



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: City Utilities - Sewer/Stormwater

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2016

Re: Manor Drive Storm Water Improvement Project - Easement Acquisition

Executive Summary

Staff has prepared for Council consideration an ordinance authorizing the acquisition of easements necessary to construct the Manor Drive Storm Water Improvement Project.

Discussion

The Manor Drive Storm Water Improvement Project includes the replacement of a failed drainage system with approximately 405 linear feet of storm water pipe, 4 inlets, associated pavement replacement and yard restoration. The location and proposed alignment of the project is shown on the attached drawings.

The property rights necessary to construct the storm water improvements affect a total of five (5) properties and include four (4) permanent drainage easements, and five (5) temporary construction easements.

Construction plans are 90% complete and the request to bid the project is concurrent with this easement acquisition request in an effort to expedite the project to coordinate with the Manor Drive Sidewalk Project.

Fiscal Impact

Short-Term Impact: The project estimate is \$75,000. Funds were appropriated from Storm Water Utility with the FY16 budget.

Long-Term Impact: There will be minimal impact to the Storm Water Utility annual operating budget.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Community Facilities & Services, Secondary Impact: Transportation, Tertiary Impact: Not Applicable

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Public Safety, Tertiary Impact: Not Applicable



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Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Mobility, Connectivity, and Accessibility,
Tertiary Impact: Not Applicable

Legislative History

Date	Action
02/01/2016	Public Hearing
01/04/2016	Resolution setting a Public Hearing for February 1, 2016.
12/09/2015	Interested Parties Meeting: Property owners from four properties in attendance were in favor of the project.

Suggested Council Action

Approve the ordinance authorizing the acquisition of easements for the Manor Drive Storm Water Improvement Project.

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 57-16

AN ORDINANCE

declaring the need to acquire easements for construction of the Manor Drive storm water improvement 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 Manor Drive storm water improvement project, described as follows:

Gary E Gundy and Amy E. Gundy, husband and wife

PERMANENT DRAINAGE EASEMENT

PARCEL: 16-605-00-04-026.00

A three sided parcel of land in the northeast corner of a tract of land described in a warranty deed in Book 1289 at Page 914, said tract being Lot 50 and the north 3' of Lot 49 of Extended Wornell Subdivision as recorded in Plat Book 5 at Page 34, 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 Maplewood Drive, S.0°48'45"W., 17.87 feet; thence leaving said line N.76°13'15"W., 78.02 feet to the north line of said tract;

thence along said line S.89°27'30"E., 76.03 feet to the POINT OF BEGINNING and containing 679 square feet.

Gary E Gundy and Amy E. Gundy, husband and wife
TEMPORARY CONSTRUCTION EASEMENT
PARCEL: 16-605-00-04-026.00

An irregular shaped parcel of land along the north line of a tract of land described in a warranty deed in Book 1289 at Page 914, said tract being Lot 50 and the north 3' of Lot 49 of Extended Wornell Subdivision as recorded in Plat Book 5 at Page 34, 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 Maplewood Drive, S.0°48'45"W., 21.92 feet; thence leaving said line N.87°30'55"W., 40.95 feet; thence N.3°30'30"W., 2.13 feet; thence N.86°55'55"W., 32.14 feet; thence N.3°01'45"E., 8.19 feet; thence N.86°42'00"W., 57.55 feet to the west line of said tract; thence along said line N.0°56'05"E., 6.03 feet to the northwest corner of said tract; thence along the north line of said tract S.89°27'30"E., 130.38 feet to the POINT OF BEGINNING and containing 1,183 square feet exclusive of permanent drainage easement granted this date.

Robert N. Lerch and Martha J. Lerch, husband and wife
PERMANENT DRAINAGE EASEMENT
PARCEL: 16-605-00-04-025.00

An irregular shaped parcel of land over and across the south part of a tract of land described in a warranty deed in Book 1209 at Page 272, said tract being Lot 51 of Extended Wornell Subdivision as recorded in Plat Book 5 at Page 34, 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 N.89°27'30"W., 76.03 feet; thence leaving said line N.76°13'15"W., 55.74 feet to the west line of said tract at a point N.0°56'05"E., 12.76 feet from the southwest corner of said tract; thence along said line N.0°56'05"E., 18.00 feet; thence leaving said line S.76°09'40"E., 60.10 feet to the west line of the existing house; thence along said line S.2°01'25"W., 4.33 feet to the southwest corner of said house; thence along the south line of said house S.86°33'35"E., 23.46 feet; thence leaving said line S.76°09'40"E., 49.70 feet to the POINT OF BEGINNING and containing 1,608 square feet.

