## City of Columbia

Agenda Item Number: B 353-15
Department Source: Public Works
To: City Council
From: City Manager \& Staff
Council Meeting Date: 12/07/2015
Re: Clark Lane West Sidewalk and Hinkson Creek Trail Project Easement Acquisition
Documents Included With This Agenda Item
Council memo, Resolution/Ordinance
Supporting documentation includes: Maps, Plats and Plans

## Executive Summary

Authorizing the acquisition of necessary easements for construction of the Clark Lane West Sidewalk and Hinkson Creek Trail connection project, as shown on the attached right of way plans. A public hearing was held on September 8, 2015.

## Discussion

The proposed Clark Lane West Sidewalk and Hinkson Creek Trail project consists of adding pedestrian facilities, namely a sidewalk, on the north side of Clark Lane from Paris Road to just east of the US Highway 63 connector. The project also includes a ten foot wide trail that will connect the new sidewalk on Clark Lane, underneath the I-70 bridges to Mehl Road, on the south side of I-70.

Temporary construction easements are needed on five (5) tracts of land from five (5) property owners. One (1) permanent construction easement is also required from one (1) property owner. A Right of Way plan showing the proposed easements is attached. The estimated cost for easements is $\$ 22,600$ and will be paid for with Non-Motorized Transportation (GetAbout) grant funds.

## Fiscal Impact

Short-Term Impact: The estimated cost for easements is $\$ 22,600$ and will be paid for with Non-Motorized Transportation (GetAbout) grant funds. The total estimated cost for the entire project is $\$ 1,307,500$.
Long-Term Impact: Routine maintenance as needed

## Vision, Strategic \& Comprehensive Plan Impact

Vision Impact: Development, Parks, Recreation and Greenways, Transportation Strategic Plan Impact: Infrastructure...Connecting the Community Comprehensive Plan Impact: Land Use \& Growth Management, Mobility, Connectivity, and Accessibility, Livable \& Sustainable Communities

## Suggested Council Action

Authorize the acquisition of easements for the construction of the Clark Lane West Sidewalk and Hinkson Creek Trail connection project.

## Legislative History

10/05/15-(R 160-15) Authorizing a Supplemental Agreement with CDG for additional work on
Certified Letter of Map Revision (CLOMR) for study on Hinkson Creek.
08/03/15 - (R 123-15) Setting a Public Hearing for September 8, 2015
02/11/15 - IP Meeting
09/02/14-(R 166-14) Professional Engineering Services Agreement with CDG Engineers, Inc.
09/03/13 - (REP 134-13) Non-Motorized Transportation (Get About) Project Prioritization
10/25/12 - Parks \& Recreation Commission presentation
10/23/12 - Environment \& Energy Commission presentation
10/17/12 - Bicycle \& Pedestrian Commission presentation
10/11/12 - Disabilities Commission presentation
10/01/12 - (REP 152-12) Additional Federal Grant Funding for Non Motorized Transportation Projects

$\qquad$
First Reading $\qquad$
Ordinance No. $\qquad$
Second Reading $\qquad$
Council Bill No. $\qquad$

AN ORDINANCE
declaring the need to acquire easements for construction of the Clark Lane West Sidewalk and Hinkson Creek Trail Connection 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, 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 Clark Lane West Sidewalk and Hinkson Creek Trail Connection Project, described as follows:

## Columbia Insurance Group TEMPORARY CONSTRUCTION EASEMENT Parcel: 17-110-00-04-006.0001

A tract of land being within the Southeast Quarter of Section 6, in Township 48 North, Range 12 West of the Fifth Principal Meridian, City of Columbia, Boone County, Missouri, and being more particularly described as follows:

BEGINNING at the Southwest corner of property conveyed to Columbia Insurance Group by the deed recorded in Deed Book 427, Page 223 of the Boone County Records, said Southwest corner being a point on the North right-of-way line of Clark Lane, variable width, said point being also13.76 feet perpendicularly distant Northeast of proposed trail adjacent
to Clark Lane, centerline Station 11+76.50, thence leaving said North right-of-way line and along the Western property line conveyed to Columbia Insurance Group, North 31 degrees 40 minutes 11 seconds East 15.00 feet to a point on said Western property line conveyed to Columbia Insurance Group, being 28.71 feet perpendicularly distant Northeast of proposed trail, centerline Station 11+77.75; thence leaving said Western property line conveyed to Columbia Insurance Group, the following courses, distances and stationing offsets: South 60 degrees 09 minutes 48 seconds East 48.95 feet, being 25.50 feet perpendicularly distant Northeast of proposed trail, centerline Station 12+27.43; thence South 67 degrees 27 minutes 40 seconds East 98.30 feet, being 27.51 feet perpendicularly distant Northeast of proposed trail, centerline Station 13+26.68; thence South 67 degrees 10 minutes 45 seconds East 100.21 feet, being 27.97 feet perpendicularly distant Northeast of proposed trail, centerline Station 14+26.88; thence South 66 degrees 24 minutes 08 seconds East 9.60 feet, being 27.88 feet perpendicularly distant Northeast of proposed trail, centerline Station $14+36.48$; thence South 66 degrees 23 minutes 47 seconds East 90.60 feet, being 27.14 feet perpendicularly distant Northeast of proposed trail, centerline Station 15+27.02; thence South 65 degrees 36 minutes 50 seconds East 100.21 feet, being 25.21 feet perpendicularly distant Northeast of proposed trail, centerline Station 16+27.14; thence South 64 degrees 49 minutes 48 seconds East 99.76 feet, being 22.16 feet perpendicularly distant Northeast of proposed trail, centerline Station 17+26.81; thence South 67 degrees 27 minutes 49 seconds East 41.17 feet, to a point on the West right-ofway line of Towne Drive, 60 feet wide, said point also being the Southeastern property line conveyed to Columbia Insurance Group, being 22.81 feet perpendicularly distant Northeast of proposed trail, centerline Station 17+67.98; thence along the said West right-of-way line, South 12 degrees 33 minutes 56 seconds West 15.23 feet, to the Southeast corner of property conveyed to Columbia Insurance Group, said corner being on the North right-ofway line of Clark Lane, variable width, being 7.86 feet perpendicularly distant Northeast of proposed trail, centerline Station 17+70.85; thence leaving said Southeast corner and along the North right-of-way line of Clark Lane, variable width, the following courses, distances and stationing offsets: North 67 degrees 27 minutes 49 seconds West 44.15 feet, being 7.16 feet perpendicularly distant Northeast of proposed trail, centerline Station 17+26.71; thence North 64 degrees 49 minutes 48 seconds West 100.00 feet, being 10.21 feet perpendicularly distant Northeast of proposed trail, centerline Station 16+26.77; thence North 65 degrees 36 minutes 50 seconds West 100.00 feet, being 12.14 feet perpendicularly distant Northeast of proposed trail, centerline Station 15+26.82; thence North 66 degrees 23 minutes 47 seconds West 90.50 feet, being 12.88 feet perpendicularly distant Northeast of proposed trail, centerline Station 14+36.35; thence North 66 degrees 24 minutes 08 seconds West 9.50 feet, being 12.97 feet perpendicularly distant Northeast of proposed trail, centerline Station 14+26.85; thence North 67 degrees 10 minutes 45 seconds West 100.07 feet, being 12.51 feet perpendicularly distant Northeast of proposed trail, centerline Station 13+26.78; thence North 67 degrees 27 minutes 40 seconds West 99.22 feet, being 10.47 feet perpendicularly distant Northeast of proposed trail, centerline Station 12+27.17; thence North 60 degrees 09 minutes 23 seconds West 50.39 feet, to the POINT OF BEGINNING and containing 8,869 square feet more or less.

MWJ Properties LLC
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 17-110-00-05-015.0001

A tract of land being within the Southeast Quarter of Section 6, in Township 48 North, Range 12 West of the Fifth Principal Meridian, City of Columbia, Boone County, Missouri, and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 23 of "Eastwood Meadows", a subdivision according to the plat thereof as recorded in Plat Book 6, Page 5 of the Boone County Records, said Southwest corner being a point that intersects the North right-of-way line of Clark Lane, variable width, and the East right-of-way line of Towne Drive, 60 feet wide, said point being also 6.14 feet perpendicularly distant Northeast of proposed trail adjacent to Clark Lane, centerline Station 18+35.55, thence leaving said Southwest corner and along the said East right-of-way line of Towne Drive, North 12 degrees 25 minutes 47 seconds East 10.24 feet to a point on said East right-of-way line of Towne Drive, being 16.20 feet perpendicularly distant Northeast of proposed trail, centerline Station 18+33.66; thence leaving said East right-of-way line, the following courses, distances and stationing offsets: South 65 degrees 12 minutes 37 seconds East 2.02 feet, being 16.14 feet perpendicularly distant Northeast of proposed trail, centerline Station 18+35.68; thence South 67 degrees 09 minutes 05 seconds East 67.83 feet, to a point on the Northwest property line of Lot 22 of said Eastwood Meadows, being 16.18 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+03.62; thence along said Northwest property line, South 22 degrees 50 minutes 56 seconds West 10.00 feet, to a point on said North right-of-way line of Clark Lane, also being the Southeast corner of said Lot 23, being 6.18 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+03.59; thence along said North right-of-way line of Clark Lane, North 67 degrees 09 minutes 05 seconds West 68.00 feet, to the POINT OF BEGINNING and containing 689 square feet more or less.

