

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 198-13

AN ORDINANCE

declaring the need to acquire easements for construction of the Rustic Road bridge replacement 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 Rustic Road bridge replacement project, described as follows:

PETER A. ANSBACHER, TRUSTEE
TEMPORARY CONSTRUCTION EASEMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 12 WEST IN BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 832, PAGE 8, OF THE BOONE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS, ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD; THENCE WITH THE EAST LINE OF SAID LOT 1, AND THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, S 0°43'40" W, 44.18 FEET; THENCE LEAVING THE EAST

LINE OF SAID LOT 1 AND THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, S 89°16'20" E, 37.63 FEET; THENCE S 0°59'21" W, 28.91 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, N 44°45'30" E, 65.05 FEET; THENCE N 0°59'21" E, 132.24 FEET; THENCE N 34°42'59" W, 77.10 FEET; THENCE N 81°27'35" W, 13.73 FEET TO A POINT ON THE WEST LINE OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 12 WEST; THENCE WITH THE WEST LINE OF SAID SECTION 16, S 0°43'40" W, 242.23 FEET; THENCE LEAVING THE WEST LINE OF SAID SECTION 16, S 82°37'06" E, 12.58 FEET, TO THE POINT OF BEGINNING, THE END OF THIS EASEMENT AND CONTAINS 0.26 ACRES MORE OR LESS INCLUSIVE OF 0.05 ACRES OF PERMANENT UTILITY EASEMENT GRANTED THIS DATE, INCLUSIVE OF 0.02 ACRES OF EXISTING SANITARY SEWER EASEMENT, AND INCLUSIVE OF 0.05 ACRES THAT LIES IN THE EXISTING ROADWAY.

PETER A. ANSBACHER, TRUSTEE
PERMANENT UTILITY EASEMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 12 WEST IN BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 832, PAGE 8, OF THE BOONE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS, ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD; THENCE WITH THE EAST LINE OF SAID LOT 1, AND THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, S 0°43'40" W, 44.18 FEET; THENCE LEAVING THE EAST LINE OF SAID LOT 1, AND THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, S 89°16'20" E, 37.63 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, S 44°45'30" W, 18.17 FEET TO A POINT ON THE WEST LINE OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 12 WEST; THENCE WITH THE WEST LINE OF SAID SECTION 16, S 0°43'40" W, 14.39 FEET; THENCE LEAVING THE WEST LINE OF SAID SECTION 16, N 44°45'30" E, 68.67 FEET; THENCE N 0°59'21" E, 125.00 FEET; THENCE N 34°42'59" W, 83.29 FEET TO A POINT ON THE WEST LINE OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 12 WEST; THENCE WITH THE WEST LINE OF SAID SECTION 16, S 0°43'40" W, 17.24 FEET; THENCE LEAVING THE WEST LINE OF SAID SECTION 16, S 34°42'59" E, 66.02 FEET; THENCE S 0°59'21" W, 117.76 FEET; THENCE S 44°45'30" W, 36.14 FEET TO THE POINT OF BEGINNING, THE END OF THIS EASEMENT AND CONTAINS 0.06 ACRES MORE OR LESS, INCLUSIVE OF 0.01 ACRES OF EXISTING SANITARY SEWER EASEMENT, AND INCLUSIVE OF 0.01 ACRES THAT LIES IN THE EXISTING ROADWAY.

JON K. AND VICKI M. CURBY
TEMPORARY CONSTRUCTION EASEMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 1542, PAGE 580, ALSO BEING PART OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS, ALSO BEING A POINT OF THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD; THENCE WITH THE EAST LINE OF SAID LOT 1, ALSO BEING THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, S 0°43'40" W, 81.93 FEET; THENCE LEAVING THE EAST LINE OF SAID LOT 1, AND THE WEST RIGHT OF WAY LINE OF RUSTIC ROAD, N 45°25'53" W, 72.53 FEET; THENCE N 0°59'21" E, 1.77 FEET TO A POINT ON THE NORTH LINE OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS; THENCE WITH THE NORTH LINE OF SAID LOT 1, N 60°57'41" E, 60.26 FEET TO THE POINT OF BEGINNING, THE END OF THIS EASEMENT AND CONTAINS 0.05 ACRES MORE OR LESS INCLUSIVE OF 0.02 ACRES OF EXISTING PLATTED UTILITY EASEMENT.

