

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 278-11

AN ORDINANCE

authorizing the City Manager to execute a grant of easement for sewer purposes to Boone County Regional Sewer District relating to the Waters Edge spillway repair project; 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 Manager is hereby authorized to execute a grant of easement for sewer purposes to Boone County Regional Sewer District relating to the Waters Edge spillway repair project. The form and content of the easement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2011.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

GRANT OF EASEMENT FOR SEWER PURPOSES

THIS INDENTURE, made on the _____ day of _____, by and between the City of Columbia, a municipal corporation of the State of Missouri, Grantor, and the Boone County Regional Sewer District, a common sewer district organized and operated under chapter 204 RSMo, State of 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 #:

LEGAL DESCRIPTION

A PORTION OF LAND BEING A PART OF DEED RECORDED IN BOOK 2186 PAGE 625 OF THE BOONE COUNTY RECORDS, ALSO BEING A PART OF SECTION 3, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 131 OF THESSALIA SUBDIVISION PLAT 7 RECORDED IN PLAT BOOK 39, PAGE 2; THENCE S00°09'20"E, A DISTANCE OF 36.74 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF AN EXISTING 16' SANITARY SEWER EASEMENT RECORDED IN BOOK 942, PAGE 867; THENCE ALONG SAID SANITARY SEWER EASEMENT N84°02'40"W, A DISTANCE OF 15.21 FEET TO THE POINT OF BEGINNING;

THENCE S10°40'40"E, A DISTANCE OF 82.83 FEET TO THE INTERSECTION WITH THE WEST LINE OF LOT 99 OF WATERS EDGE ESTATES BLOCK 4 RECORDED IN PLAT BOOK 14, PAGE 30; THENCE ALONG SAID WEST LINE OF LOT 99 S00°09'10"E A DISTANCE OF 0.15 FEET; THENCE LEAVING SAID WEST LINE OF LOT 99 S59°45'40"W, A DISTANCE OF 16.95 FEET; THENCE N10°40'40"W, A DISTANCE OF 93.43 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SANITARY SEWER EASEMENT; THENCE ALONG SAID SANITARY SEWER EASEMENT S84°02'40"E, A DISTANCE OF 16.70 FEET TO THE POINT OF BEGINNING;

THE ABOVE TRACT OF LAND CONTAINS 1,411 SQUARE FEET. SUBJECT TO EASEMENTS AND

TO: City Council
FROM: City Manager and Staff 
DATE: September 22, 2011
RE: Boone Co Regional Sewer District Easement

City Fiscal Impact Enter all that apply:	
\$0	City's current net FY cost.
\$0	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs: One-time (FY12 CIP)
\$0	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)
Vision Implementation Impact Enter Below All That Applies: <u>Refer to Website:</u>	
N	Vision Impact? (Y/N or if N, go no further)
	Primary Vision, Strategy and/or Goal Item#
	Secondary Vision, Strategy and/or Goal Item#
	FY10/FY11 Implementation Task#

EXECUTIVE SUMMARY:

Park planning staff has prepared for Council consideration an ordinance granting an easement to the Boone County Regional Sewer District (BCRSD). BCRSD is requesting a 16-ft sewer easement across the eastern portion of a 2.70 acre lot recently donated to the City by Maverick Excavating Inc. This easement is needed in order to allow BCRSD to relocate a damaged sewer line located within a washed out spillway on the Waters Edge dam.

DISCUSSION:

The Boone County Regional Sewer District (BCRSD) has been negotiating with Maverick Excavating Incorporated for a 16-ft easement off the 2.70 acre tract to help complete a needed repair project on the Waters Edge spillway. The spill way is washing out and the sewer main may be undermined. This easement will allow for the much needed relocation of the sewer line as the spillway is rebuilt.

Since Maverick Excavating Inc, has donated the land to the City of Columbia, the BCRSD is now requesting the easement from the City of Columbia.

FISCAL IMPACT:

There is no fiscal impact.

VISION IMPACT:

There is no vision impact.

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing the City Manager to execute an agreement with the Boone County Regional Sewer District for a permanent easement.



1314 North 7th Street
Columbia, MO 65201
p: 573-443-2774
f: 573-499-0489

www.bcrsd.com

September 28, 2011

Mike Hood
City of Columbia
Parks and Recreation Department
Post Office Box 6015
Columbia, MO 65205

RE: Water's Edge Lake

Dear Mr. Hood:

Recently the Sewer District has been approached by the Edgewater / Water's Edge Recreation Association regarding the primary spillway for Water's Edge Lake. It seems that the spillway is in need of some restoration. In order to accomplish this needed maintenance, the existing sanitary sewer needs to be realigned from Manhole Number 10018 towards the north to the existing City of Columbia manhole on Lot 99.

The enclosed "Drawing A" shows the existing sanitary sewer highlighted in yellow. The enclosed "Drawing B" shows the proposed location of the realigned sewer highlighted in pink along with the existing sewer highlighted in yellow. The existing sewer is stable and is functioning as it should, but is in the way of the needed spillway maintenance. The realigned sewer will be out of the way of the needed spillway maintenance.

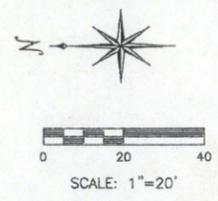
After reviewing the design drawings for the sewer relocation, it became apparent that an easement was needed from Maverick Excavating, Inc. Upon the Sewer District approaching Jon Primus, the owner of Maverick Excavating, Mr. Primus indicated a desire to donate the entire tract of land, upon which the easement is located, to the City.

Since the tract of land adjoining the Maverick property is owned by the City of Columbia, and in the interest of simplifying this transaction, Sewer District and City staff arranged for the donation of the Maverick property to the City followed by the conveyance of an easement from the City to the Sewer District. Therefore, please arrange for the conveyance of the easement from the City to the Sewer District. Anything you can do to expedite this transaction would be appreciated since the Recreation Association is hoping to relocate utilities and work on the spillway yet this year before the weather turns bad. Thank you for your cooperation in this matter. If you have any questions regarding this issue or others please feel free to call me at 573.443.2765.

Sincerely,
BOONE COUNTY REGIONAL SEWER DISTRICT


Tom Ratermann
General Manager

C: File



No.	Description
1	Sanitary Sewer
2	Storm Sewer
3	Water Main
4	Manhole
5	Valve
6	Spillway
7	Proposed Sewer
8	Proposed Manhole
9	Proposed Valve
10	Proposed Spillway

DRAWING
B



Matthew VanderTuij
MO-PE 2004026634
Expires: 12-31-2010

THHinc
Consulting Engineers
TRABUE, HANSEN &
HINSHAW, INC.

1901 Pennsylvania Dr.
Columbia, MO 65202
Phone (573) 814-1558
Fax (573) 814-1128
MO Engr. Corp. No. 001454
Exp. 12-31-2012
MO Survey Corp. No. 2001020438
Exp. 12-31-2011

Sanitary Sewer A Plan & Profile

Client Proj #
THHinc Proj # 5788
Engineer: MVT
Designer: TBB
Draftsman: CKD
Plotted: 4/15/2011

DWG. C201
SHT. 3 OF 4

