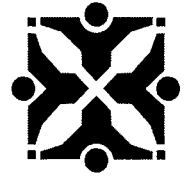


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 260-15

Department Source: Public Works

To: City Council

From: City Manager & Staff

Council Meeting Date: 9/8/2015

Re: Easement Acquisition for Flat Branch Watershed Relief Sewer Project No. 1

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Maps

Executive Summary

Authorizing the acquisition of easements for the construction the Flat Branch Watershed Relief Sewer Project No. 1. This project will involve constructing approximately 5,530 linear feet of 30-inch to 42-inch diameter gravity sewer along Flat Branch Creek and the MKT Trail from Lakeshore Drive to Elm Street, as shown on the attached project map.

Discussion

The easements necessary to construct the Flat Branch Watershed Relief Sewer Project No. 1 include two (2) permanent sanitary sewer easements and two (2) temporary construction easements from two (2) property owners. Other property owners affected by this construction project include the City of Columbia and the University of Missouri.

The Flat Branch Watershed Relief Sewer Project No. 1 will replace existing 15", 18" and 21" trunk sewer lines along Flat Branch Creek and the MKT Trail from Lakeshore Drive to Elm Street. Diagrams of the sewer alignment and proposed easements are attached.

Fiscal Impact

Short-Term Impact: The estimated total cost for the project is \$3.1M (\$443,000 for design, \$2,657,000 for easements and construction). Funds in the amount of \$3,069,071 have been appropriated to this project to date.

Long-Term Impact: It is anticipated that this project will initially reduce the sewer utility's operating cost annually by replacing old pipe and consolidating multiple pipes into a single pipe..

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development, Downtown, Economic Development

Strategic Plan Impact: Economic Development, Infrastructure

Comprehensive Plan Impact: Infrastructure, Economic Development

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Suggested Council Action

Pass the ordinance authorizing the acquisition of easements for the construction the Flat Branch Watershed Relief Sewer Project No. 1.

Legislative History

07/06/15 (R104-15) Setting a public hearing for August 3, 2015

09/15/14/(R176-14) Authorizing agreement with Engineering Surveys and services for surveying and design of the Flat Branch Watershed Relief Sewer Project 1 (Stadium Blvd to Elm Street)

07/21/14 (Ord 22135) Appropriate funds for Flat Branch Watershed Relief Sewer projects

06/16/14 (REP58-14) Report on downtown sewer funding strategies


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 260-15

AN ORDINANCE

declaring the need to acquire easements for construction of sanitary sewer improvements along the MKT Trail and Providence Road from Stadium Boulevard to Elm Street, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 1; 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 August 3, 2015, the City Council determined it was in the public interest to construct sanitary sewer improvements along the MKT Trail and Providence Road from Stadium Boulevard to Elm Street, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 1, 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 Flat Branch Watershed Relief Sewer Project No. 1, described as follows:

Anz Family Trust
PERMANENT SEWER EASEMENT
Parcel : 16-611-00-00-004.00 01

A tract of land located in the southwest quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part the tract described by a survey recorded in book 4343 page 136, further described as follows:

Starting at the southeast corner of the tract of land described by a survey recorded in book 4343 page 136, thence S 68°17'30"W, along the southerly line of said tract, also being the northerly right-of-way line of the former MKT Railroad, 106.24 feet to the point of beginning.

From the point of beginning, thence continuing along the southerly line of the tract described by a survey recorded in book 4343 page 136, S 68°17'30"W 114.54 feet; thence along a curve to the left, having a radius of 1195.92 feet, a distance of 35.08 feet, the chord being S 67°27'00"W 35.08 feet; thence leaving the northerly right-of-way line of the former MKT Railroad, and continuing along the southerly line of the tract described by a survey recorded in book 4343 page 136, N 88°07'50"W 37.96 feet; thence N 68°35'30"E 168.59 feet; thence S 70°38'10"E 20.98 feet to the beginning and containing 770 square feet or 0.02 acre, exclusive of the existing sewer easement recorded in book 374 page 209.

