



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 21, 2016

Re: Worley Street Headstart Easement Vacation (Case #16-55)

Executive Summary

Approval of the request will result in the vacation of existing and rededication of new drainage, utility, and sanitary sewer easements, located on the Worley Street Headstart property at 1312 W. Worley Street. The rededicated easements will adequately encompass all existing utilities.

Discussion

Crockett Engineering (applicant), on behalf of Central Missouri Community Action (owner), requests that the City vacate the existing drainage and utility easement described in Book 332, Page 113 and Book 332, Page 120, and the sanitary sewer easement described in Book 243, Page 395. The request to vacate the existing easements is a result of recent field surveying activity associated with a planned expansion of the Worley Street Headstart program located on the property.

The proposed expansion of the Headstart program's facilities will not affect the existing public improvements. Rather the requested action is necessary to ensure that the existing utilities are located within properly recorded and dedicated easements permitting the City access to such facilities for future maintenance purposes. The recorded drainage & utility easement does not fully encompass the existing storm sewer pipe on the property and the recorded sanitary sewer easement does not specify the easement's width. The easements proposed for dedication will result in all existing infrastructure being within the new boundaries and ensure that they are properly dimensioned.

Internal staff and external agencies have reviewed the requested vacation and find that the simplest way to mitigate the existing inadequacies is to vacate all existing easements and dedicate replacement easements. Given these factors, staff supports the requested vacation.

Locator maps, vacation and rededication graphics are attached for reference.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.



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Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
May 4, 1926	Hunthill Subdivision (Lot 17 and East ½ of Lot 16, Block 4)

Suggested Council Action

Approve the requested easement vacations and accept the newly dedicated easements.

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 78-16

AN ORDINANCE

vacating sanitary sewer and storm sewer easements located on the south side of Worley Street (1312 W. Worley Street); directing the City Clerk to have a copy of this ordinance recorded; accepting conveyances for utility and drainage and sanitary sewer purposes; directing the City Clerk to have the conveyances recorded; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council finds and determines that certain sanitary sewer and storm sewer easements, more particularly described as follows:

SANITARY SEWER EASEMENT

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING ALL OF THE SANITARY SEWER EASEMENT RECORDED IN BOOK 243, PAGE 395 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALONG AND ACROSS THE SOUTH LINE OF LOT #17 AND ALSO ALONG AND ACROSS THE CENTER PART OF LOT #17 IN HUNTHILL SUBDIVISION TO THE CITY OF COLUMBIA, MISSOURI.

STORM SEWER EASEMENT VACATION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING ALL OF THE STORM SEWER EASEMENT RECORDED IN BOOK 332, PAGE 120 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 16 FEET OF THE EAST 1/2 OF LOT 17, BLOCK 4, OF HUNTHILL SUBDIVISION.

STORM SEWER EASEMENT VACATION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING ALL OF THE STORM SEWER EASEMENT RECORDED IN BOOK 332, PAGE 113 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 6 FEET OF THE NORTH FIFTY (50) FEET OF THE WEST 1/2 OF LOT 17, BLOCK 4, OF HUNTHILL SUBDIVISION.

are in excess and surplus to the needs of the City and are hereby vacated.

SECTION 2. The City Clerk is hereby authorized and directed to cause a copy of this ordinance to be recorded in the office of the Recorder of Deeds of Boone County, Missouri.

SECTION 3. The conveyances to the City of Columbia, Missouri, a municipal corporation, more particularly described as follows:

Grant of Easement for utility and drainage purposes from Central Missouri Counties' Human Development Corporation, more particularly described in Exhibit "A" attached hereto and made a part hereof.

Grant of Easement for sewer purposes from Central Missouri Counties' Human Development Corporation, more particularly described in Exhibit "B" attached hereto and made a part hereof.

are hereby accepted.

SECTION 4. The City Clerk is hereby authorized and directed to have the conveyances recorded in the office of the Boone County Recorder of Deeds.

