tract; thence along the south line of said tract, said line also being the north Right-of-Way line of Business Loop 70, N.84°17'10"W., 12.80 feet to the POINT OF BEGINNING; thence continuing along said line N.84°17'10"W., 4.75 feet; thence leaving said line N.6°57'00"E., 5.87 feet; thence S.84°11'10"E., 4.59 feet; thence N.45°50'00"E., 5.79 feet; thence S.84°10'20"E., 8.29 feet to the east line of said tract, said line also being the west Right-of-Way line of Parkade Boulevard; thence along said line

S.1°10'50"W., 4.79 feet to the northeast corner of the permanent sidewalk easement granted this date; thence along the lines of said easement N.84°17'10"W., 12.25 feet; S.6°57'00"W., 5.50 feet to the POINT OF BEGINNING and containing 78 square feet.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation or by the exercise of the power of eminent domain as set forth in Section 4 hereof.

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 _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

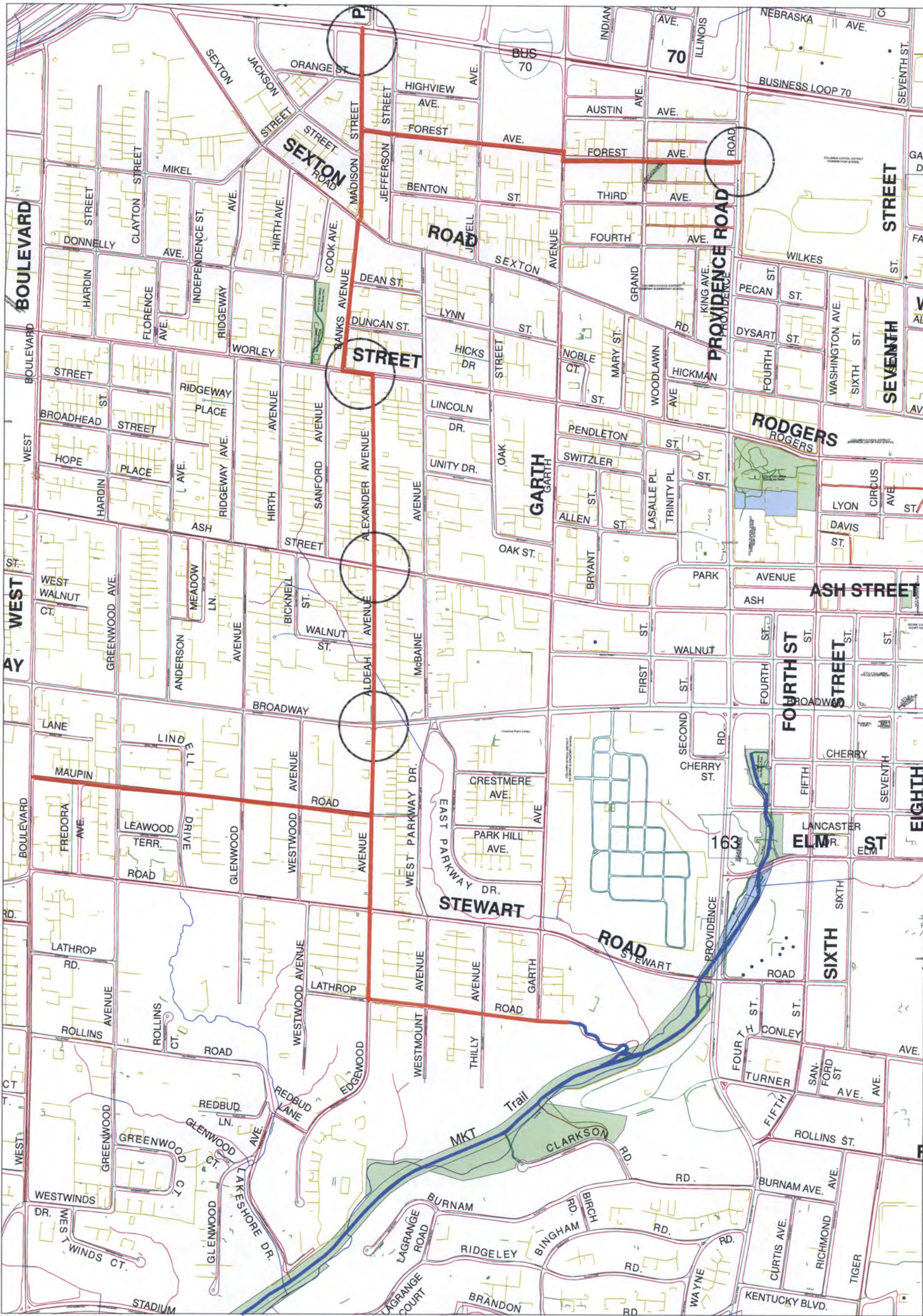
City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

