

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 379-13

AN ORDINANCE

declaring the need to acquire easements for construction of the Fairview Road Sidewalk Project from Highland Drive to West Broadway; 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 Fairview Road Sidewalk Project from Highland Drive to West Broadway, described as follows:

Dorothy Longnecker
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-018.00 01

A portion of Lot 88 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197, that portion of said Lot 88 is more particularly described as follows:

Beginning at the Southwest corner of said Lot 88, said point being the intersection of the Easterly right-of-way line of Fairview Road with the Northerly right-of-way line of Highland

Drive as said Road and Drive are both now established; thence North 84 degrees 37 minutes 58 seconds East along the common line of the Northerly right-of-way line of said Highland Drive with the Southerly line of said Lot 88, a distance of 12.08 feet to a point 12.00 feet East of the West line of said Lot 88 as measured perpendicular to the West line thereof; thence North 01 degree 13 minutes 48 seconds East along a line 12 feet East of and parallel with the West line of said Lot 88, a distance of 68.78 feet; thence North 88 degrees 46 minutes 12 seconds West, perpendicular to the last described course, a distance of 7.00 feet; thence North 01 degree 13 minutes 48 seconds East along a line 5 feet East of and parallel with the West line of said Lot 88, a distance of 63.27 feet to a point on the North line of said Lot 88; thence South 62 degrees 33 minutes 09 seconds West along the North line of said Lot 88, a distance of 5.70 feet to the Northwest corner of said lot 88, being also a point on the Easterly right-of-way of said Fairview Road; thence South 1 degree 13 minutes 48 seconds West along the Westerly line of said Lot 88, being also along the Easterly right-of-way of said Fairview Road, a distance of 130.70 feet (130.80 feet, Plat) to the Point of Beginning. Containing 1,143 square feet, more or less.

Michael and April Johnson
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-016.00 01

The West 5.00 feet of Lot 89 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197 and lying East of and coincident with the Easterly right-of-way line of Fairview Road as now established. Containing 547 square feet, more or less.

Barbara Long
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-014.00 01

A portion of Lot 90 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197, that portion of said Lot 90 is more particularly described as follows:

Beginning at the Southwest corner of said Lot 90, being also a point on the Easterly right-of-way line of Fairview Road as now established; thence North 71 degrees 28 minutes 08 seconds East along the Southerly line of said Lot 90, a distance of 24.88 feet; thence North 11 degrees 36 minutes 49 seconds West, departing from the Southerly line of said Lot 90, a distance of 14.91 feet; thence North 64 degrees 32 minutes 02 seconds West, 16.56 feet to a point 5.00 feet East of the West line of said Lot 90 as measured perpendicular to the West line thereof; thence North 01 degree 13 minutes 48 seconds East along a line 5 feet East of and parallel with the West line of said Lot 90, a distance of 71.02 feet to a point on

the North line of said Lot 90; thence South 81 degrees 41 minutes 37 seconds West along the North line of said Lot 90, a distance of 5.07 feet to the Northwest corner of said lot 90, being also a point on the Easterly right-of-way line of said Fairview Road; thence South 1 degree 13 minutes 48 seconds West along the Westerly line of said Lot 90, being also along the Easterly right-of-way line of said Fairview Road, a distance of 99.92 feet (100 feet, Plat) to the Point of Beginning. Containing 853 square feet, more or less.

Joseph R. and Unice Young
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-013.00 01

The West 8.00 feet of Lot 91 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197 and lying East of and coincident with the Easterly right-of-way line of Fairview Road as now established. Containing 793 square feet, more or less.

Borislov and Mikayla Dimov
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-012.00 01

The West 11.00 feet of Lot 92 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197 and lying East of and coincident with the Easterly right-of-way line of Fairview Road as now established. Containing 979 square feet, more or less.

Richard and Peggy Quisenberry
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-011.00 01

The West 8.00 feet of Lot 93 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197 and lying East of and coincident with the Easterly right-of-way line of Fairview Road as now established. Containing 793 square feet, more or less.