DONALD E. PITTENGER AND SABRA G. PITTENGER, CO-TRUSTEES
TEMPORARY CONSTRUCTION EASEMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST IN BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2602, PAGE 145, OF THE BOONE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE COUNTY RECORDS, ALSO BEING A POINT ON THE SOUTH LINE OF A TRACT DESCRIBED BY THE DEED IN BOOK 2602, PAGE 145, OF THE BOONE COUNTY RECORDS; THENCE WITH THE SOUTH LINE OF SAID TRACT, N 60°57'41" E, 28.80 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 17; THENCE WITH THE EAST LINE OF SAID SECTION 17, N 0°43'40" E, 112.46 FEET; THENCE LEAVING THE EAST LINE OF SAID SECTION 17, N 89°16'20" W, 16.59 FEET; THENCE, S 51°55'06" W, 77.28 FEET; THENCE S 0°59'21" W, 108.24 FEET TO A POINT ON THE SOUTH LINE OF A TRACT DESCRIBED BY THE DEED IN BOOK 2602, PAGE 145, OF THE BOONE COUNTY RECORDS, ALSO BEING A POINT ON THE NORTH LINE OF LOT 1 OF MAPLE HEIGHTS SUBDIVISION, RECORDED IN PLAT BOOK 19, PAGE 7, OF THE BOONE

COUNTY RECORDS; THENCE WITH SAID SOUTH LINE OF SAID TRACT AND THE NORTH LINE OF SAID LOT 1, N 60°57'41" E, 60.26 FEET TO THE POINT OF BEGINNING, THE OF END OF THIS EASEMENT AND CONTAINS 0.20 ACRES MORE OR LESS, INCLUSIVE OF 0.03 ACRES OF EXISTING SANITARY SEWER EASEMENT, AND INCLUSIVE OF 0.05 ACRES THAT LIES IN THE EXISTING ROADWAY.

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.

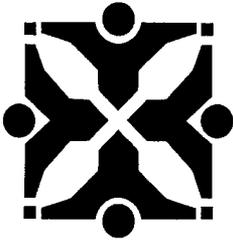
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Public Works

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Jul 15, 2013

Re: Easement Acquisition - Rustic Road Bridge Replacement Project

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the acquisition of easements for the Rustic Road Bridge Replacement project. The project includes replacing the existing substandard Rustic Road bridge over the North Fork of Grindstone Creek, as shown on the attached location map. Boone County received an Innovative Bridge Research and Deployment Program (IBRD) grant from the Federal Highway Administration through the Missouri Department of Transportation. The City is responsible for easement acquisition, and will share the local funding requirement with Boone County.

DISCUSSION:

On January 7, 2013, council passed Ordinance 21566 authorizing a public infrastructure development cost allocation agreement with Boone County for the replacement of the Rustic Road bridge over the North Fork of Grindstone Creek. Although Boone County is the lead agency for this project, the City is responsible for the acquisition of easements. One (1) permanent utility easement and three (3) temporary construction easements are needed from three (3) separate property owners for this project. Right of Way plans showing the proposed easements are attached.

A temporary bypass around the bridge is necessary during construction in order to provide access to residences located south of the bridge, as Rustic Road is the only possible way to access those properties. Because this project involves federal funds, environmental compliance is being monitored by MoDOT, who will ensure that Boone County obtains the necessary environmental permits and clearances.

Boone County hosted an informal Open House on June 20, 2013 to discuss the project with interested parties. City staff was present at this meeting, and has contacted the three property owners from whom easements are required. A contact log is attached.

FISCAL IMPACT:

Per the cost allocation agreement with Boone County, the City's contribution toward this project will not exceed \$75,000. Funds have been transferred from the Annual Streets project.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

A network of safe roadways in and around the City will provide sustainable, efficient mobility to vehicular travel and other modes in a complimentary manner.

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing easement acquisition.