## Harry William, and Jo Snell

TEMPORARY CONSTRUCTION EASEMENT
Parcel: 17-110-00-05-014.0001
A tract of land being within the Southeast Quarter of Section 6, in Township 48 North, Range 12 West of the Fifth Principal Meridian, City of Columbia, Boone County, Missouri, and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 22 of "Eastwood Meadows", a subdivision according to the plat thereof as recorded in Plat Book 6, Page 5 of the Boone County Records, said point being also the Southeast corner of Lot 23 of said "Eastwood Meadows" and a point on the North right-of-way line of Clark Lane, variable width, said point being also 6.18 feet perpendicularly distant Northeast of proposed trail adjacent to Clark Lane, centerline Station 19+03.59, thence leaving said Southwest corner and along the Western property line of said Lot 22 , North 22 degrees 50 minutes 56 seconds East 10.00 feet to a
point on said Western property line of Lot 22, being 16.18 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+03.62; thence leaving said Western property line of Lot 22 , South 67 degrees 09 minutes 04 seconds East 80.00 feet, to a point on the Eastern property line of said Lot 22 , being 15.67 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+83.71; thence along said Eastern property line, South 22 degrees 50 minutes 56 seconds West 10.00 feet, to a point on said North right-of-way line of Clark Lane, also being the Southeast corner of said Lot 22, being 5.67 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+83.62; thence along said North right-of-way line of Clark Lane, North 67 degrees 09 minutes 02 seconds West 80.00, to the POINT OF BEGINNING and containing 800 square feet more or less.

## Kimberly Jean Theberge TEMPORARY CONSTRUCTION EASEMENT <br> Parcel: 17-110-00-05-013.0001

A tract of land being within the Southeast Quarter of Section 6, in Township 48 North, Range 12 West of the Fifth Principal Meridian, City of Columbia, Boone County, Missouri, and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 21 of "Eastwood Meadows", a subdivision according to the plat thereof as recorded in Plat Book 6, Page 5 of the Boone County Records, said point being also the Southeast corner of Lot 22 of said "Eastwood Meadows" and a point on the North right-of-way line of Clark Lane, variable width, said point being also 5.67 feet perpendicularly distant Northeast of proposed trail adjacent to Clark Lane, centerline Station 19+83.62, thence leaving said Southwest corner and along the Western property line of said Lot 21 , North 22 degrees 50 minutes 56 seconds East 10.00 feet to a point on said Western property line of Lot 21, being 15.67 feet perpendicularly distant Northeast of proposed trail, centerline Station 19+83.71; thence leaving said Western property line of Lot 21, the following courses, distances and stationing offsets: South 67 degrees 09 minutes 04 seconds East 78.82 feet, being 15.07 feet perpendicularly distant Northeast of proposed trail, centerline Station $20+62.50$; thence South 80 degrees 40 minutes 09 seconds East 6.23 feet, to a point on the West right-of-way line of June Lane, 50 feet wide, being 16.49 feet perpendicularly distant Northeast of proposed trail, centerline Station 20+68.56; thence along said West right-of-way line of June Lane, South 20 degrees 08 minutes 55 seconds West 10.18 feet, to a point on said North right-of-way line of Clark Lane, being 6.32 feet perpendicularly distant Northeast of proposed trail, centerline Station $20+68.97$; thence along said North right-of-way line of Clark Lane, the following courses, distances and stationing offsets: North 80 degrees 40 minutes 09 seconds West 5.50 feet, being 5.07 feet perpendicularly distant Northeast of proposed trail, centerline Station $20+63.61$; thence North 67 degrees 09 minutes 06 seconds West 80.00 , to the POINT OF BEGINNING and containing 852 square feet more or less.