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

GRANT OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES

THIS INDENTURE, made on the 17th day of March, 2016, by and between **CENTRAL MISSOURI COUNTIES' HUMAN DEVELOPMENT CORPORATION, DBA CENTRAL MO COMMUNITY ACTION**, a corporation of the State of Missouri, Grantor and the **City of Columbia**, Missouri, a municipal corporation, Grantee, Grantee's mailing address Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, paid by the Grantee, the receipt of which is hereby acknowledged does hereby grant unto said City, its successors and assigns, the privilege, authority and right to construct, operate, replace, repair and maintain water mains, electric light and power transmission lines, communications facilities, regardless of technology, and all other public utilities and all necessary appurtenances to make these utilities complete and useable; a storm drainage system which is all drainage facilities used for collecting and conducting storm water to, through, and from drainage areas to the points of final outlet including, but not limited to the following: conduits, and appurtenant features, canals, ditches, streams, gullies, flumes, culverts and gutters, under across and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to wit:

Ordinance #:

A STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 17 AND WITH THE NORTH LINE THEREOF, N 83°24'55"W, 70.04' TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING SAID STRIP BEING 16 FEET WIDE, AND LYING 8 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE, S 0°38'30"E, 309.75 FEET TO THE SOUTH LINE OF SAID LOT 17 AND THE END OF THIS DESCRIBED CENTER LINE.

This grant includes the right of the City of Columbia, Missouri, its officers, agents and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted, also the right to trim, clear or remove at any time from said easement any tree, brush, structure or obstruction of any kind or character whatsoever which in the reasonable judgment of the City may endanger the safety or interfere with the operation and maintenance of the City's facilities.

The Grantor covenants that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute and will defend this Grant of Easement.

IN WITNESS WHEREOF, the said Central Missouri Counties' Human Development Corporation, DBA Central MO Community Action, has caused these presents to be signed by its Deputy director the day and year first written above.

CENTRAL MISSOURI COUNTIES' HUMAN
DEVELOPMENT CORPORATION,
DBA CENTRAL MO COMMUNITY ACTION

By: *Julie Kratzer*
Julie Kratzer, Deputy Director

STATE OF Missouri

COUNTY OF BOONE

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) ss.
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On this 17th day of March in the year 2016, before me, a Notary Public in and for said state, personally appeared, Julie Kratzer, who being by me duly sworn, acknowledged that he is the deputy director of CENTRAL MISSOURI COUNTIES' HUMAN DEVELOPMENT CORPORATION, DBA CENTRAL MO COMMUNITY ACTION, and that said instrument was signed in behalf of said corporation and further acknowledged that she executed the same as a free act and deed for the purposes therein stated and that she has been granted the authority by said corporation to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Jamie Sheets
Notary Public

My commission expires: 6/18/17



GRANT OF EASEMENT FOR SEWER PURPOSES

THIS INDENTURE, made on the 17th day of March, 2016, by and between **CENTRAL MISSOURI COUNTIES' HUMAN DEVELOPMENT CORPORATION, DBA CENTRAL MO COMMUNITY ACTION**, a corporation of the State of Missouri, Grantor, and the **City of Columbia**, Missouri, Grantee, a municipal corporation in the County of Boone and the State of Missouri; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, to us in hand paid by the City of Columbia, the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes, including the necessary manholes and other fixtures, under, across and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to wit:

Ordinance #:

A STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 17 AND WITH THE NORTH LINE THEROF, N 83°24'55"W, 57.49 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING SAID STRIP BEING 16 FEET WIDE AND LYING, 8 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE, S 3°53'15"E, 300.61 FEET, THENCE SAID STRIP NARROWING TO 14 FEET WIDE AND BEING, 7 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE, S 83°20'25"E, 71.59 FEET TO THE EAST LINE OF SAID LOT 17 AND THE END OF THIS DESCRIBED CENTERLINE.

Said easement being the right to construct, operate, replace, repair and maintain sewers and pipes under or across said easement, and right of access thereto over the above-described tract of land.


The grant includes the right of the City of Columbia, Missouri, its officers, agents and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted; also the right to trim, clear or remove, at any time from said easement any tree, brush, structure or obstruction of any kind or character whatsoever which, in the reasonable judgment of the City may endanger the safety of or interfere with the operation and maintenance of said City's facilities.

The grantor covenants that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute this Grant of Easement.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed by its Deputy Director the day and year first written above.

CENTRAL MISSOURI COUNTIES'
HUMAN DEVELOPMENT CORPORATION,
DBA CENTRAL MO COMMUNITY ACTION

By:


Julie Kratzer, Deputy Director

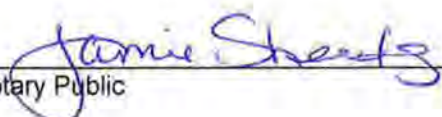
STATE OF Missouri

)
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COUNTY OF Boone

On this 17th day of March in the year 2016, before me, a Notary Public in and for said state, personally appeared, Julie Kratzer, who being by me duly sworn, acknowledged that she is the deputy director of CENTRAL MISSOURI COUNTIES' HUMAN DEVELOPMENT CORPORATION, DBA CENTRAL MO COMMUNITY ACTION, and that said instrument was signed in behalf of said corporation and further acknowledged that she executed the same as a free act and deed for the purposes therein stated and that she has been granted the authority by said corporation to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.