Robert N. Lerch and Martha J. Lerch, husband and wife
TEMPORARY CONSTRUCTION EASEMENT
PARCEL: 16-605-00-04-025.00

An irregular shaped parcel of land along the south and west lines of a tract of land described in a warranty deed in Book 1209 at Page 272, said tract being Lot 51 of Extended Wornell Subdivision as recorded in Plat Book 5 at Page 34, 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 N.89°27'30"W., 130.38 feet to the southwest corner of said tract; thence along the west line of said tract N.0°56'05"E., 43.10 feet; thence leaving said line S.89°03'55"E., 10.00 feet; thence S.0°56'05"W., 11.63 feet; thence S.81°16'05"E., 27.78 feet; thence S.69°09'55"E., 22.34; thence S.76°13'25"E., 32.05 feet; thence S.86°59'40"E., 40.60 feet to the east line of said tract, said line also being the west Right-of-Way line of Maplewood Drive; thence along said line S.0°48'45"W., 10.61 feet to the POINT OF BEGINNING and containing 1,094 square feet exclusive of permanent drainage easement granted this date.

Connie S. Levy
PERMANENT DRAINAGE EASEMENT
PARCEL: 16-508-00-01-032.00

The north four feet of a tract of land described in a quit-claim deed in Book 2235 at Page 823, said tract being Lot 5 of the Subdivision of Lot 24 of Houdersheldt Subdivision as recorded in Plat Book 5 at Page 57, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 553 square feet.

Connie S. Levy
TEMPORARY CONSTRUCTION EASEMENT
PARCEL: 16-508-00-01-032.00

A four sided parcel of land along the north line of a tract of land described in a quit-claim deed in Book 2235 at Page 823, said tract being Lot 5 of the Subdivision of Lot 24 of Houdersheldt Subdivision as recorded in Plat Book 5 at Page 57, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcel being described as follows:

BEGINNING at the northwest corner of said tract; thence along the north line of said tract S.89°08'30"E., 138.19 feet to the northeast corner of said tract; thence along the east line of said tract S.0°56'05"W., 22.80 feet; thence leaving said line N.89°07'15"W., 138.17 feet to the west line of said tract, said line also being the east Right-of-Way line of Manor Drive; thence along said line N.0°53'35"E., 22.75 feet to the POINT OF BEGINNING and containing 2,594 square feet exclusive of permanent drainage easement granted this date.

John R. Moseley and Jill Moseley, husband and wife
PERMANENT DRAINAGE EASEMENT
PARCEL: 16-508-00-01-033.00

The south fourteen feet of a tract of land described in a warranty deed in Book 1280 at Page 586, said tract being Lot 4 of of the Subdivision of Lot 24 of Houdersheldt Subdivision as recorded in Plat Book 5 at Page 57, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri and containing 1,935 square feet.

John R. Moseley and Jill Moseley, husband and wife
TEMPORARY CONSTRUCTION EASEMENT
PARCEL: 16-508-00-01-033.00

Two irregular shaped parcels of land along the south and north lines of a tract of land described in a warranty deed in Book 1280 at Page 586, said tract being Lot 4 of the Subdivision of Lot 24 of Houdersheldt Subdivision as recorded in Plat Book 5 at Page 57, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri; said parcels being described as follows:

BEGINNING, for the first parcel, at the southeast corner of said tract; thence along the south line of said tract N.89°08'30"W., 138.19 feet to the southwest corner of said tract; thence along the west line of said tract, said line also being the east Right-of-Way line of Manor Drive, N.0°53'35"E., 16.85 feet; thence leaving said line S.88°55'05"E., 133.20 feet; thence N.0°56'05"E., 10.01 feet; thence S.89°03'55"E., 5.00 feet to the east line of said tract; thence along said line S.0°56'05"W., 26.34 feet to the POINT OF BEGINNING and containing 407 square feet exclusive of permanent drainage easement granted this date.

