

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 286-15

Department Source: Public Works

To: City Council

From: City Manager & Staff

Council Meeting Date: 10/5/2015

Re: Easement Acquisition for Flat Branch Watershed Relief Sewer Project No. 3

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Maps

Executive Summary

Authorizing the acquisition of easements for construction of the Flat Branch Watershed Relief Sewer Project No. 3. This project will involve constructing approximately 3,120 linear feet of 12" to 18" diameter gravity sewer along Elm Street from Providence Road to Hitt Street, and along Sixth Street from Elm Street to one half block south of Broadway, as shown on the attached project map.

Discussion

The Flat Branch Watershed Relief Sewer Project No. 3 will replace the existing 8", 10" and 12" sewer lines along Elm Street from Providence Road to Hitt Street, and along Sixth Street from Elm Street to one half block south of Broadway. The easements necessary to construct this project include two (2) temporary construction easements from two (2) property owners. Diagrams of the sewer alignment and proposed easements are attached

Fiscal Impact

Short-Term Impact: The estimated total cost for the project is \$2.3M (\$368,500 for design, \$1,931,500 for easements and construction). Funds in the amount of \$2,336,000 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.

Vision, Strategic & Comprehensive Plan Impact

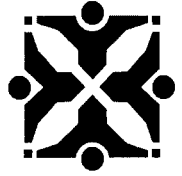
Vision Impact: Development, Downtown, Economic Development

Strategic Plan Impact: Infrastructure...Connecting the Community

Comprehensive Plan Impact: Infrastructure, Economic Development

City of Columbia

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Suggested Council Action

Pass the ordinance authorizing the acquisition of easements for the construction the Flat Branch Watershed Relief Sewer Project No. 3

Legislative History

07/06/15 (R105-15) Setting a public hearing for August 3, 2015

09/15/14/(R177-14) Authorizing agreement with Engineering Surveys and services for surveying and design of the Flat Branch Watershed Relief Sewer Project 3 (Elm Street and 6th 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

A handwritten signature in black ink, appearing to read "John D. Hart".

Department Approved

A handwritten signature in black ink, appearing to be a stylized "D" or "M" with a flourish.

City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 286-15

AN ORDINANCE

declaring the need to acquire easements for construction of the Flat Branch Watershed Relief Sewer Project No. 3; 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 approximately 3,120 linear feet of 8-inch to 18-inch diameter gravity sewer, and other sanitary sewer improvements, along Elm Street from Providence Road to Hitt Street and along Sixth Street from Elm Street to south of Broadway, more specifically described as the Flat Branch Watershed Relief Sewer Project No. 3, 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. 3, described as follows:

6th & Elm, L.L.C.

TEMPORARY CONSTRUCTION EASEMENT

Parcel #16-608-00-02-044.00 01

A strip of land, 10 (ten) feet wide, located in the northeast quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part of Lots 16, 17 and 18 in the

Original Town, now City, of Columbia, and being the south 10 (ten) feet of Lots 16, 17 and 18 in the Original Town, now City, of Columbia, containing 2,398 square feet or 0.06 acre.

The North American Islamic Trust, Inc.
TEMPORARY CONSTRUCTION EASEMENT
Parcel #16-608-00-02-050.00 01

A strip of land, 10 (ten) feet wide, located in the northeast quarter of Section 13 T48N R13W, in Columbia, Boone County, Missouri, being part of Lot 15 in the Original Town, now City, of Columbia, located north of, and adjoining, the following described line:

Beginning at the southeast corner of Lot 15 in the Original Town, now City, of Columbia, thence N 89°00'11"W, along the southerly line thereof, 45.0 feet to the end of the line. This strip contains 450 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