Notary Public

EXP. 6/18/17



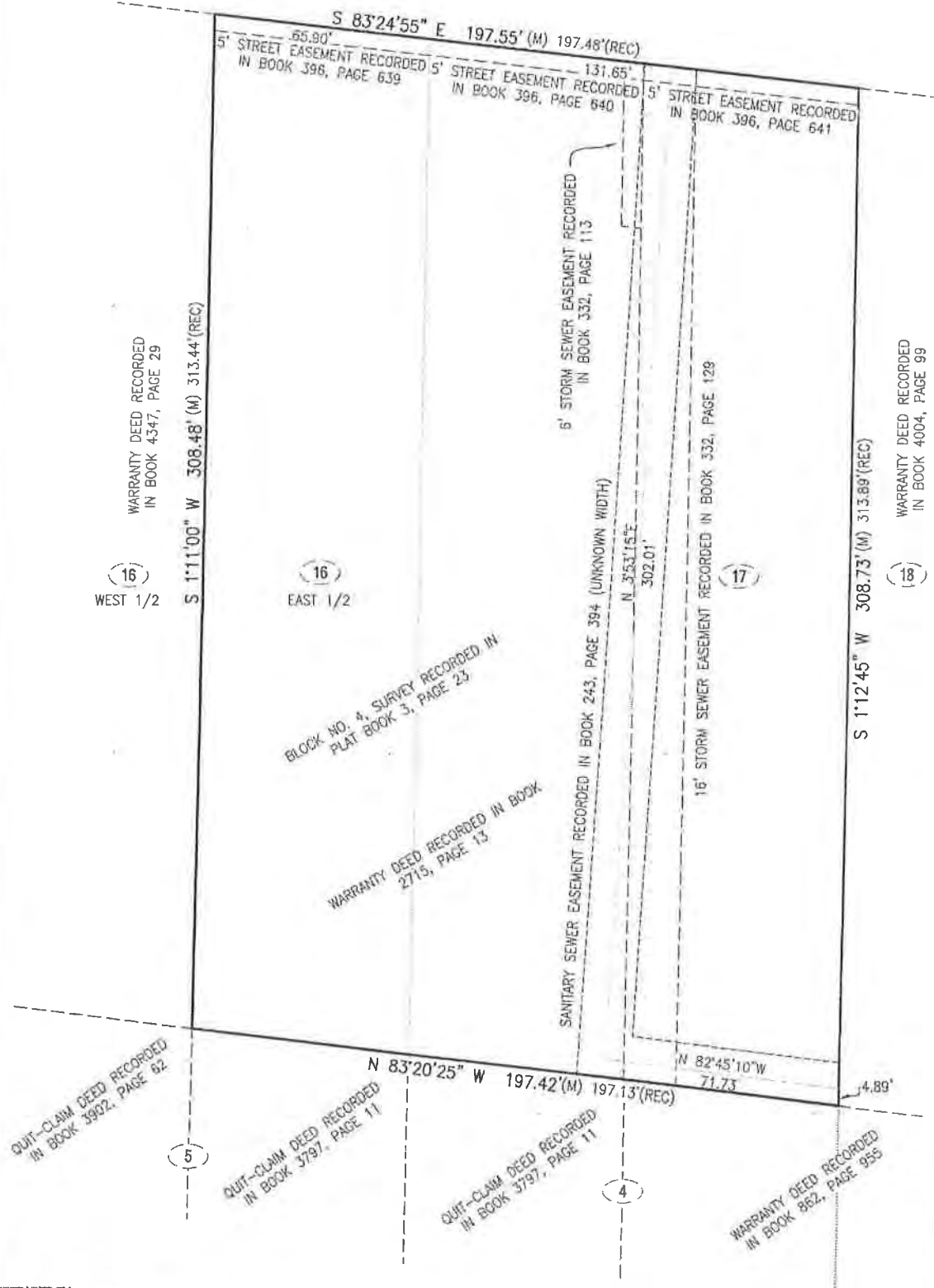
SUPPORTING
DOCUMENTS FOR
THIS AGENDA ITEM

1312 W. WORLEY STREET

SANITARY & STORM SEWER EASEMENT VACATION

DECEMBER 28, 2015

W. WORLEY STREET



PREPARED BY:

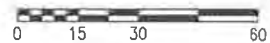
CROCKETT

ENGINEERING CONSULTANTS

2604 North Shiloh Boulevard
Columbia, Missouri 65202
(314) 441-0895

www.crockettengineering.com

SCALE: 1"=30'



DESCRIPTION FOR SANITARY SEWER EASEMENT VACATION – WORLEY HEAD START
CENTRAL MISSOURI COUNTIES HUMAN DEVELOPMENT CORPORATION
JOB #150313

DECEMBER 28, 2015

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 17 OF HUNTHILL SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 23, AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2715, PAGE 13, AND BEING ALL OF THE SANITARY SEWER EASEMENT RECORDED IN BOOK 243, PAGE 395 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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DAVID T. BUTCHER, PLS-2002014095

DATE

DESCRIPTION FOR STORM SEWER EASEMENT VACATION – WORLEY HEAD START
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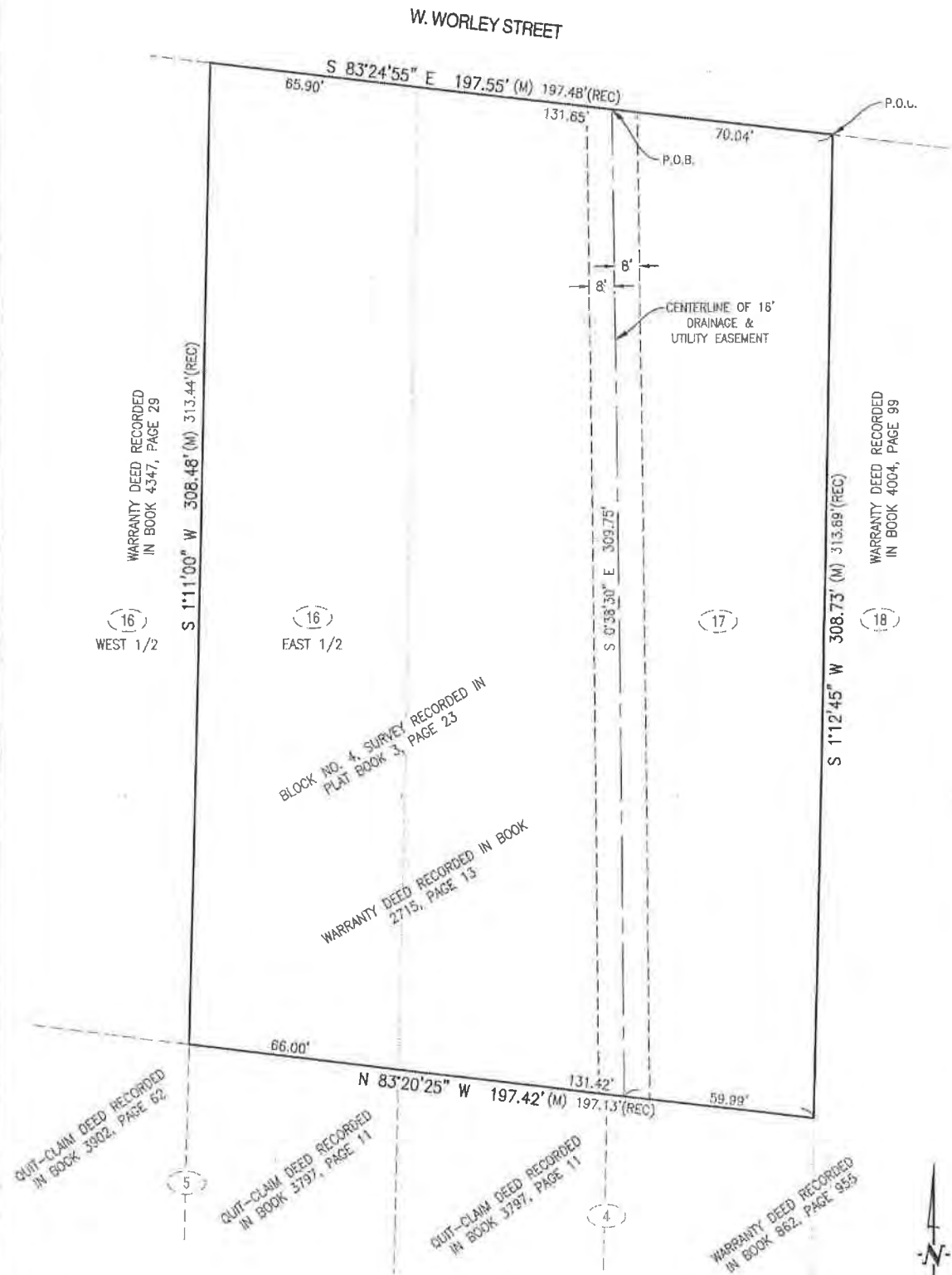
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DAVID T. BUTCHER, PLS-2002014095