Sarah Ellen Greenlee
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-009.00 01

The West 7.00 feet of Lot 95 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197 and lying East of and coincident with the Easterly right-of-way line of Fairview Road as now established. Containing 926 square feet, more or less.

Derek Flood-Lorber
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 16-507-00-02-001.00 01

A portion of Lot 100 of the AMENDED PLAT OF LOTS 86 TO 100 BOTH INCLUSIVE, LEAWOOD, a subdivision now in Columbia, Boone County, Missouri, as now established by the plat recorded in the Office of the Recorder of Deeds for said County and State in Book 297 at Page 197, that portion of said Lot 100 is more particularly described as follows:

Beginning at the Southwest corner of said Lot 100, being also a point on the Easterly right-of-way line of Fairview Road as now established; thence South 84 degrees 27 minutes 25 seconds East along the Southerly line of said Lot 100, a distance of 12.03 feet to a point 12.00 feet East of the West line of said Lot 100 as measured perpendicular to the West line thereof; thence North 01 degree 13 minutes 48 seconds East along a line 12 feet East of and parallel with the West line of said Lot 100, a distance of 47.07 feet; thence North 05 degrees 37 minutes 08 seconds East, 40.92 feet; thence North 56 degrees 01 minute 02 seconds East, 20.94 feet; thence North 24 degrees 30 minutes 35 seconds East, 19.62 feet to a point on the Southerly right-of-way line of State Route TT (also known as West Broadway) as now established and set forth as Parcel Number 6 by the Report of Commissioners filed May 18, 1994 in said Office of the Recorder of Deeds in Book 1080 at Page 974; thence Southwesterly along the Southerly right-of-way line of said State Route TT (also known as West Broadway) as established by said Report of Commissioners, the following courses and distances; thence South 61 degrees 38 minutes 58 seconds West, 4.74 feet to a point 55 feet South of State Route TT centerline Station 52+15; thence South 41 degrees 37 minutes 41 seconds West, 32.20 feet to a point 45 feet East of Fairview Road centerline Station 5+60; thence South 24 degrees 25 minutes 43 seconds West, 38.08 feet to a point 30 feet East of Fairview Road centerline Station 5+25, being also a point on the West line of said Lot 100; thence South 01 degree 13 minutes 48 seconds West, departing from the Southerly right-of-way line of said State Route TT (also known as West Broadway) as now established by said Report of Commissioners, being now along the common line of the Easterly right-of-way line of said Fairview Road with the Westerly line of said Lot 100, a distance of 55.20 feet to the Point of Beginning. Containing 1,075 square feet, more or less.

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 _____, 2014.

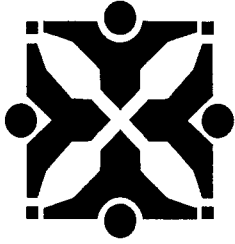
ATTEST:

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: Dec 16, 2013

Re: Easement Acquisition and Bid Call for the Fairview Road Sidewalk Project

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration legislation authorizing the acquisition of easements necessary to construct the Fairview Road Sidewalk from Highland Drive to West Broadway, and legislation authorizing a bid call through the Purchasing division. The public hearing for this project was held on July 1, 2013.

DISCUSSION:

The Fairview Road Sidewalk project, from Highland Drive to West Broadway, is part of the Non Motorized Transportation (GetAbout) program. Preliminary design of this project was completed under original GetAbout Phase I funding. The project includes construction of a 6-foot wide sidewalk at the back of the curb on the east side of Fairview Road, from Highland Drive to West Broadway (see attached diagram). The concept includes approximately 1,100 linear feet of sidewalk and reconstruction of two driveways to meet ADA requirements. Staff anticipates approximately 13 trees will need to be removed, and eight temporary construction easements are required. Staff anticipates construction to be completed by the summer of 2015.