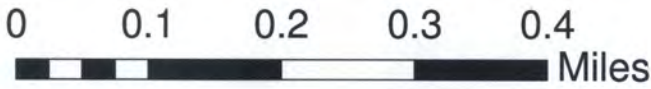
Diagrams (construction, route, etc.)

MKT to Parkade Bike Blvd



- Proposed Bike Blvd
- Trail / Pedway

Intersection Improvement





WORLEY ST.

3.5'

67.1 sqft TCE

19.2'

ALEXANDER ST

Smithton
PB 1 Pg 45
Pt Lots 20 & 21
Tract B BCS #8043
Stanley R. & Carole A. Evans, h&w
WD Bk 634 Pg 338
16-318-00-06-001.00



City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10'

Dwn: T.R.W.

Date: 7/9/2015



WORLEY ST.

ALEXANDER ST

60 sqft TCE

20.2'

2.9'

Smithton
PB 1 Pg 45
Pt Lot 22
Geneva L. Moody, Trustee of the Geneva
L. Moody Declaration of Trust
Parcel 2 of
WD Bk 4179 Pg 162
16-318-00-06-185.00



City of Columbia, Missouri
Department of Public Works

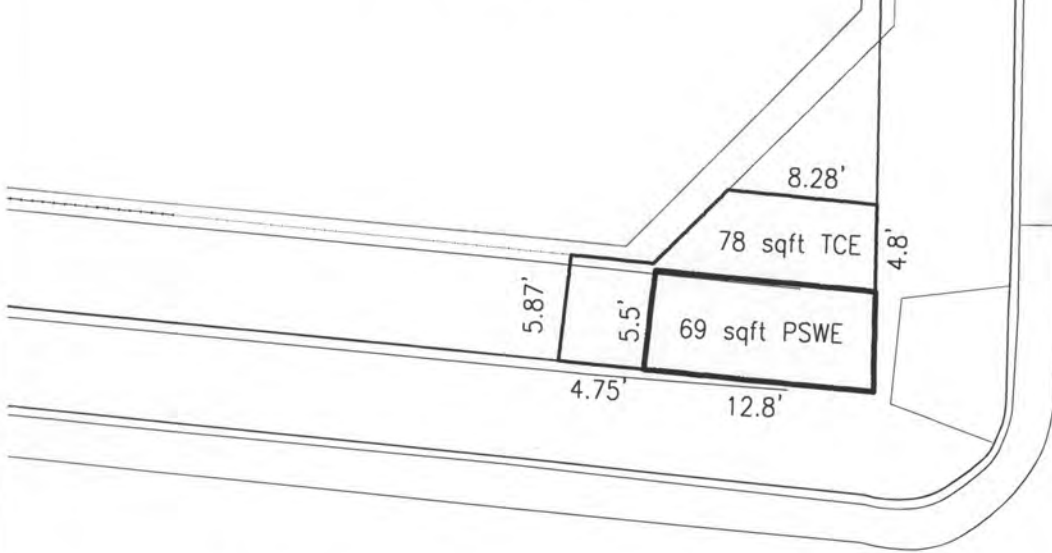
BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10' Dwn: T.R.W. Date: 7/9/2015



PARKADE BLVD

United Savings &
Loan Assc.
WD Bk 793 Pg 899
16-310-00-00-012.00



BUSINESS LOOP 70



City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10' Dwn: T.R.W. Date: 7/22/2015



Bank's Subd of Lots 33, 46 and 47 of
Garth's Subd of Garth's Addition
PB 2 Pg 14
E 50' Lot 19
David W. &
Mary G. Anderson, H&W
WD Bk 1176 Pg 538
16-314-00-07-041.00

N.2°04'25"E.