## Klifton R Altis Trust

PERMANENT \& TEMPORARY CONSTRUCTION EASEMENT
Parcel: 17-115-00-02-006.0001

Tracts of land being within the North Half of the Northwest Quarter of Section 8, in Township 48 North, Range 12 West of the Fifth Principal Meridian, City of Columbia, Boone County, Missouri, and being more particularly described as follows:

## North Portion of TCE

Commencing at the intersecting point of the East right-of-way line of Mehl Road, 30 feet wide, and the South right-of-way line of East Boulevard, variable width, thence leaving said intersecting point and along said East right-of-way line of Mehl Road, 30 feet wide, South 15 degrees 55 minutes 34 seconds West 18.25 feet, thence Southerly along a curve to the left having a chord bearing South 05 degrees 03 minutes 56 seconds East with a radius of 22.25 feet and an arc length of 16.30 feet, thence South 26 degrees 03 minutes 26 seconds East 47.81 feet, to the ACTUAL POINT OF BEGINNING, being 12.50 feet perpendicularly distant Northwest of proposed trail, centerline Station 111+06.67; thence leaving said East right-of-way line of Mehl Road, the following courses, distances and stationing offsets: North 88 degrees 22 minutes 07 seconds East 40.18 feet, being 14.77 feet perpendicularly distant Northwest of proposed trail, centerline Station 110+66.56, thence North 87 degrees 33 minutes 19 seconds East 71.23 feet, being 18.91 feet perpendicularly distant Northwest of proposed trail, centerline Station 109+90.87, thence North 26 degrees 00 minutes 44 seconds East 26.97 feet, to a point on a curve and being said South right-of-way line of East Boulevard, variable width, being 31.08 feet perpendicularly distant West of proposed trail, centerline Station 109+45.98; thence Easterly along a curve to the left having a chord bearing South 72 degrees 39 minutes 31 seconds East with a radius of 2971.79 feet and an arc length 7.13 feet, being 24.15 feet perpendicularly distant West of proposed trail, centerline Station 109+44.26; thence continuing along said South right-of-way line, Easterly along a curve to the left having a chord bearing South 72 degrees 48 minutes 42 seconds East with a radius of 5836.58 feet and an arc length 17.17 feet, to a point on said South right-of-way line, being 7.50 feet perpendicularly distant West of proposed trail, centerline Station 109+40.09; thence leaving said South right-of-way line of East Boulevard, the following courses, distances and stationing offsets: South 31 degrees 15 minutes 58 seconds West 10.18 feet, being 7.50 feet perpendicularly distant West of proposed trail, centerline Station 109+50.27, thence Southerly along a curve to the right having a chord bearing South 61 degrees 26 minutes 15 seconds West with a radius of 42.50 feet and an arc length of 44.76 feet, being 7.50 feet perpendicularly distant Northwest of proposed trail, centerline Station 110+02.93, thence North 88 degrees 23 minutes 27 seconds West 101.12 feet, to a point on said East right-ofway line of Mehl Road, 30 feet wide, being 7.50 feet perpendicularly distant Northwest of proposed trail, centerline Station 111+04.05; thence along said East right-of-way line, North 26 degrees 03 minutes 26 seconds West 5.65 feet to the POINT OF BEGINNING and containing 1,634 square feet more or less.