FISCAL IMPACT:

The current project cost estimate is \$140,000, and will be funded from the GetAbout grant 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 legislation authorizing the acquisition of easements, and a bid call through the Purchasing division.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$152,900.00	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	\$140,000.00	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 #	



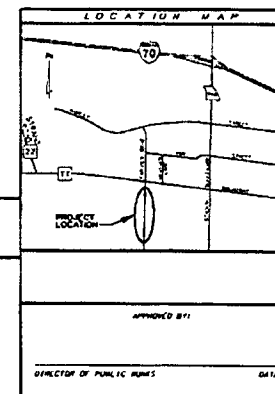
<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	TITLE AND INDEX SHEET
2	TYPICAL SECTIONS
3-5	PLAN & PROFILE SHEETS
6-15	CROSS SECTIONS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	TITLE AND INDEX SHEET
2	TYPICAL SECTIONS
3-5	PLAN & PROFILE SHEETS
6-15	CROSS SECTIONS

PLAN AND PROFILE 1"=20' HORIZ. & 5' VERT.
CROSS SECTION 1"=5' HORIZ. & 1"=5' VERT.

[illegible]

Underground facilities, structures and utilities have been plotted from available surveys and records and, therefore, their locations may be considered approximate only. It is possible there may be others, the existence of which is presently not known or shown. It is the Contractor's responsibility to determine their existence and exact location and to avoid same, thereby.

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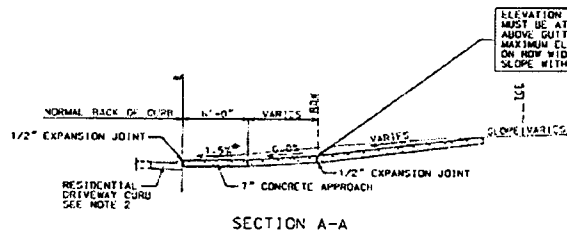
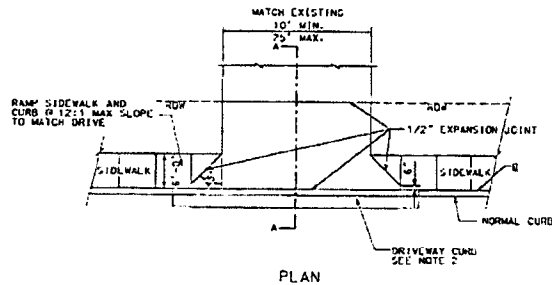
CITY OF COLUMBIA, MISSOURI