DATE

1312 W. WORLEY STREET

DRAINAGE & UTILITY EASEMENT EXHIBIT
DECEMBER 28, 2015

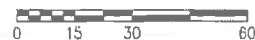


PREPARED BY:
CROCKETT
ENGINEERING CONSULTANTS

2503 North Stadium Boulevard
Columbia, Missouri 65203
(314) 447-0292

www.crockettengineering.com

SCALE: 1"=30'



DESCRIPTION FOR DRAINAGE & UTILITY EASEMENT – WORLEY HEAD START
CENTRAL MISSOURI COUNTIES HUMAN DEVELOPMENT CORPORATION
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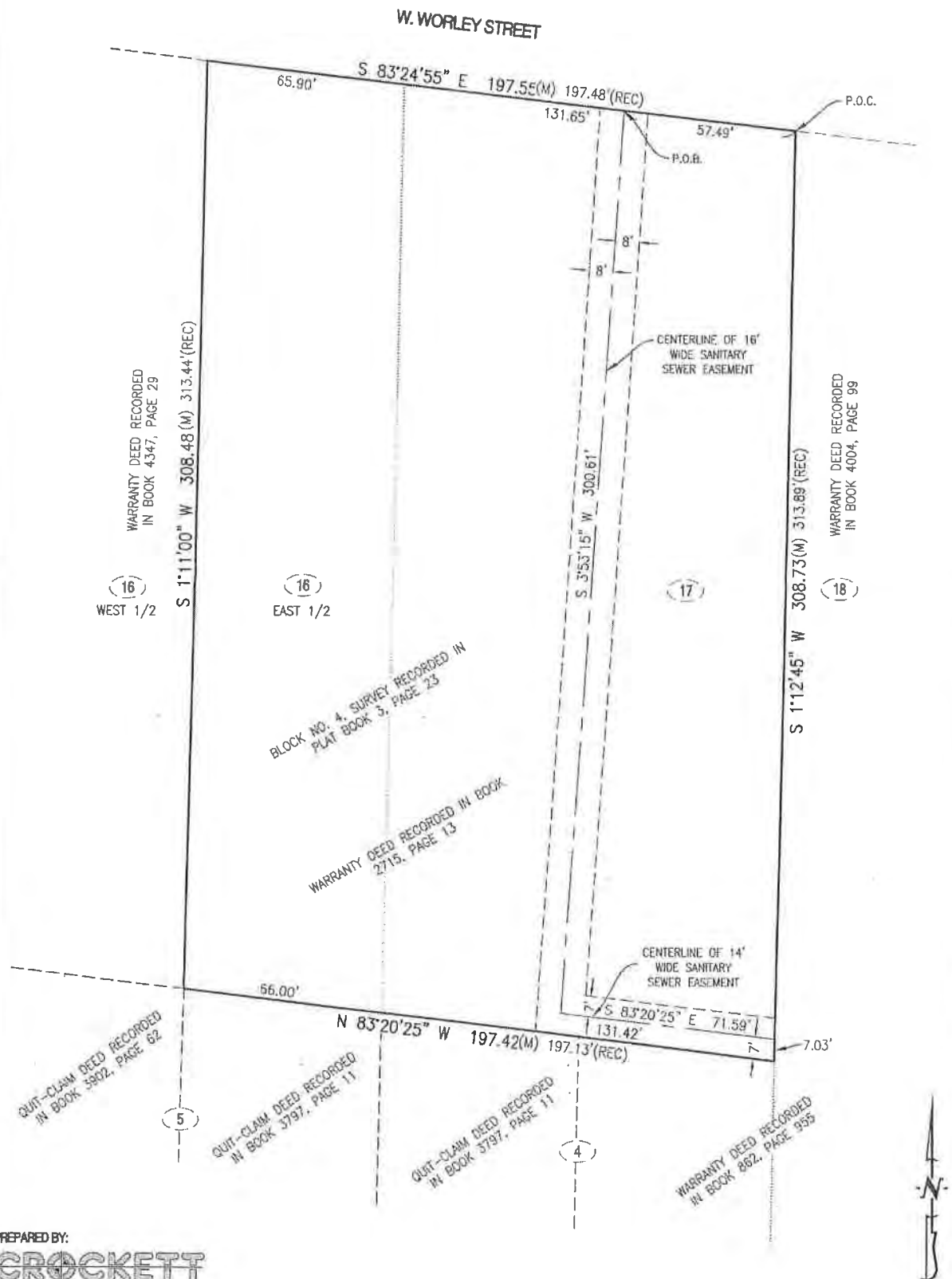
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1312 W. WORLEY STREET