18.40'

108 sqft TCE
13.55'

41 sqft PSWE

8.08'

13.70' N.82°51'55"W.
18.80'

S.0°45'15"E.
3.03'

WORLEY ST

ALEXANDER AVE



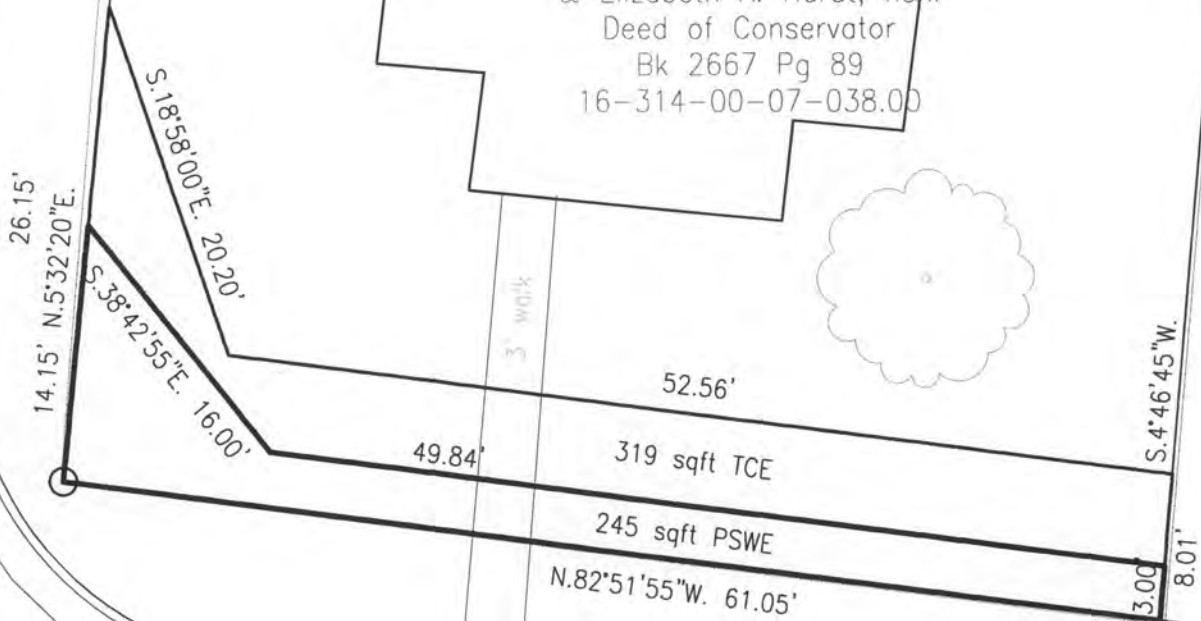
City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10' Dwn: T.R.W. Date: 7/22/2015



Bank's Subd of Lots 33, 46 and
47 of Garth's Subd of Garth's
Addition
PB 2 Pg 14
Lot 22
Herman Hardt
& Elizabeth A. Hardt, h&w
Deed of Conservator
Bk 2667 Pg 89
16-314-00-07-038.00



WORLEY ST



City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10' Dwn: T.R.W. Date: 7/22/2015



nd 47 of
dition

h&w

Bank's Subd of Lots 33, 46 and 47 of
Garth's Subd of Garth's Addition
PB 2 Pg 14
Lot 20 & W 10' Lot 19
Geneva L. Moody, Trustee of the Geneva L.
Moody Declaration of Trust
Parcel 1 of
WD Bk 4179 Pg 162
16-314-00-07-040.00

Bank's Subd of Lot
Garth's Subd of
PB 2
E 50'
David
Mary G. An
WD Bk 11
16-314-00

359 sqft TCE

216 sqft PSWE

N 20° 25' E

8.03'

WORLEY ST



City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=15' Dwn: T.R.W. Date: 7/22/2015

Smithton



Bank's Subd of Lots 33, 46 and 47 of
Garth's Subd of Garth's Addition
PB 2 Pg 14
Lot 21
Christina & Martin Smith, h&w
Parcel 4 of
WD Bk 4179 Pg 39
16-314-00-07-039.00

S. 4° 46' 45" W.

3.00'

305 sqft TCE

183 sqft PSWE

3'

WORLEY ST



City of Columbia, Missouri
Department of Public Works

BIKE BOULEVARD - MKT - PARKADE
EASEMENT DIAGRAM

Scale: 1"=10' Dwn: T.R.W. Date: 7/22/2015