FAIRVIEW ROAD

SHEET	TOTAL
2	15

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE: Nov. 8, 2013



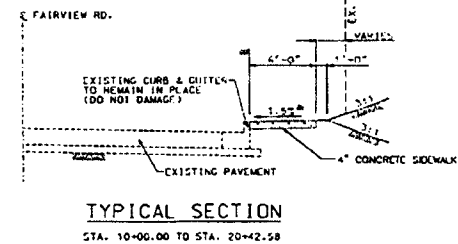
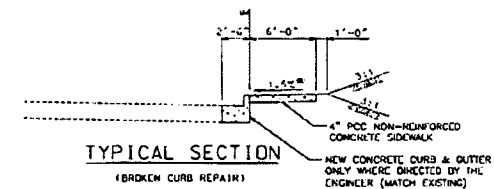
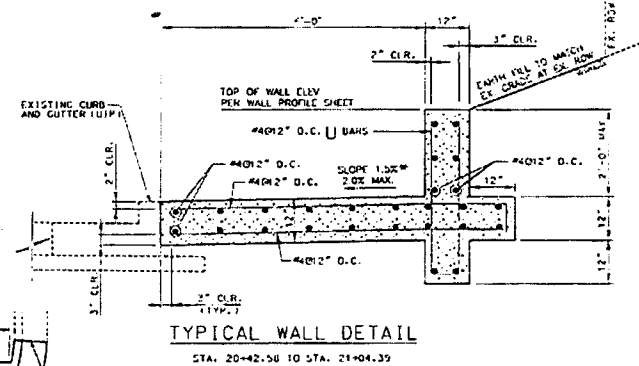
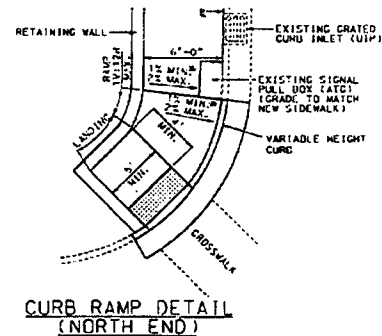
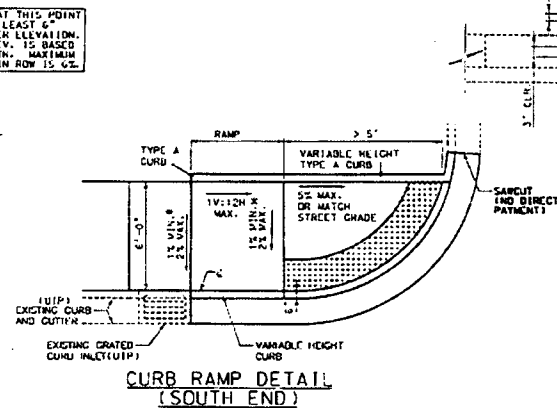
RESIDENTIAL DRIVEWAY APPROACH DETAIL

NOTES FOR RESIDENTIAL DRIVEWAY APPROACH

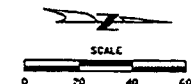
1. DRIVEWAY APPROACH SHALL BE 7" THICK CLASS A CONCRETE.
2. REPLACE STANDARD CURB & GUTTER SECTION WITH DRIVEWAY CURB SECTION. SEE COLUMBIA STANDARD DETAIL 400.02.
3. EXPANSION JOINT SHALL BE 3" PREFORMED CORK OR BITUMINOUS EXPANSION JOINT MATERIAL.
4. ALL DRIVEWAY APPROACHES SHALL SLOPE TOWARD THE STREET.
5. ALL DRIVEWAY APPROACHES SHALL BE CONSTRUCTED TO ACCOMMODATE SIDEWALKS. (EXISTING AND FUTURE)
6. DRIVEWAY APPROACH SHALL PROVIDE A MINIMUM 6' WIDE ACCESSIBLE SIDEWALK PASSING ZONE.
7. DRIVEWAY SLOPE ACROSS ACCESSIBLE SIDEWALK PASSING ZONE IS 2% MAX.*
8. MINIMIZE SIDEWALK NARROWING ADJACENT TO DRIVEWAY APPROACH.
9. DRIVEWAY SLOPE WITHIN RIGHT OF WAY SHALL NOT EXCEED 6%.

NOTE:

* CROSS SLOPE IS DEFINED AS THE SLOPE MEASURED PERPENDICULAR TO THE DIRECTION OF TRAVEL. A MINIMUM SLOPE OF 1% SHOULD BE PROVIDED TO ALLOW PROPER DRAINAGE. WHEN NECESSARY THE MAXIMUM 2% CROSS SLOPE ALLOWED BY ADA STANDARDS MAY BE USED. CROSS SLOPES OF LESS THAN 2% ARE DESIRABLE TO PROVIDE EASIER PASSAGE AND TO ALLOW FOR SOME CONSTRUCTION TOLERANCE AND SETTLEMENT. SIDEWALKS WITH A CROSS SLOPE GREATER THAN 2% ARE NONCOMPLIANT AND MUST BE MADE COMPLIANT BY WHATEVER MEANS NECESSARY, INCLUDING REPLACEMENT.