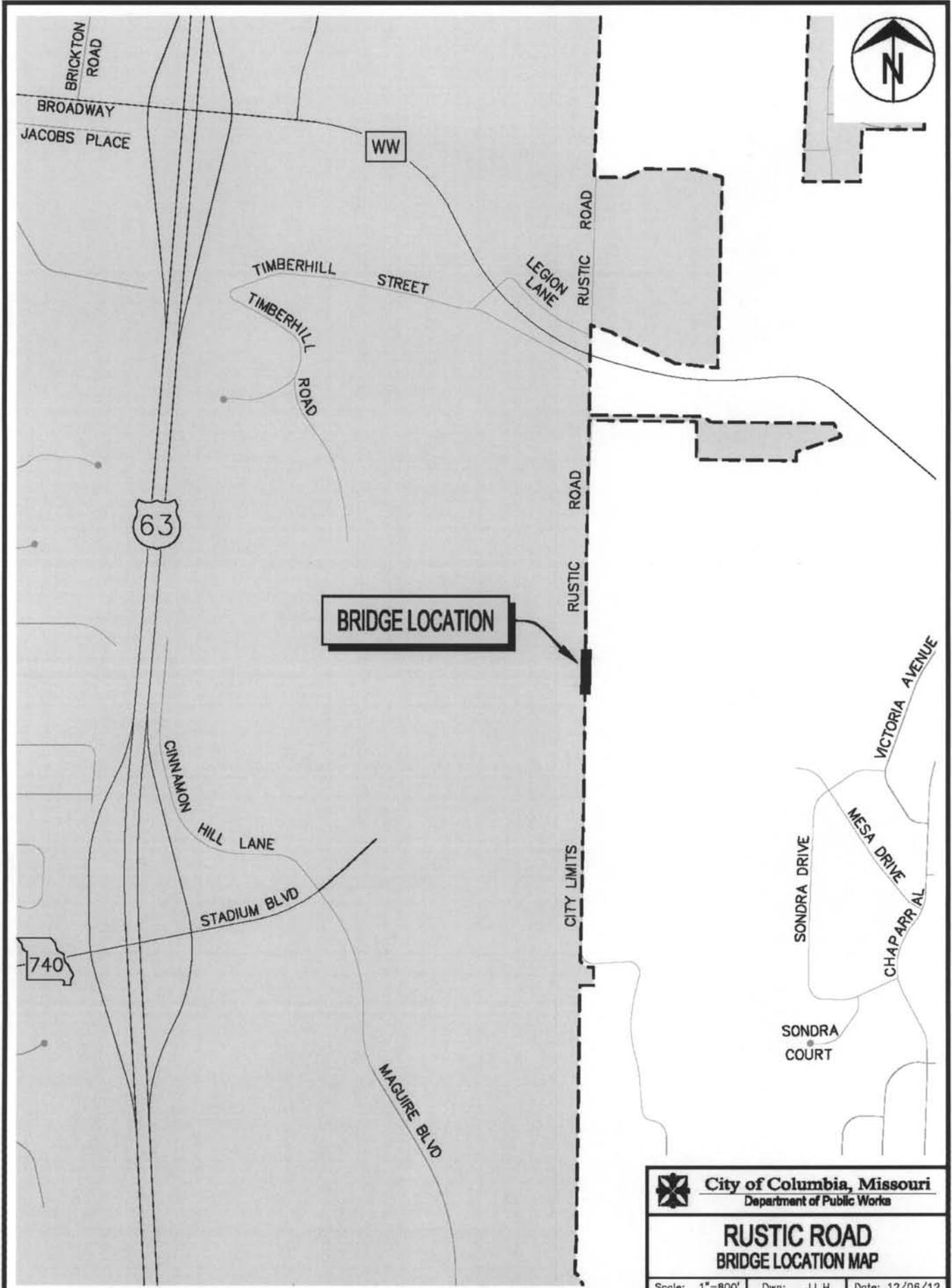
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$1,275.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$100,000.00	Duplicates/Epands an existing program?	No	Vision Implementation 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	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	13
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	13.3
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

PUBLIC WORKS DEPARTMENT - CONTACT LOG

Project: Rustic Road Bridge Replacement

Staff Name: Wendy Lister

Property Owner	Address of Property	Contact Date	Discussion
Vicki & Jon Curby	1201 Rustic Road	6/20/13 - IP Meeting	OK with project had hoped we might pave to their driveway. They do want native species replanted in the area of disturbance and they are hopeful that this might be done by a landscaper and not a bridge builder. Also were concerend about the type of rock that would be used for the shoe-fly but the engineers explained that the rock must be of a size and type that can be removed when construction is complete.
Nancy Foss for the Pittenger Trust	3312 Timberhill Road	6/21/13 Called on phone	I called Ms Foss at work and explained the project. She indicated it sounded good.
Mr. Ansbacher	918 S. Rustic	6/21/13 Called on phone	I spoke with Mr. Ansbacher by phone. He understands that nature of the project and would donate the easements if City would connect him to City sewer for free, otherwise we'll have to pay for the easements, but he would not hold up the project in any way and understands that it is for public good. We discussed the permanent utility easement and temporary construction easement as well as the future stream bank stabilization project.




City of Columbia, Missouri
 Department of Public Works

RUSTIC ROAD
BRIDGE LOCATION MAP

Scale: 1"=800' Dwn: J.L.H. Date: 12/06/12

BOONE COUNTY, MISSOURI

RUSTIC ROAD BRIDGE REPLACEMENT

BOONE COUNTY COMMISSION

Daniel K. Atwill

Janet M. Thompson Karen Miller

CHIEF ENGINEER OF RESOURCE MANAGEMENT

APPROVED:

_____ Date _____

INDEX OF SHEETS

DESCRIPTION	SHEET NUMBER
TITLE SHEET	1
ROADWAY DRAWINGS	
TYPICAL ROADWAY SECTION	2
TYPICAL BRIDGE SECTION	3
FINAL PROPOSED PLAN/PROFILE	4
TEMPORARY BYPASS PLAN/PROFILE	5
RIGHT OF WAY & EASEMENT PLAN	6
CROSS SECTIONS - RUSTIC ROAD	7-8
CROSS SECTIONS - TEMPORARY BYPASS	9-10