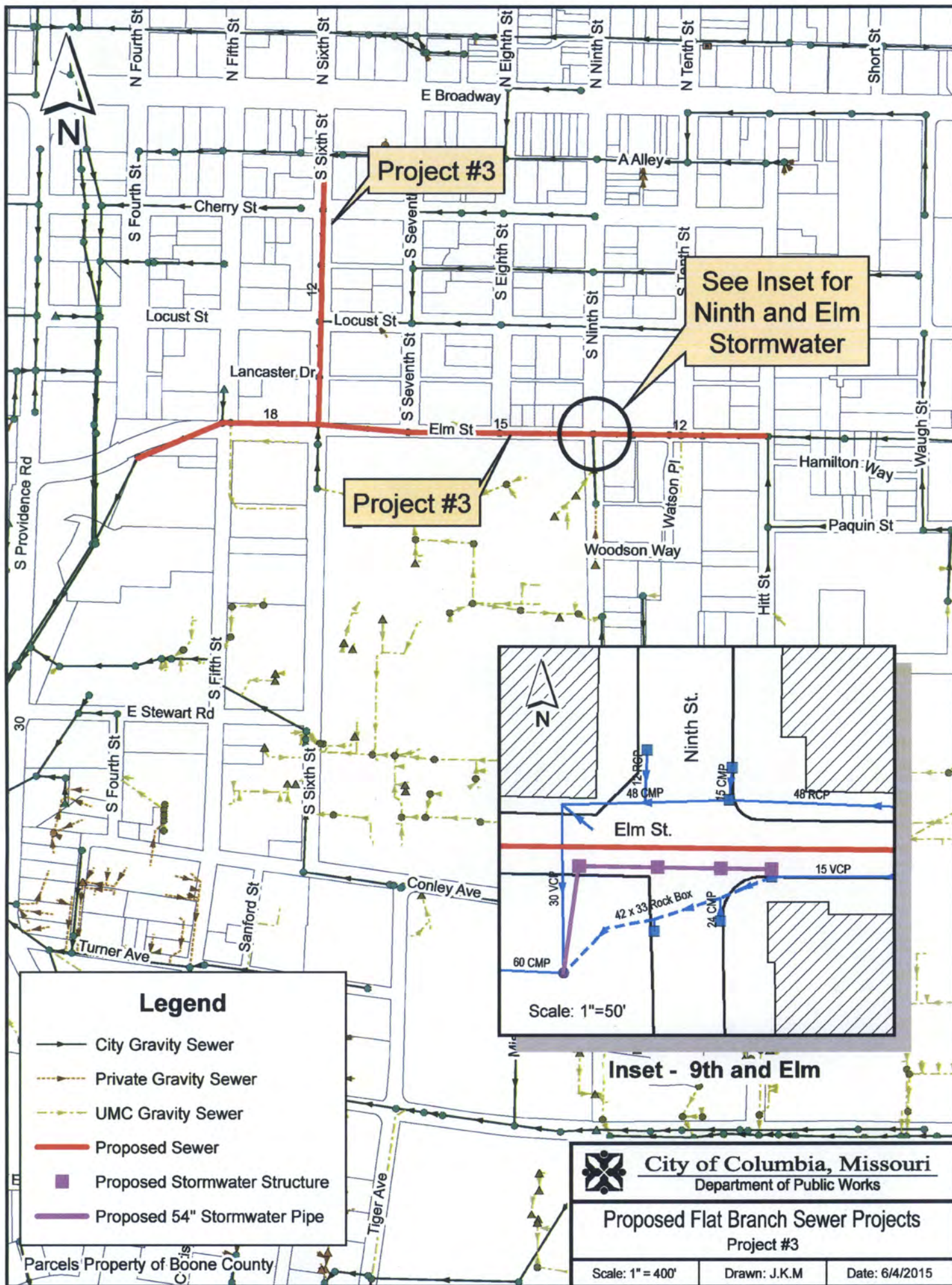
APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

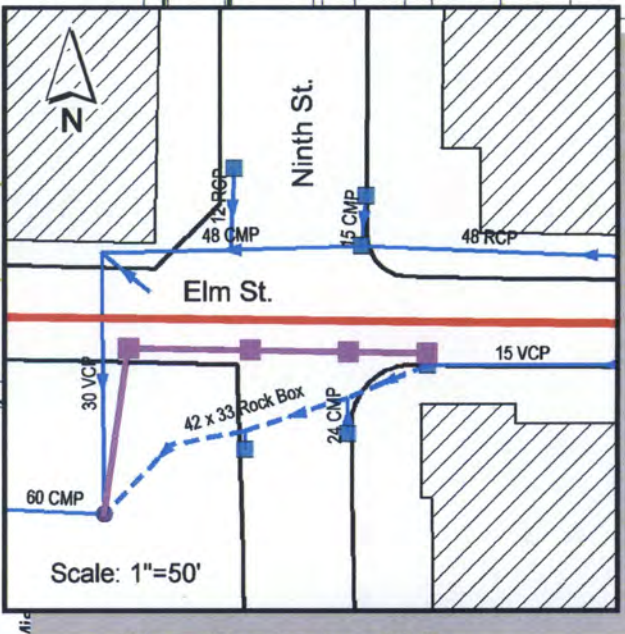
Maps



Project #3

See Inset for
Ninth and Elm
Stormwater


Project #3



Inset - 9th and Elm

Legend

- City Gravity Sewer
- Private Gravity Sewer
- UMC Gravity Sewer
- Proposed Sewer
- Proposed Stormwater Structure
- Proposed 54" Stormwater Pipe