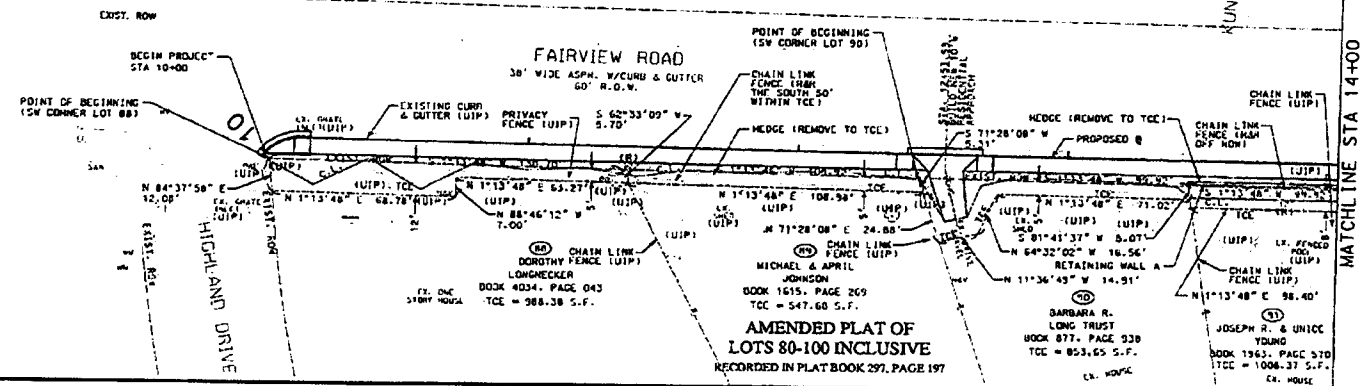
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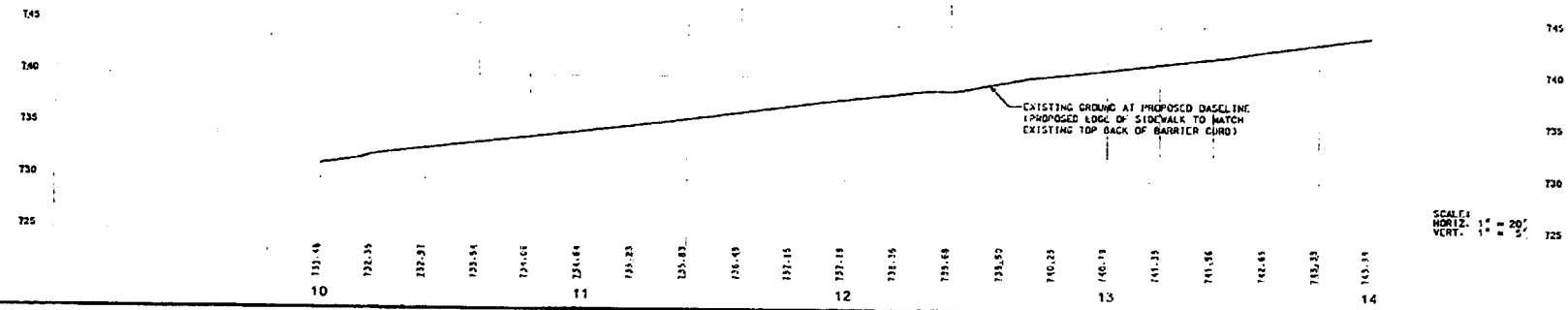
CITY OF COLUMBIA, MISSOURI		
FAIRVIEW ROAD		
BOOK	PAGE	SHEET
3	15	

