Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 170-13_____

AN ORDINANCE

declaring the need to acquire an easement for the relocation of a water main located at the intersection of Stadium Boulevard and Worley Street as part of the Stadium Boulevard corridor street and storm sewer 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 an easement for the relocation of a water main located at the intersection of Stadium Boulevard and Worley Street as part of the Stadium Boulevard corridor street and storm sewer improvement project described as follows:

David Hathman
Parcel: 16-220-00-01-003.00
PERMANENT UTILITY EASEMENT

An irregular shaped parcel of land across the northwest corner of a tract of land described in a Warranty Deed in Book 643 at Page 911, said tract being part of Lot 1 of Ross Dickerson Subdivision No. 2 as recorded in Plat Book 10 at Page 45, 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 the existing utility easement as recorded in Book 4065, at Page 32 of said Records; thence S.2°55’55”W., 15.00 feet; thence N.87°20’10”W., 65.00 feet; thence S.51°30’00”W., 46.50 feet to the west line of said tract, said line also being the east Right-of-Way line of State Route 740 (also known as Stadium Boulevard); thence along said line N.0°54’45”E., 15.00 feet; thence leaving said line N.51°16’15”E., 46.73 feet to the south line of said existing utility easement; thence along said line S.87°04’05”E., 65.50 feet to the POINT OF BEGINNING and containing 1,533 square feet inclusive of 481 square feet of Permanent Access Easement as mentioned in said existing utility easement.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

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 _____, 2013.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor

Source: Water & Light

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Jun 17, 2013

Re: Stadium TDD Water Main Relocation - Easement Acquisition

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the acquisition of easements necessary for the relocation of a 6" water main at the intersection of Stadium Boulevard and Worley Street. This relocation project is necessitated by storm drainage improvement being constructed as part of the Stadium Boulevard Transportation Development District's road improvement project.

DISCUSSION:

The relocation of this 6" water main on the southeast corner of Stadium Boulevard and Worley Street is necessitated by storm drainage improvement being constructed as part of the Stadium Boulevard Transportation Development District's road improvement project. The proposed water main relocation requires the acquisition of one (1) permanent waterline easement from the property currently occupied by Hardee's Restaurant. No public hearing is required for this project as defined under current public improvement ordinances.

Negotiations with the property owner are currently underway and are expected to be expedited after receiving Council approval for this property acquisition construction. Staff is recommending Council approval of the ordinance to acquire this easement.

FISCAL IMPACT:

This project has been identified in the current Captial Improvement Program and funds have been appropriated as project WT0237. The cost of this easement is estimated to not to exceed $16,500.

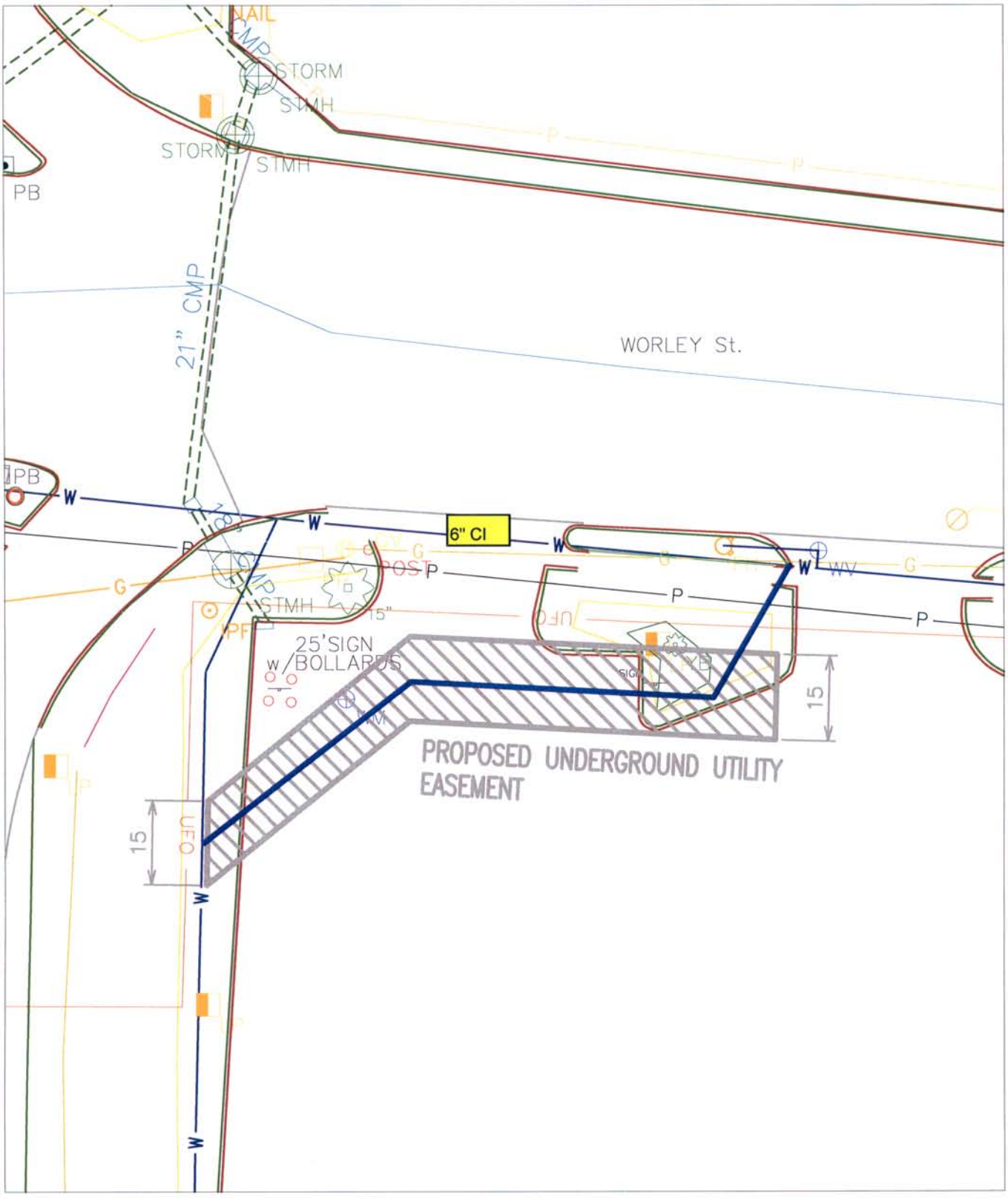
VISION IMPACT:
http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

None

SUGGESTED COUNCIL ACTIONS:

Approval of this ordinance.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		**Program Impact**		**Mandates**	
City's current net FY cost	$16,500.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	$400,000.00	Duplicates/Expands an existing program?	No	**Vision Implementation impact**	
Amount of budget amendment needed	$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		**Resources Required**		Vision Impact?	Yes
One Time	$16,500.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	5.1
Operating/ Ongoing	$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



HARDEE'S
EASEMENT DIAGRAM

2020 W WORLEY
06032013