 **City of Columbia, Missouri**
Department of Public Works

Proposed Flat Branch Sewer Projects
Project #3

TEMPORARY CONSTRUCTION EASEMENT

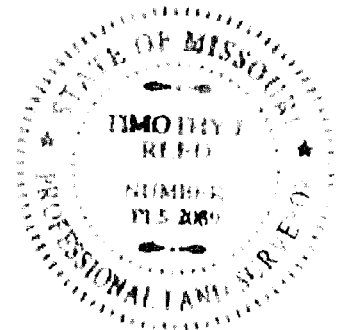
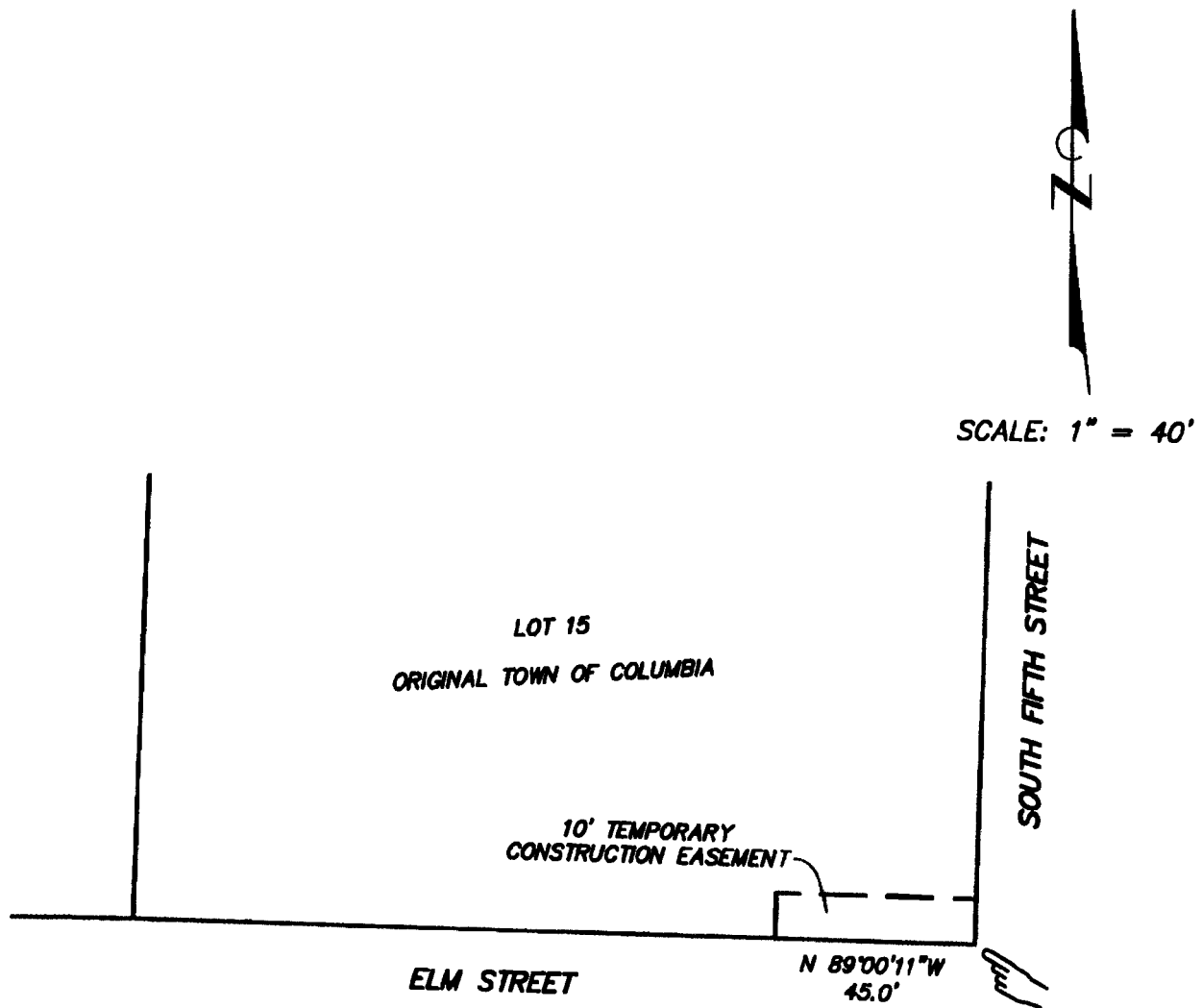