SANITARY SEWER EASEMENT EXHIBIT

DECEMBER 28, 2015



PREPARED BY:

CROCKETT
ENGINEERING CONSULTANTS

2608 North Stodden Boulevard
Columbia, Missouri 65202
(314) 447-0592

www.crockettingineering.com

SCALE: 1"=30'

0 15 30 60

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CENTRAL MISSOURI COUNTIES HUMAN DEVELOPMENT CORPORATION
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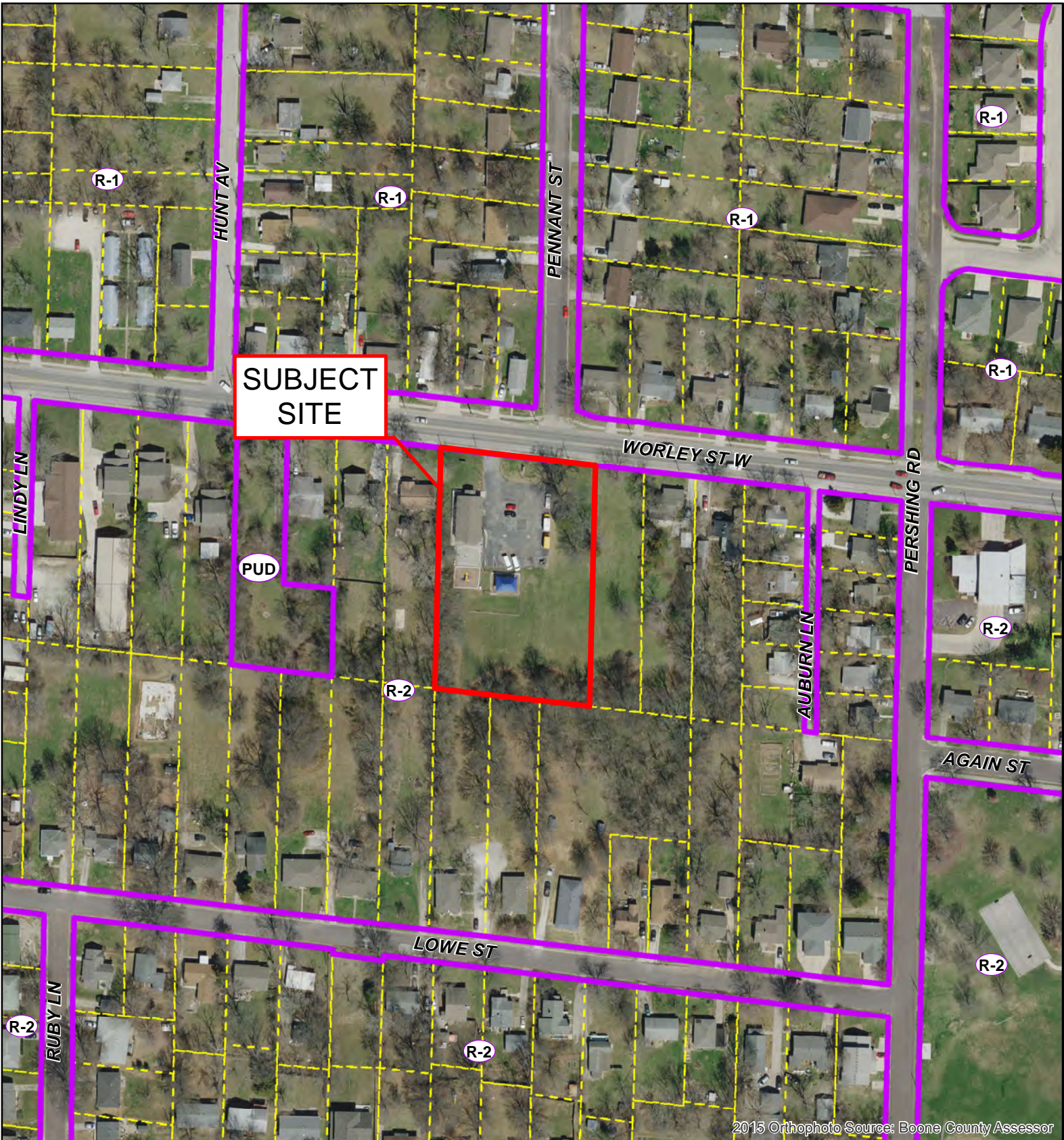
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DAVID T. BUTCHER, PLS-2002014095