BEGINNING, for the second parcel, at the northwest corner of said tract; thence along the north line of said tract S.89°06'40"E., 138.25 feet to the northeast corner of said tract; thence along the east line of said tract S.0°56'05"W., 16.36 feet; thence leaving said line N.89°04'35"W., 94.39 feet; thence N.0°19'15"W., 8.57 feet; thence N.89°02'30"W., 43.67 feet to the west line of said tract, said line also being the east Right-of-Way line of Manor Drive; thence along said line N.0°53'35"E., 7.68 feet to the POINT OF BEGINNING and containing 1,880 square feet.

Keenan Simon
TEMPORARY CONSTRUCTION EASEMENT
PARCEL: 16-508-00-01-034.00

An irregular shaped parcel of land along the south line of a tract of land described in a quit-claim deed in Book 4138 at Page 99, said tract being Lot 3 of the Subdivision of Lot 24 of Houdersheldt Subdivision as recorded in Plat Book 5 at Page 57, 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 N.89°06'40"W., 138.25 feet to the southwest corner of said tract; thence along the west line of said tract, said line also being the east Right-of-Way line of Manor Drive, N.0°53'35"E., 20.50 feet; thence leaving said line S.89°06'25"E., 42.40 feet; thence S.86°47'00"E., 32.14 feet; thence S.89°03'55"E., 63.75 feet to the east line of said tract; thence along said line S.0°56'05"W., 19.15 feet to the POINT OF BEGINNING and containing 2,729 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 _____, 2016.

ATTEST:

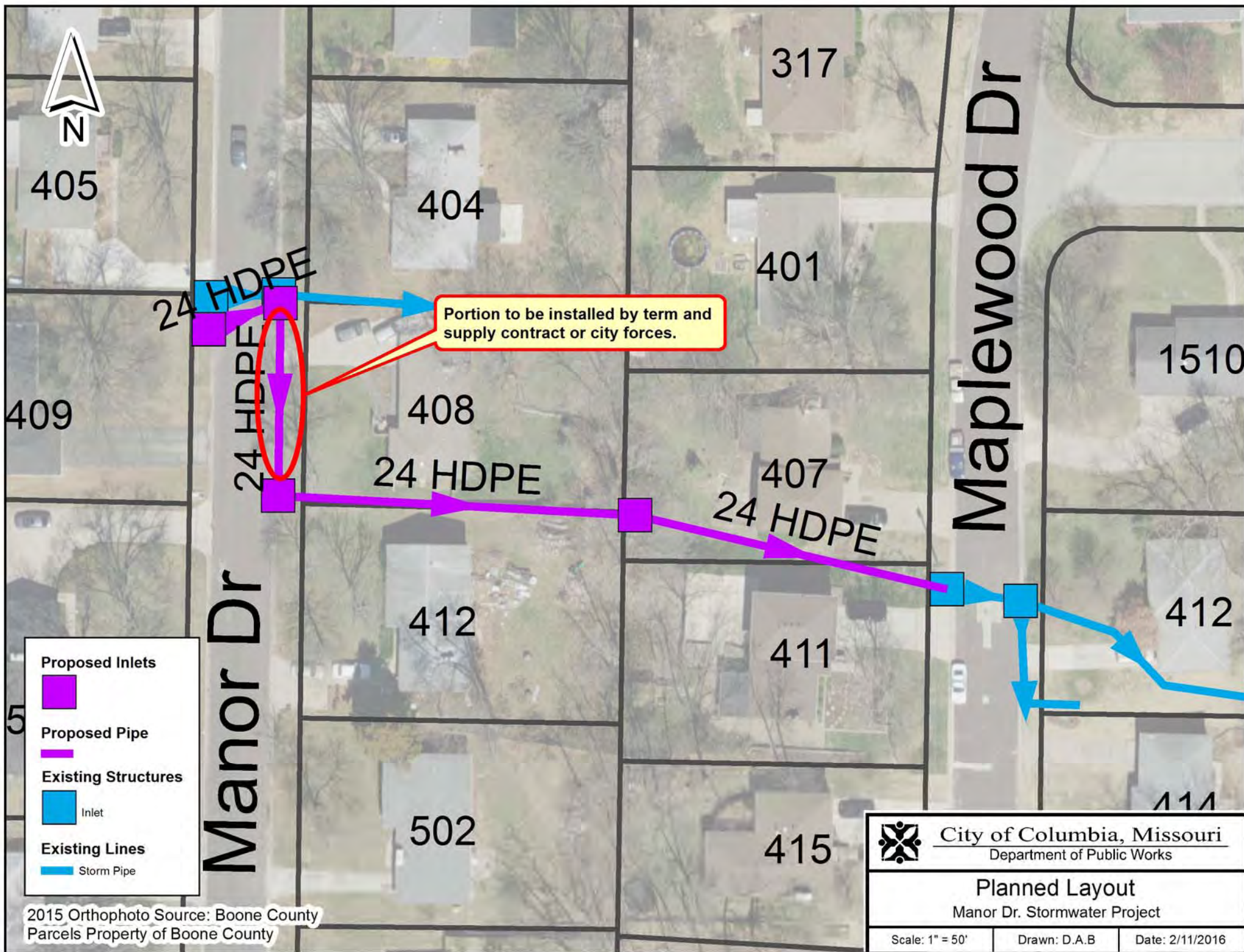
City Clerk

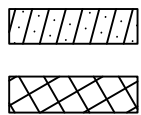
Mayor and Presiding Officer

APPROVED AS TO FORM:

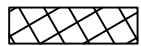
City Counselor

SUPPORTING
DOCUMENTS FOR
THIS AGENDA ITEM





Temporary
Construction Easement



Permanent
Easement

407 MAPLEWOOD DR
BASEMENT FLOOR
ELEV=723.45

MAPLE
32' ASPH W/CUR

411 MAPLEWOOD DR
BASEMENT FLOOR
ELEV=724.38

Gary E. & Amy E. Gundy, H&W
WD Bk 1289 Pg 914
Lot 50 & N 3' of Lot 49
Extended Wornell Subdivision
PB 5 Pg 34

16-605-00-04-026.00



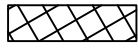
City of Columbia, Missouri
Utilities Department

Manor Dr. Stormwater
Proposed Gundy Easements

Scale: 1"=20' Dwn: D.A.B. Date: 2/05/16



Temporary
Construction Easement



Permanent
Easement

16-605-00-04-024.00

Bill Moseley,
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dersheldt
ision
Pg 57

01-033.00

Robert N & Martha J. Lerch,
H&W
WD Bk 1209 Pg 272
Lot 51
Extended Wornell Subdivision
PB 5 Pg 34