Anz Family Trust

TEMPORARY CONSTRUCTION EASEMENT

Parcel : 16-611-00-00-004.00 01

A tract of land located in the southwest quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part the tract described by a survey recorded in book 4343 page 136, further described as follows:

Starting at the southeast corner of the tract of land described by a survey recorded in book 4343 page 136, thence S 68°17'30"W, along the southerly line of said tract, also being the northerly right-of-way line of the former MKT Railroad, 91.02 feet to the point of beginning.

From the point of beginning, thence continuing along the southerly line of the tract described by a survey recorded in book 4343 page 136, S 68°17'30"W 129.76 feet; thence along a curve to the left, having a radius of 1195.92 feet, a distance of 35.08 feet, the chord being S 67°27'00"W 35.08 feet; thence leaving the northerly right-of-way line of the former MKT Railroad, and continuing along the southerly line of the tract described by a survey recorded in book 4343 page 136, N 88°07'50"W 56.95 feet; thence N 56°47'40"E 12.21 feet; thence N 68°35'30"E 177.80 feet; thence S 70°38'10"E 36.17 feet to the beginning and containing 2085 square feet or 0.05 acre, exclusive of the existing sewer easement recorded in book 374 page 209, and the new permanent easement.

Hinshaw Family Trust

PERMANENT SEWER EASEMENT

Parcel : 16-608-00-04-007.00 01

A tract of land, located in the northeast quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part of Lots 54, 56, and 58 of University Addition, also being part of the tract described by a survey recorded in book 337 page 290, further described as follows:

Beginning at the southwest corner of the tract of land described by a survey recorded in book 337 page 290, thence along the westerly line of said tract, also being the easterly right-of-way line of State Route 163 (Providence Road), N 3°10'30"E 196.27 feet to the northwest corner of the tract of land described by a survey recorded in book 337 page 290; thence S 88°35'30"E, along the northerly line of said tract, 24.66 feet; thence leaving said line, S 19°00'20"W 25.86 feet; thence N 83°59'10"E 12.12 feet; thence N 33°48'20"E 27.34 feet to the northerly line of the tract of land described by a survey recorded in book 337 page 290; thence S 88°35'30"E along said line, 18.95 feet; thence leaving said line S 33°48'20"W 44.98 feet; thence S 83°59'10"W 23.82 feet; thence S 3°10'30"W 155.31 feet to the southerly line of the tract of land described by a survey recorded in book 337 page 290; thence N 88°09'30"W along said line, 16.00 feet to the beginning and containing 4147 square feet or 0.10 acre.

Hinshaw Family Trust
TEMPORARY CONSTRUCTION EASEMENT
Parcel : 16-608-00-04-007.00 01

A tract of land, located in the northeast quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part of Lots 54, 56, and 58 of University Addition, also being part of the tract described by a survey recorded in book 337 page 290, further described as follows:

Beginning at the southwest corner of the tract of land described by a survey recorded in book 337 page 290, thence along the westerly line of said tract, also being the easterly right-of-way line of State Route 163 (Providence Road), N 3°10'30"E 196.27 feet to the northwest corner of the tract of land described by a survey recorded in book 337 page 290; thence S 88°35'30"E, along the northerly line of said tract, 52.89 feet; thence leaving said line, S 3°54'00"W 36.33 feet; thence S 83°59'10"W 26.75 feet; thence S 3°10'30"W 156.70 feet to the southerly line of the tract of land described by a survey recorded in book 337 page 290; thence N 88°09'30"W along said line, 26.01 feet to the beginning and containing 2048 square feet or 0.05 acre, exclusive of the permanent easement

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:

Maps



PERMANENT SEWER EASEMENT



SCALE: 1" = 40'