PROJECT LOCATION

SECTION 16
TOWNSHIP 48 NORTH
RANGE 12 WEST



KEY MAP

LOCATION PLAN



DESIGN DESIGNATION

ADT 6450
CURRENT POSTED SPEED 30 mph
PROPOSED DESIGN SPEED 20 mph
COUNTY ROAD NUMBER R-31
FUNCTIONAL CLASSIFICATION Rural Local

LENGTH OF PROJECT

BEGIN STATION 10+80 ±
END STATION 13+00 ±
PROJECT LENGTH 0.045 miles

UTILITIES

PUBLIC WATER SUPPLY DISTRICT NO. 9
OF BOONE COUNTY
391 NORTH RAVENLINE ROAD
COLUMBIA, MO 65201
PH. 573-474-9521

COLUMBIA WATER AND LIGHT
701 E. BROADWAY
COLUMBIA, MO 65205
PH. 573-874-7525

BOONE COUNTY SEWER
1314 NORTH SEVENTH STREET
COLUMBIA, MO 65201
573-443-2774



LEGEND

(USED IN PLANS)

EXISTING	SYMBOL
LOCATION SURVEY MARKER	⊙
UTILITIES	
UTILITY POLE	⊙
UNDERGROUND TELEPHONE	-T-
OVERHEAD POWER	-OHC-
WATER	-W-
WATER VALVE	⊙
GROUND MOUNTED SIGN	⊙
TELEPHONE PEDESTAL	⊙
FENCE	X
BENCH-MARK	⊙