## South Portion of TCE

Commencing at the intersecting point of the East right-of-way line of Mehl Road, 30 feet wide, and the South right-of-way line of East Boulevard, variable width, thence leaving said intersecting point and along said East right-of-way line of Mehl Road, 30 feet wide, South 15 degrees 55 minutes 34 seconds West 18.25 feet; thence Southerly along a curve to the left having a chord bearing South 05 degrees 03 minutes 56 seconds East with a radius of 22.25 feet and an arc length of 16.30 feet; thence South 26 degrees 03 minutes 26 seconds East 70.39 feet, to the ACTUAL POINT OF BEGINNING, being 7.50 feet perpendicularly distant South of proposed trail, centerline Station 110+96.19; thence leaving said East right-of-way line of Mehl Road, the following courses, distances and stationing offsets: South 88 degrees 23 minutes 27 seconds East 93.26 feet, being 7.50 feet perpendicularly distant South of proposed trail, centerline Station 110+02.93; thence Northerly along a curve to the left having a chord bearing North 61 degrees 26 minutes 15 seconds East with a radius of 57.50 feet and an arc length of 60.56 feet, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+50.27; thence North 31 degrees 15 minutes 58 seconds East 11.08 feet, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+39.19; thence Northerly along a curve to the left having a chord bearing North 33 degrees 14 minutes 44 seconds East with a radius of 42.50 feet and an arc length of 2.94 feet, to a point on a curve and being said South right-of-way line of East Boulevard, variable width, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+35.74; thence Easterly along a curve to the left having a chord bearing South 73 degrees 03 minutes 51 seconds East with a radius of 5836.58 feet and an arc length 3.12 feet, being 10.45 feet perpendicularly distant East of proposed trail, centerline Station 109+34.50; thence continuing along said South right ofway line, Easterly along a curve to the left having a chord bearing South 73 degrees 11 minutes 37 seconds East with a radius of 5839.61 feet and an arc length 23.06 feet, being 30.50 feet perpendicularly distant East of proposed trail, centerline Station 109+13.84; thence leaving said South right-of-way line of East Boulevard, the following courses, distances and stationing offsets: South 19 degrees 16 minutes 06 seconds West 16.63 feet, being 36.41 feet perpendicularly distant West of proposed trail, centerline Station $109+45.99$; thence South 63 degrees 12 minutes 08 seconds West 62.68 feet, being 22.31 feet perpendicularly distant South of proposed trail, centerline Station 109+87.42; thence North 84 degrees 17 minutes 28 seconds West 71.53 feet, being 13.75 feet perpendicularly distant South of proposed trail, centerline Station 110+52.21; thence North 86 degrees 39 minutes 47 seconds West 41.38 feet, to a point on said East right-of-way line of Mehl Road, 30 feet wide, being 12.50 feet perpendicularly distant South of proposed trail, centerline Station 110+93.57; thence along said East right-of-way line, North 26 degrees 03 minutes 26 seconds West 5.65 feet to the POINT OF BEGINNING and containing 2,159 square feet more or less.

## Permanent Easement

Commencing at the intersecting point of the East right-of-way line of Mehl Road, 30 feet wide, and the South right-of-way line of East Boulevard, variable width, thence leaving said intersecting point and along said East right-of-way line of Mehl Road, 30 feet wide, South 15 degrees 55 minutes 34 seconds West 18.25 feet; thence Southerly along a curve to the left having a chord bearing South 05 degrees 03 minutes 56 seconds East with a radius of
22.25 feet and an arc length of 16.30 feet; thence South 26 degrees 03 minutes 26 seconds East 53.46 feet, to the ACTUAL POINT OF BEGINNING, being 7.50 feet perpendicularly distant North of proposed trail, centerline Station 111+04.05; thence leaving said East right-of-way line of Mehl Road, the following courses, distances and stationing offsets: South 88 degrees 23 minutes 27 seconds East 101.12 feet, being 7.50 feet perpendicularly distant North of proposed trail, centerline Station 110+02.93; thence Northerly along a curve to the left having a chord bearing North 61 degrees 26 minutes 15 seconds East with a radius of 42.50 feet and an arc length of 44.76 feet, being 7.50 feet perpendicularly distant West of proposed trail, centerline Station 109+50.27; thence North 31 degrees 15 minutes 58 seconds East 10.18 feet, to a point on a curve and being said South right-of-way line of East Boulevard, variable width, being 7.50 feet perpendicularly distant West of proposed trail, centerline Station 109+40.09; thence Easterly along a curve to the left having a chord bearing South 72 degrees 58 minutes 21 seconds East with a radius of 5836.58 feet and an arc length 15.58 feet, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+35.74; thence leaving said South right-of-way line of East Boulevard, the following courses, distances and stationing offsets: Southerly along a curve to the left having a chord bearing South 33 degrees 14 minutes 44 seconds West with a radius of 42.50 feet and an arc length of 2.94 feet, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+39.19; thence South 31 degrees 15 minutes 58 seconds West 11.08 feet, being 7.50 feet perpendicularly distant East of proposed trail, centerline Station 109+50.27; thence Southerly along a curve to the right having a chord bearing South 61 degrees 26 minutes 15 seconds West with a radius of 57.50 feet and an arc length of 60.56 feet, being 7.50 feet perpendicularly distant South of proposed trail, centerline Station 110+02.93; thence North 88 degrees 23 minutes 27 seconds West 93.26 feet, to a point on said East right-of-way line of Mehl Road, 30 feet wide, being 7.50 feet perpendicularly distant South of proposed trail, centerline Station $110+96.19$; thence along said East right-of-way line, North 26 degrees 03 minutes 26 seconds West 16.94 feet to the POINT OF BEGINNING and containing 2,429 square feet more or less.

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.
$\qquad$ day of $\qquad$ , 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, Plats and Plans