SURVEY RECORDED IN
BOOK 4343 PAGE 136

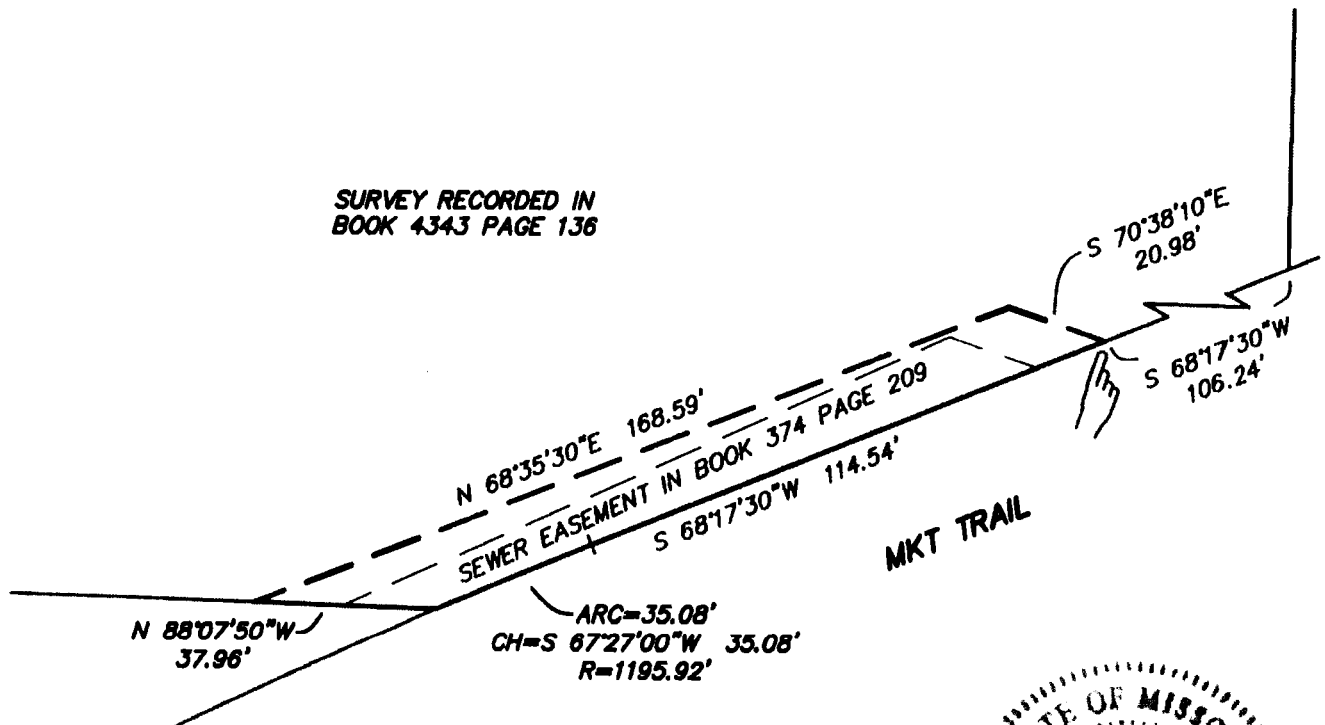


EXHIBIT "A"
SHEET 2 OF 2

Engineering Surveys and Services

1113 Fay Street, Columbia, Missouri 65201
573 - 449 - 2646 - www.ESS-Inc.com
Missouri Land Surveying Corporation # 2004004672

Timothy J. Reed
TIMOTHY J. REED 6-10-1
PROFESSIONAL LAND SURVEYOR
LS-3000

12786

TEMPORARY CONSTRUCTION EASEMENT



SCALE: 1" = 40'