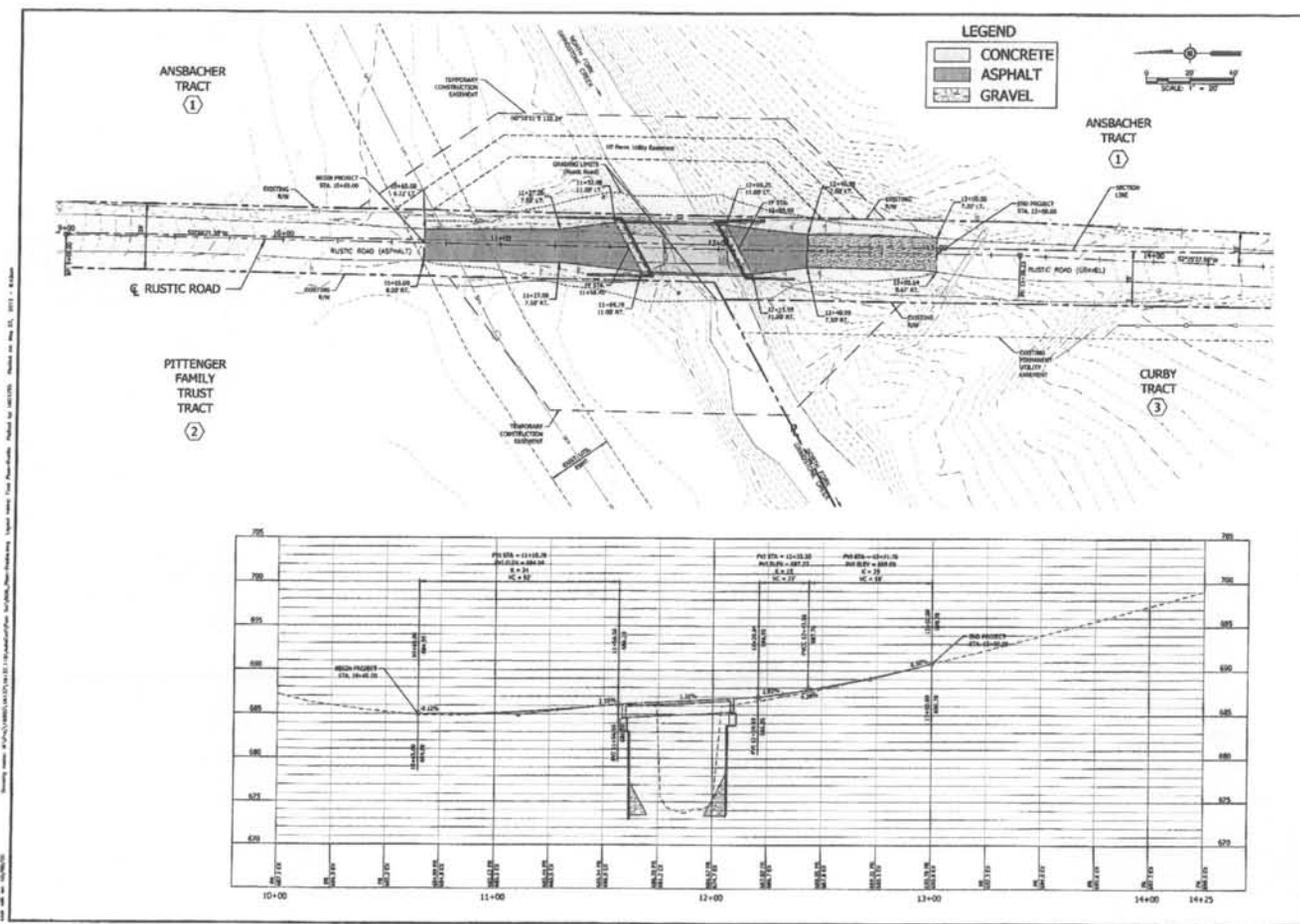
RIGHT OF WAY PLANS SUBMITTAL
MAY, 2013

BARTLETT & WEST
ENGINEERS, ARCHITECTS, PLANNERS
1000 W. BROADWAY, SUITE 100
COLUMBIA, MISSOURI 65201
PH: 573-441-1111
WWW.BARTLETTANDWEST.COM

TITLE SHEET
RUSTIC ROAD
BRIDGE REPLACEMENT
BOONE COUNTY, MO

NOT FOR CONSTRUCTION

REVISED DATE	22/05/13
DESIGNED BY	DL
DRAWN BY	DL
CHECKED BY	DL
APPROVED BY	DL
DATE	10/13/13
SCALE	NOT TO SCALE
DATE	05/01/2013
SCALE	1" = 10'