16-605-00-04-025.00

407 MAPLEWOOD DR
BASEMENT FLOOR
ELEV=723.45

MAPLEWOOD DRIVE
32' ASPH W/CURB AND GUTTER AND 50' R/W

411 MAPLEWOOD DR
BASEMENT FLOOR
ELEV=724.38



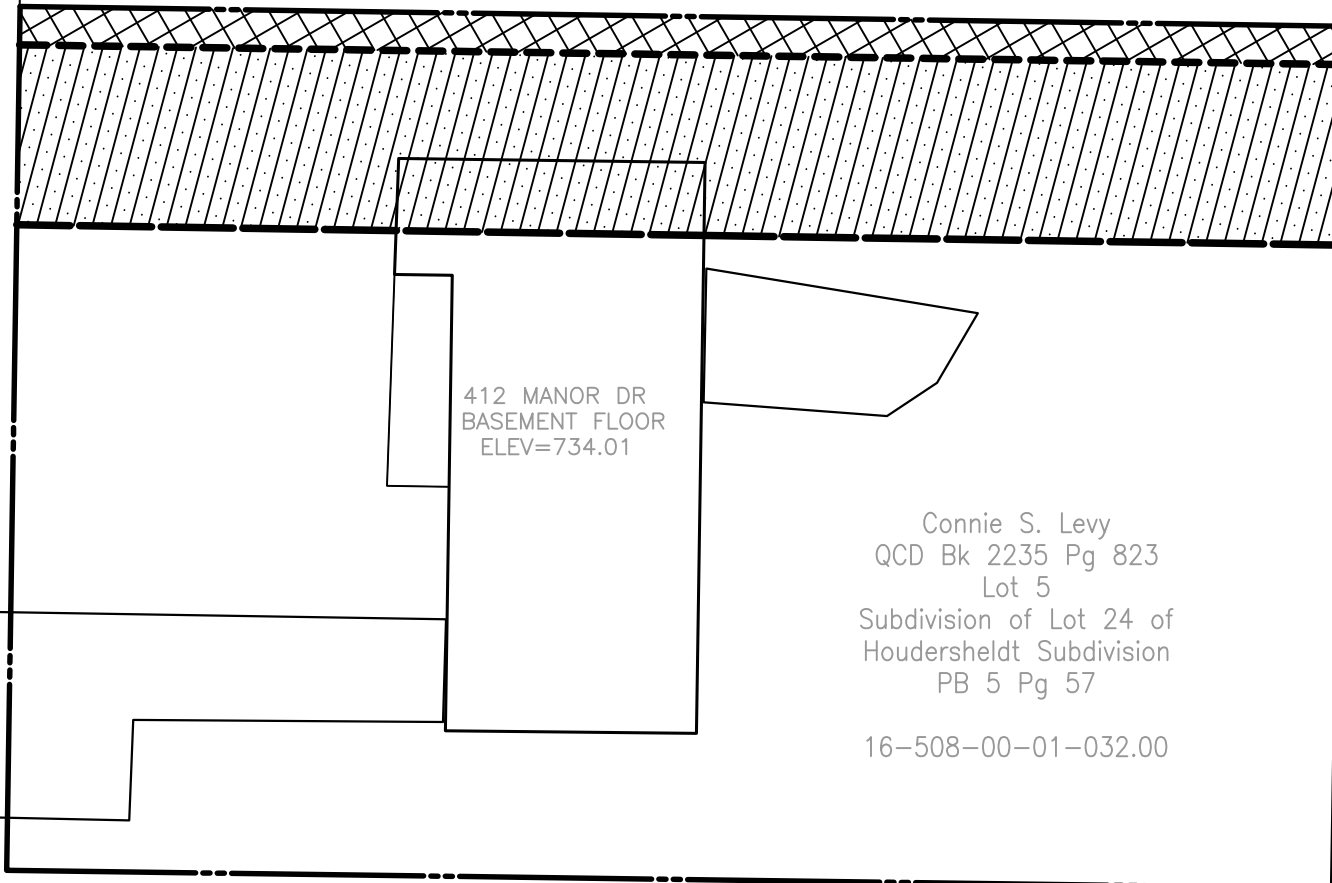
City of Columbia, Missouri
Utilities Department

Manor Dr. Stormwater Proposed Lerch Easements

Scale: 1"=20' Dwn: D.A.B. Date: 2/11/16



-  Temporary Construction Easement
-  Permanent Easement



412 MANOR DR
BASEMENT FLOOR
ELEV=734.01

Connie S. Levy
QCD Bk 2235 Pg 823
Lot 5
Subdivision of Lot 24 of
Houdersheldt Subdivision
PB 5 Pg 57

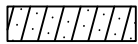
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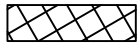
City of Columbia, Missouri
Utilities Department

Manor Dr. Stormwater Proposed Levy Easements

Scale: 1"=20' Dwn: D.A.B. Date: 2/05/16



Temporary
Construction Easement



Permanent
Easement

MANOR DRIVE
30' ASPH W/CURB AND GUTTER AND 50' R/W

408 MANOR DR
HSE W/ BASEMENT
GROUND FLOOR
ELEV=741.41

John R. & Jill Moseley,
H&W
WD Bk 1280 Pg 586
Lot 4 Subdivision of Lot
24 of Houdersheldt
Subdivision
PB 5 Pg 57

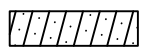
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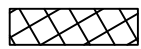
City of Columbia, Missouri
Utilities Department

Manor Dr. Stormwater Proposed Moseley Easements

Scale: 1"=20' Dwn: D.A.B. Date: 2/05/16



Temporary
Construction Easment



Permanent
Easment

Manor Drive

404 MANOR DR

Keenan Simon
QCD Bk 4138 Pg 99
Lot 3
Subdivision of Lot 24 of
Houdersheldt Subdivision
PB 5 Pg 57

16-508-00-01-034.00

John R. & Jill Moseley,
H&W
WD Bk 1280 Pg 586
Lot 4 Subdivision of Lot



City of Columbia, Missouri
Utilities Department

Manor Dr. Stormwater
Proposed Simon Easement

Scale: 1"=20'

Dwn: D.A.B.

Date: 2/05/16