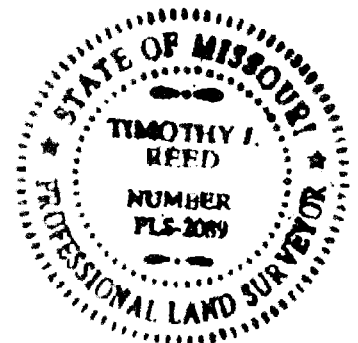
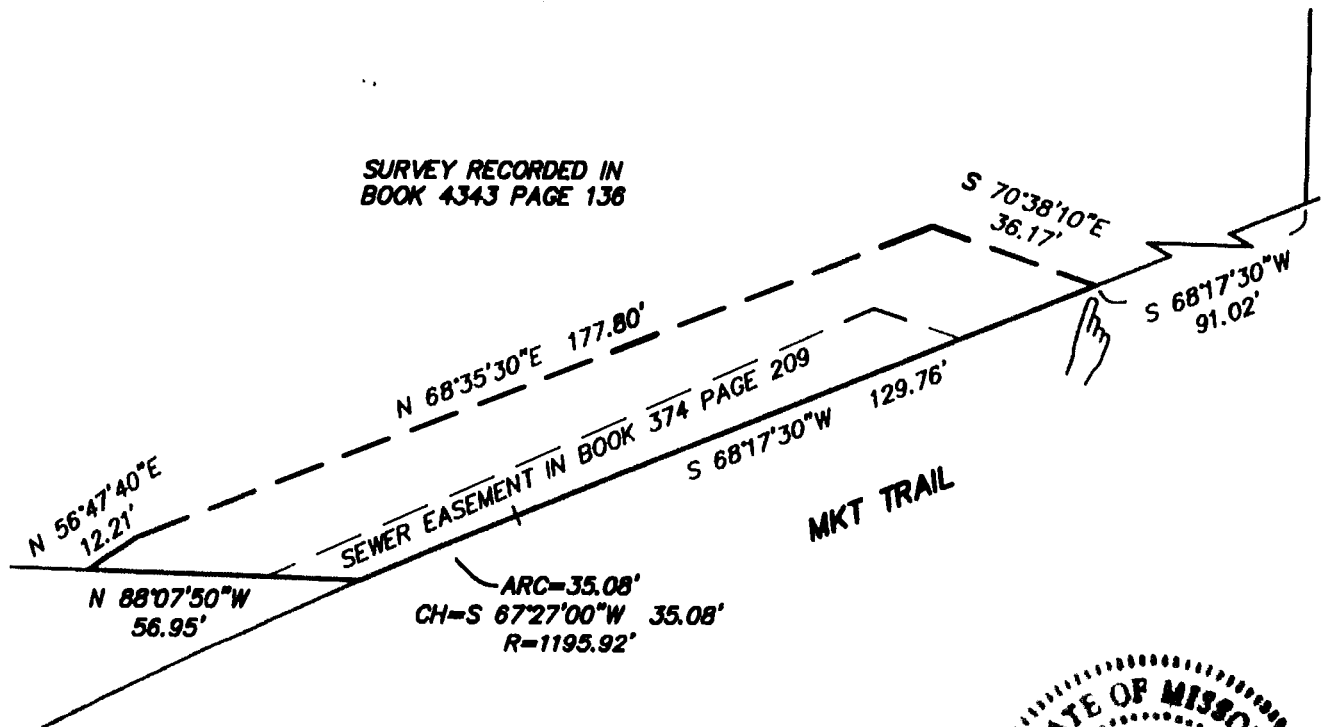