PRELIMINARY
NOT FOR
CONSTRUCTION

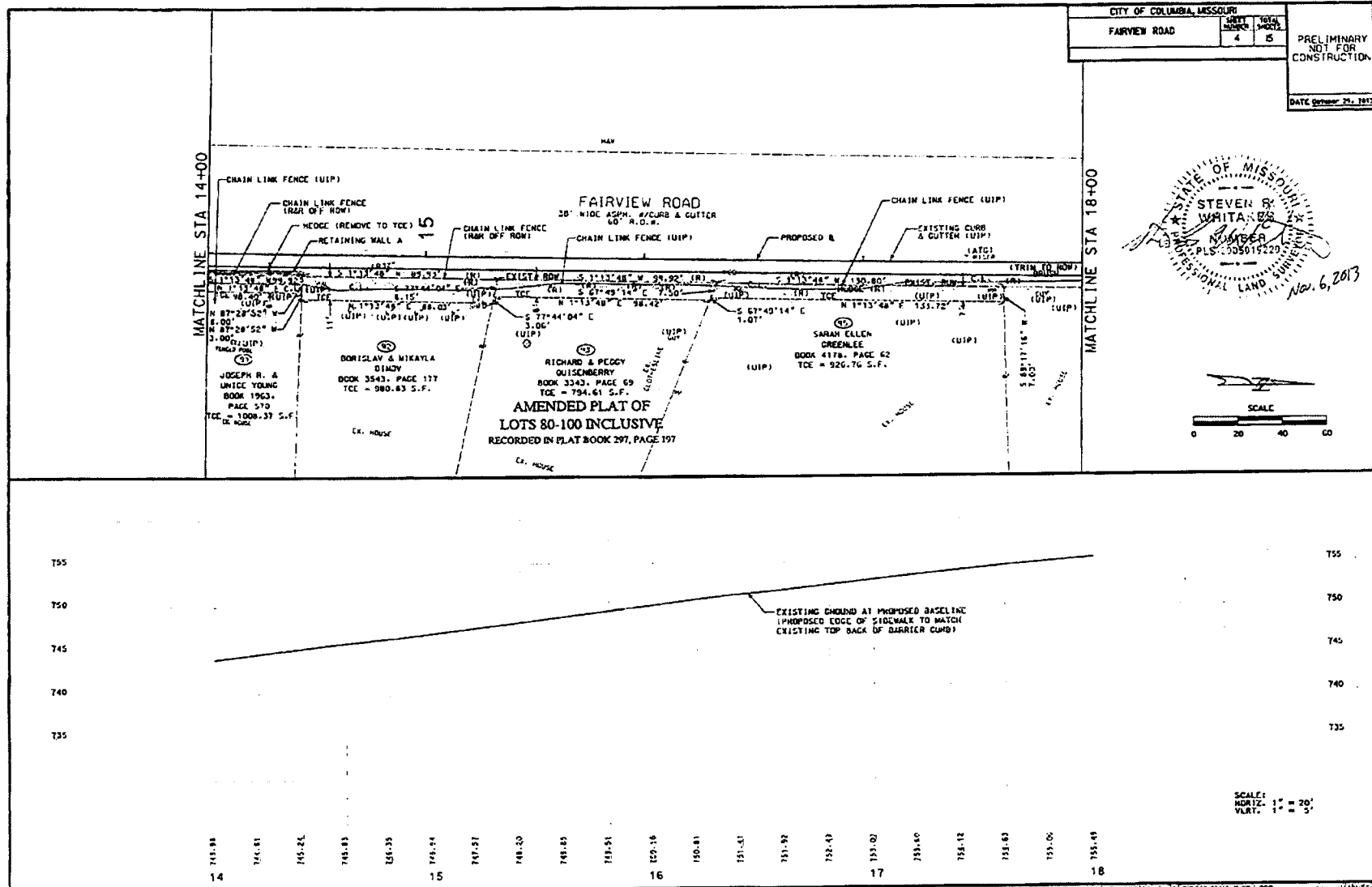
DATE December 17, 2012

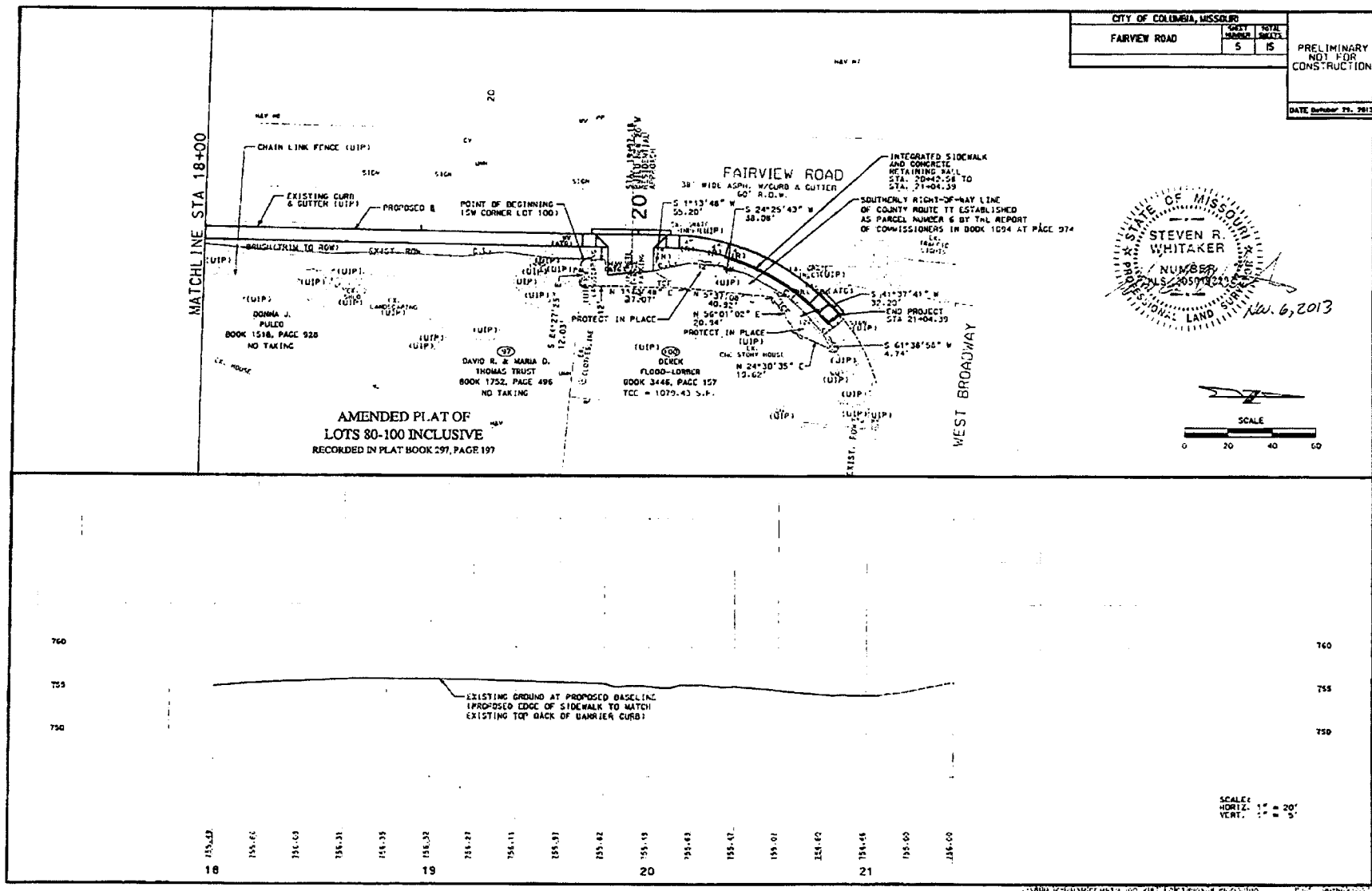