LEGEND

- CONCRETE
- ASPHALT
- GRAVEL



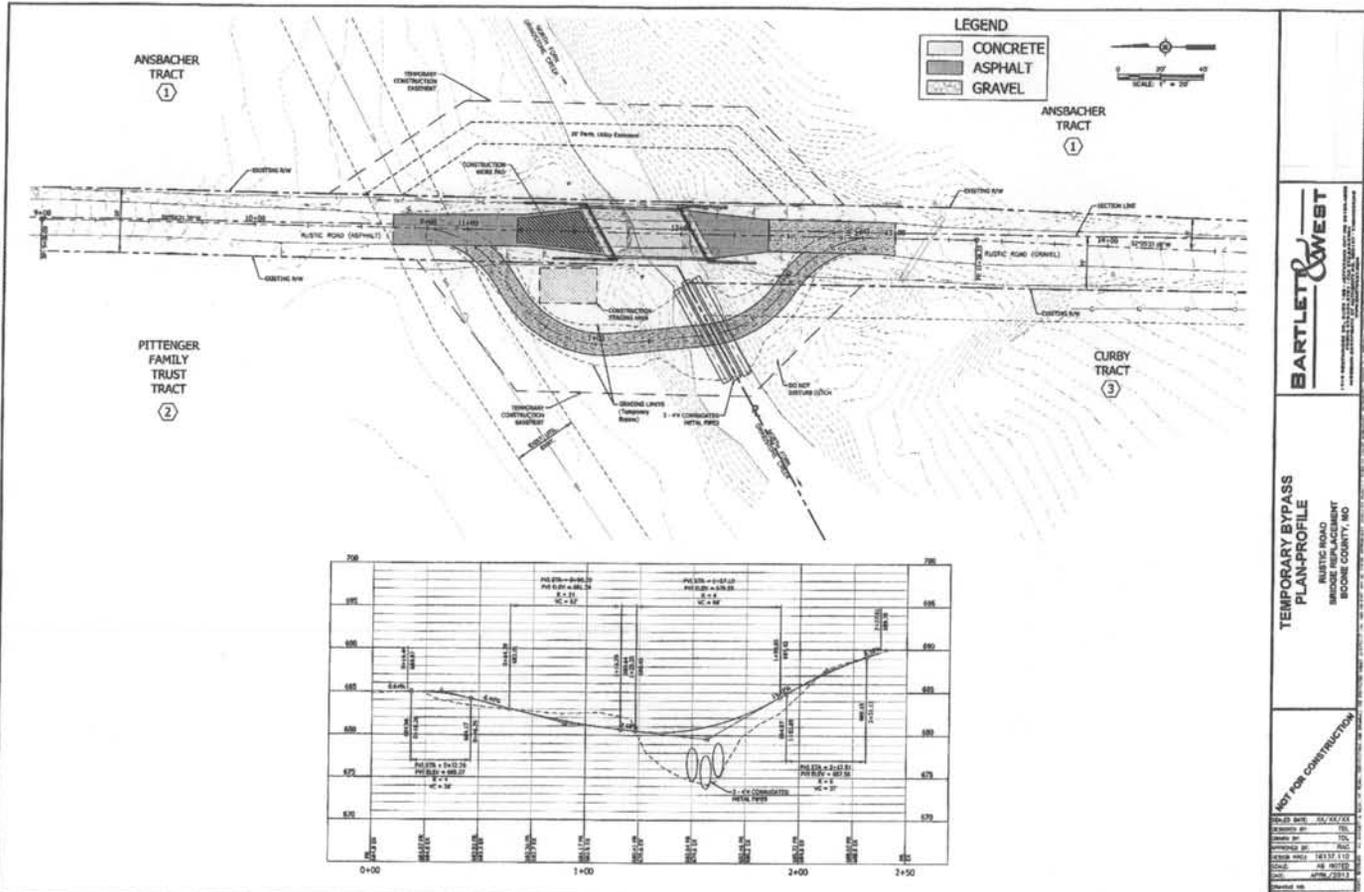
BARTLETT & WEST

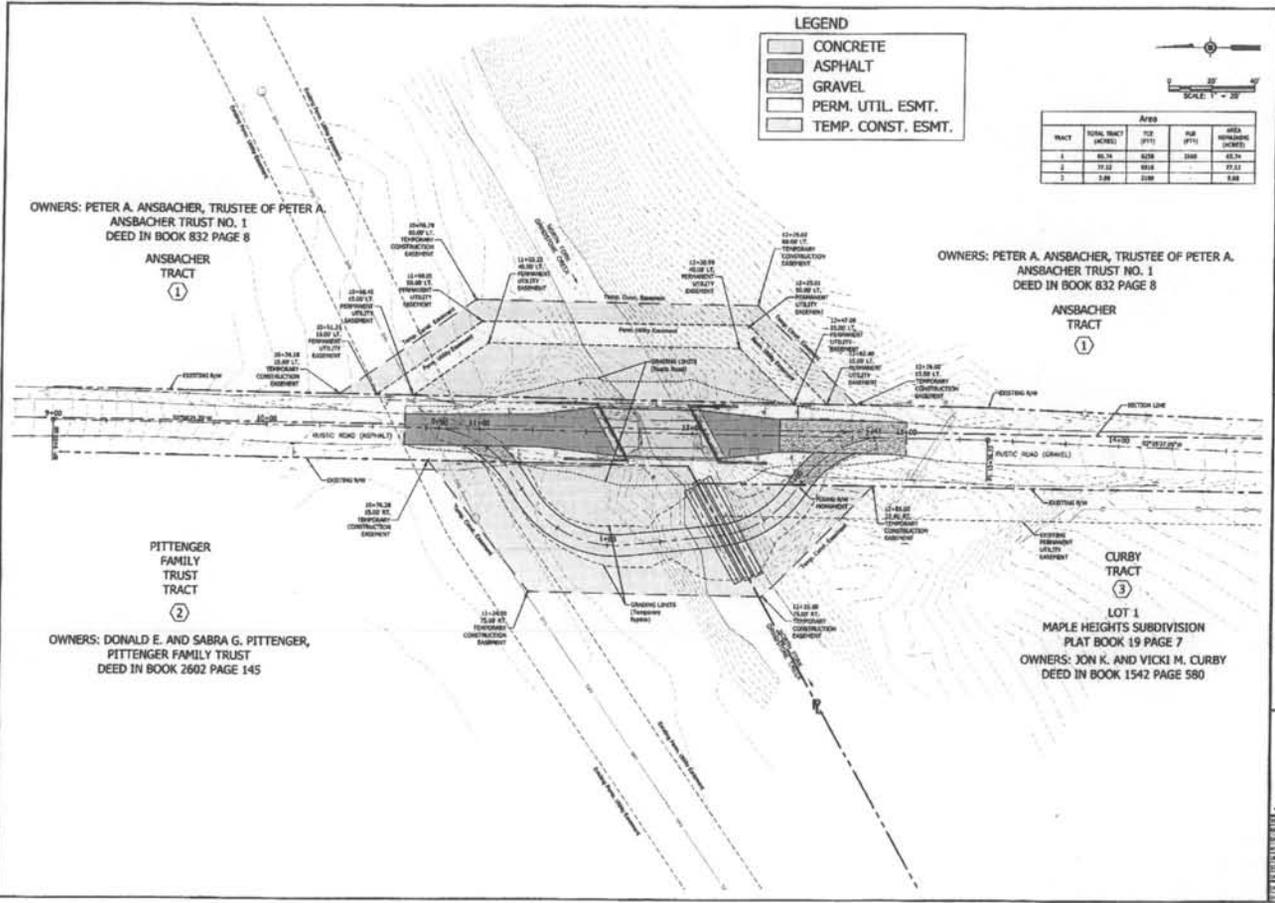
**FINAL PROPOSED
PLAN+PROFILE
RUSTIC ROAD
BRIDGE REPLACEMENT
BOONE COUNTY, MO**

NOT FOR CONSTRUCTION

PROJECT NO.	13-175-01
DATE	08/11/11
SCALE	AS SHOWN
BY	AS SHOWN
CHECKED BY	AS SHOWN
DATE	08/11/11
PROJECT NO.	13-175-01
DATE	08/11/11
BY	AS SHOWN
CHECKED BY	AS SHOWN
DATE	08/11/11