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SHEET 2 OF 2

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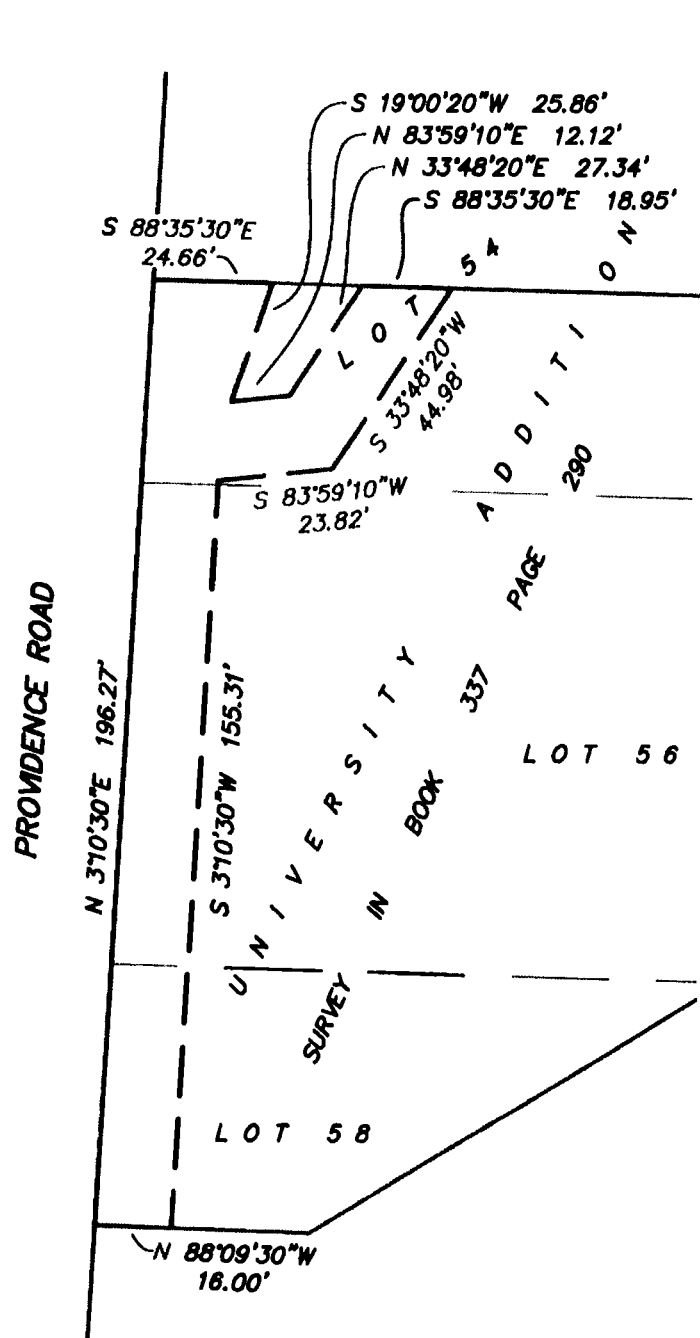
573 - 449 - 2646 - www.ESS-Inc.com

Missouri Land Surveying Corporation # 2004004672

Timothy J. Reed
TIMOTHY J. REED
PROFESSIONAL LAND SURVEYOR
LS-2089
6-10-11

12786

PERMANENT SEWER EASEMENT



SCALE: 1" = 40'

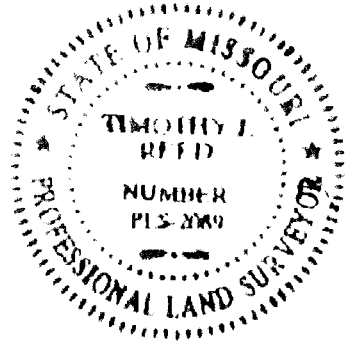


EXHIBIT "A"
SHEET 2 OF 2

Engineering Surveys and Services

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Missouri Land Surveying Corporation # 2004004672