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Case #16-55: Worley Street Headstart Easement Vacation



City of Columbia Zoning Parcels

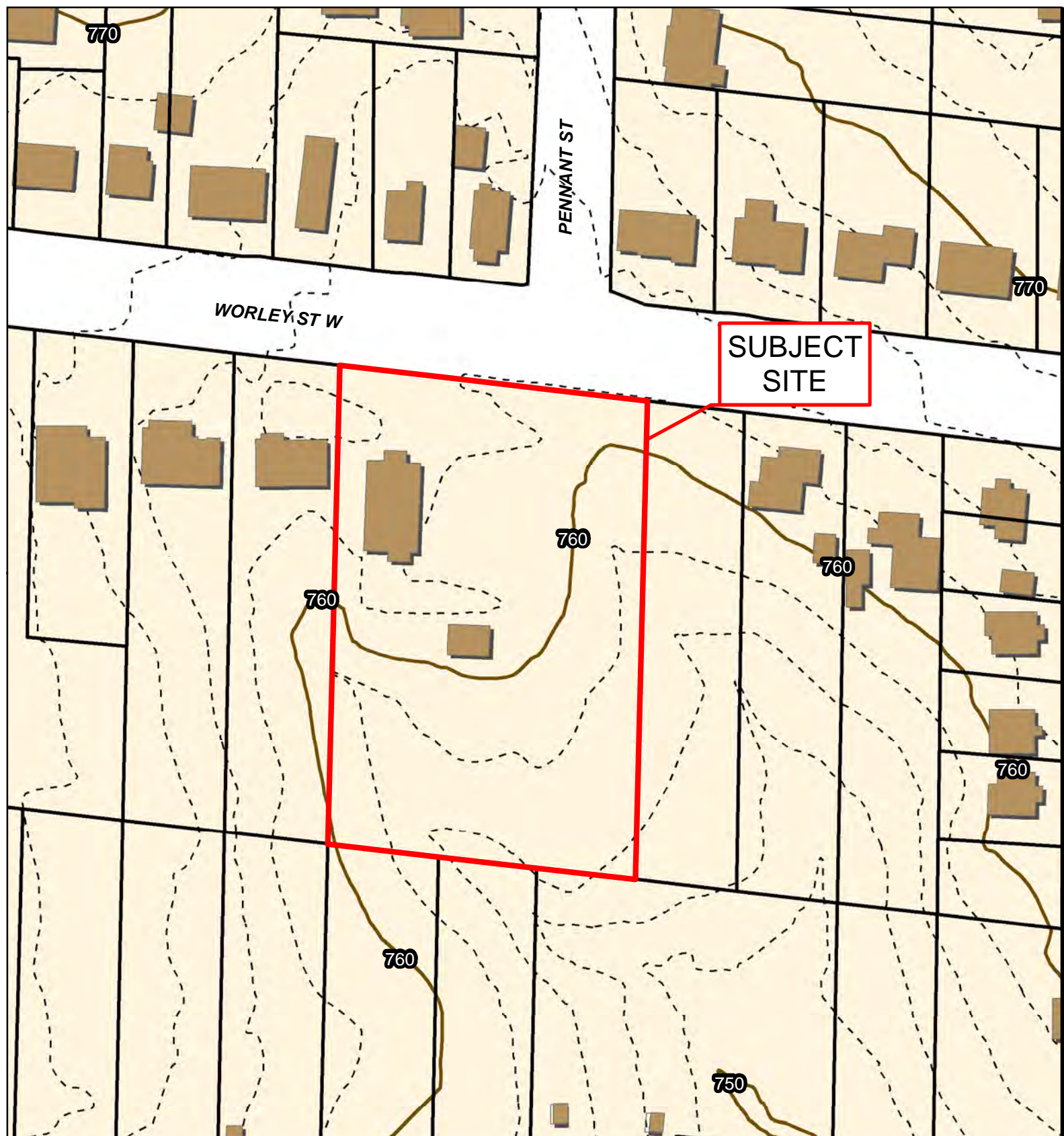
Hillshade Data: Boone County GIS Office

Imagery: Boone County Assessor's Office, Sanborn Map Company