Rustic Road Bridge Replacement - Boone County, MO - Final Plan and Profile - 8/11/11 - 13-175-01 - 1 of 1





BARTLETT & WEST

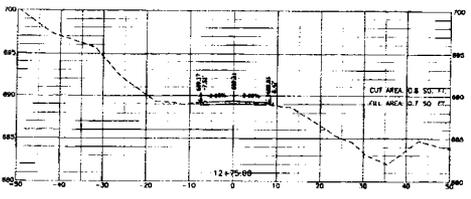
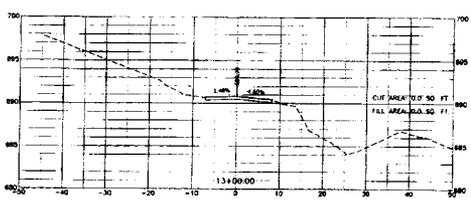
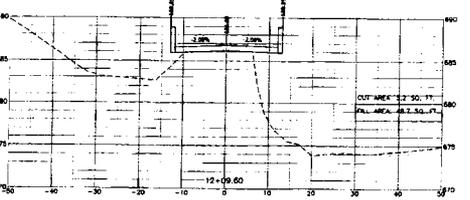
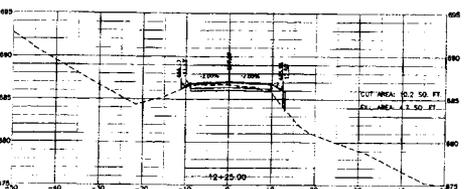
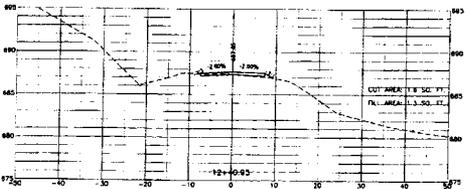
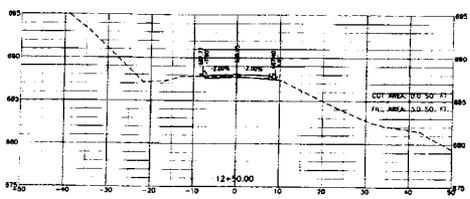
RIGHT OF WAY & EASEMENTS PLAN SHEET

BRIDGE REPLACEMENT
BOONE COUNTY, MO

NOT FOR CONSTRUCTION

DATE: 04/05/07
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DESIGN NO: 18113-170
 PROJECT: BRIDGE REPLACEMENT
 SHEET NO: 20171

Drawing made by W.A.C. (10/11) and J.S. (11/11) for Bartlett & West, Inc. (11/11) for the project of Rustic Road, Boone County, MO.