Timothy J. Reed
TIMOTHY J. REED 6-10-

PROFESSIONAL LAND SURVEYOR
LS-2009

12786

TEMPORARY CONSTRUCTION EASEMENT

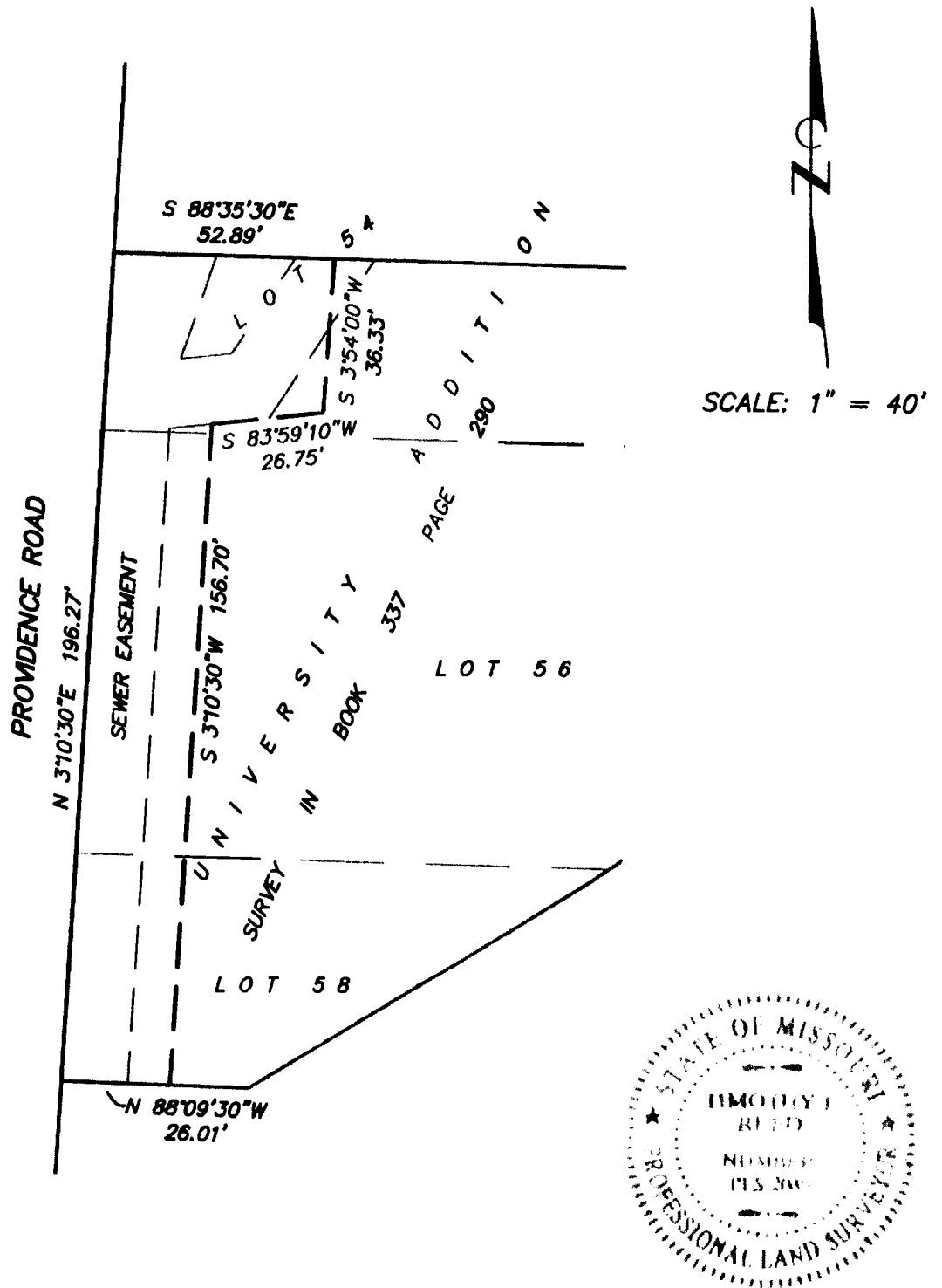


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Timothy J. Reed
TIMOTHY J. REED
PROFESSIONAL LAND SURVEYOR
LS-2009
6-10-1

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