Parcel Data Source: Boone County Assessor

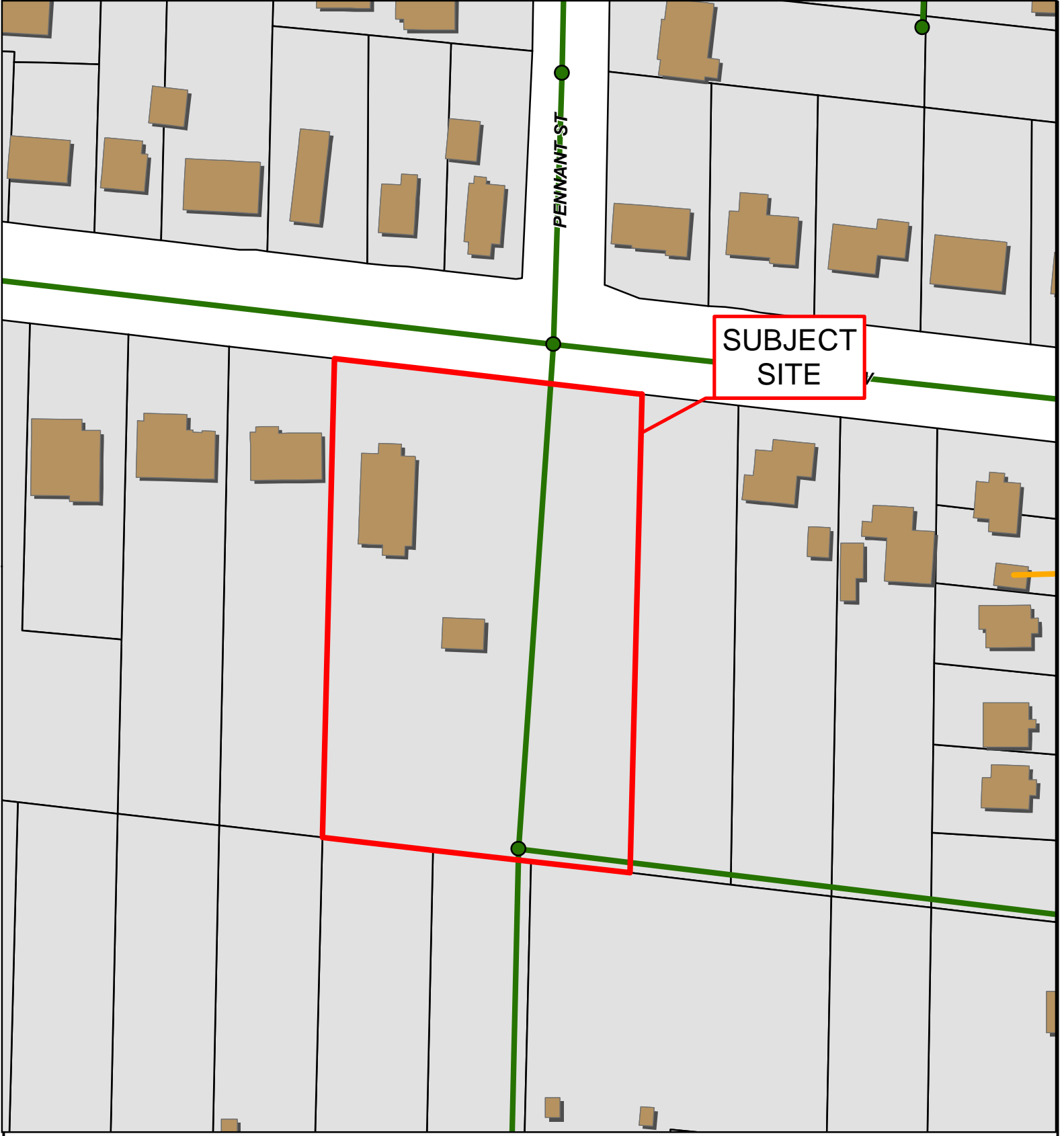
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Case #16-55: Worley Street Headstart Easement Vacation





Case #16-55: Worley Street Headstart Easement Vacation