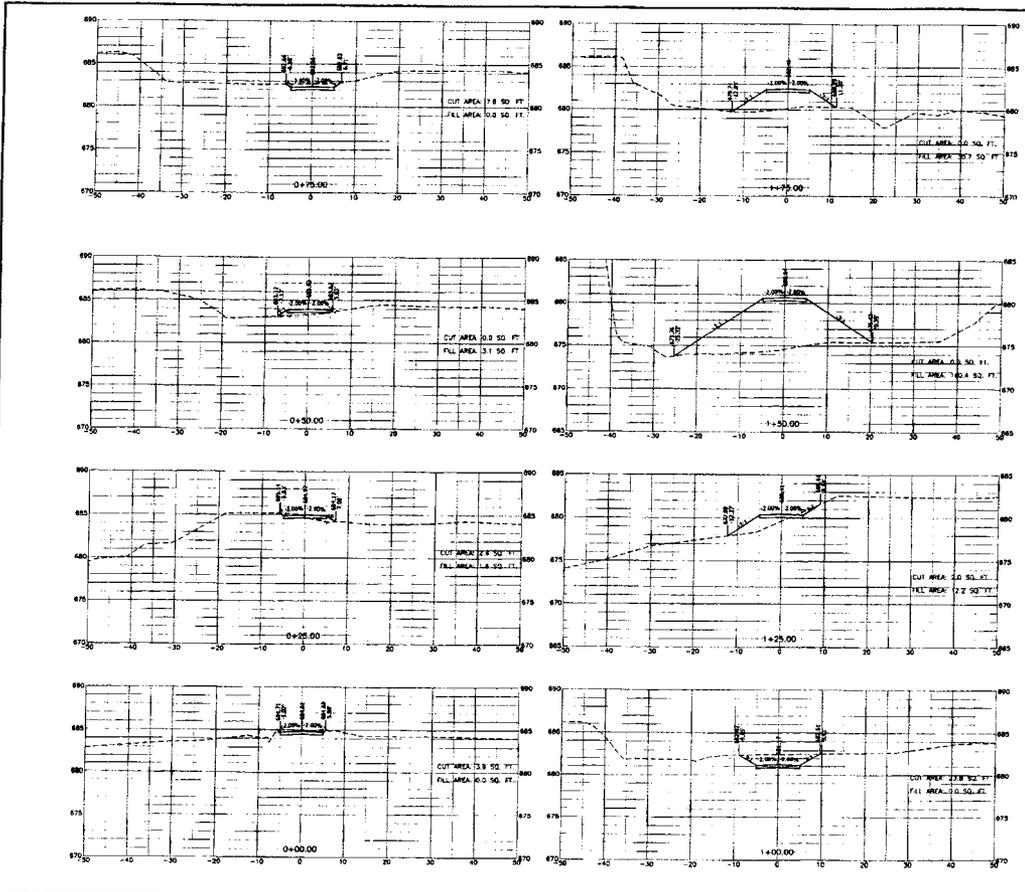


BARTLETT & WEST
 ENGINEERS & ARCHITECTS
 1000 W. MAIN ST., SUITE 100
 BOONE COUNTY, MO. 64601

CROSS SECTIONS
RUSTIC ROAD
 RUSTIC ROAD
 BRIDGE REPLACEMENT
 BOONE COUNTY, MO.

NOT FOR CONSTRUCTION

SHEET NO. 24 OF 20
 DRAWN BY: J.S.
 CHECKED BY: W.A.C.
 DATE: 11/11/11
 SCALE: AS SHOWN
 DATE: APR, 2013
 SHEET NO. 8 OF 10



Drawing made by: J. H. BARTLETT & WEST, INC., 1111 North Main Street, St. Louis, Missouri 63103
 Checked by: J. H. BARTLETT & WEST, INC., 1111 North Main Street, St. Louis, Missouri 63103
 Date: 02/28/2013

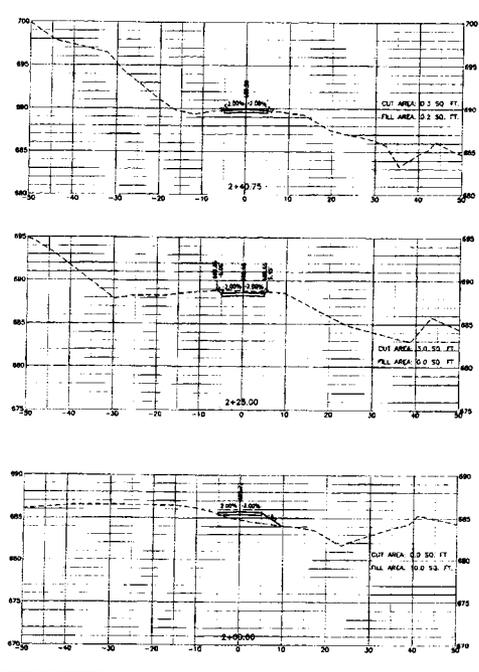
BARTLETT & WEST
 ENGINEERS
 1111 North Main Street
 St. Louis, Missouri 63103
 Phone: (314) 433-1111
 Fax: (314) 433-1112

**CROSS SECTIONS
 TEMPORARY BYPASS**
 INTERSTATE
 BRIDGE REPLACEMENT
 BOONE COUNTY, MO

NOT FOR CONSTRUCTION

DATE: 02/28/2013	BY: JHB
DESIGNED BY: JHB	CHK: JHB
DRAWN BY: JHB	APP: JHB
PROJECT NO: 10137-110	SCALE: AS NOTED
DATE: 02/28/2013	BY: JHB
DRAWING NO: 10137-110-110	SHEET NO: 9 of 10

Drawing No. 181337-10-101
 Project Name: I-70/US-40 Interchange
 Project Location: I-70/US-40 Interchange, Boone County, MO
 Drawing Title: Cross Sections
 Date: 08/20/09



**CROSS SECTIONS
 TEMPORARY BYPASS**
 I-70/US-40 INTERCHANGE
 BRIDGE REPLACEMENT
 BOONE COUNTY, MO

NOT FOR CONSTRUCTION

Scale	AS SHOWN
Checked by	JK
Designed by	JK
Drawn by	JK
Reviewed by	JK
Project No.	181337-10
Sheet No.	10 of 10
Date	08/20/09
Project Name	I-70/US-40 INTERCHANGE
Project Location	BOONE COUNTY, MO
Drawing Title	CROSS SECTIONS
Scale	AS SHOWN