EXHIBIT "A"
SHEET 2 OF 2

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
PROFESSIONAL LAND SURVEYOR
LS-2003

12786

TEMPORARY CONSTRUCTION EASEMENT

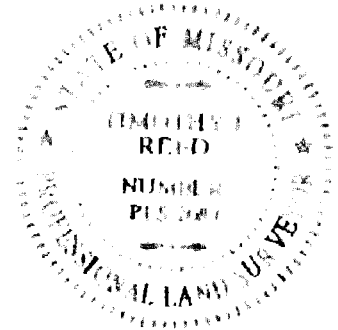
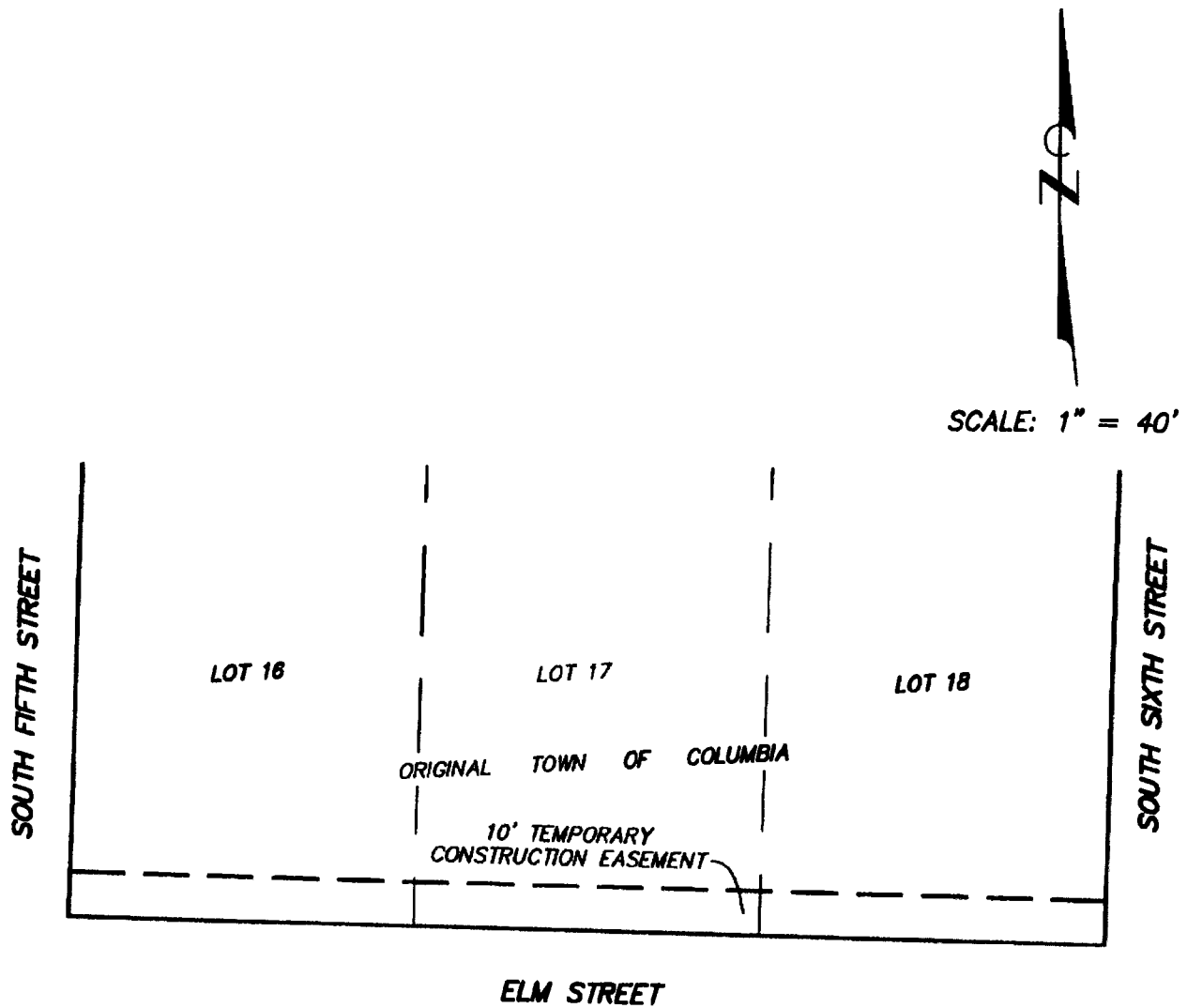


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Timothy J. Reed
TIMOTHY J. REED
PROFESSIONAL LAND SURVEYOR
LS-3009
8/26/2015

12706