AMENDED PLAT OF
LOTS 80-100 INCLUSIVE
RECORDED IN PLAT BOOK 297, PAGE 197

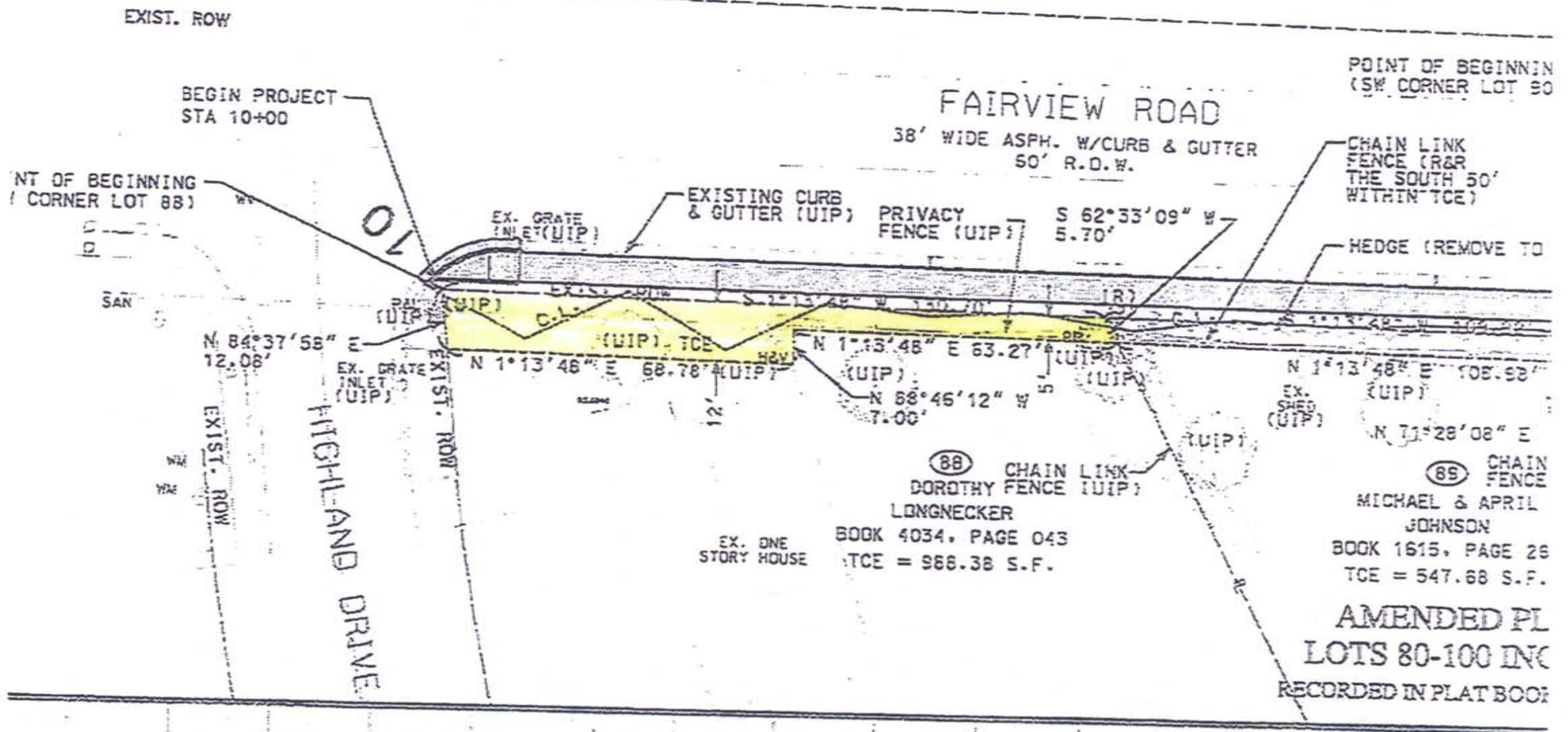


SCALE:
HORIZ. 1" = 20'
VERT. 1" = 5'



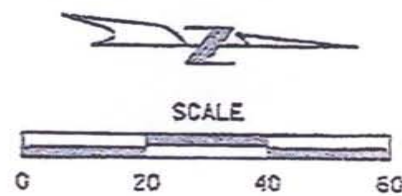


PLS-2005019220
 PROFESSIONAL LAND SURVEY
 Nov. 6, 201



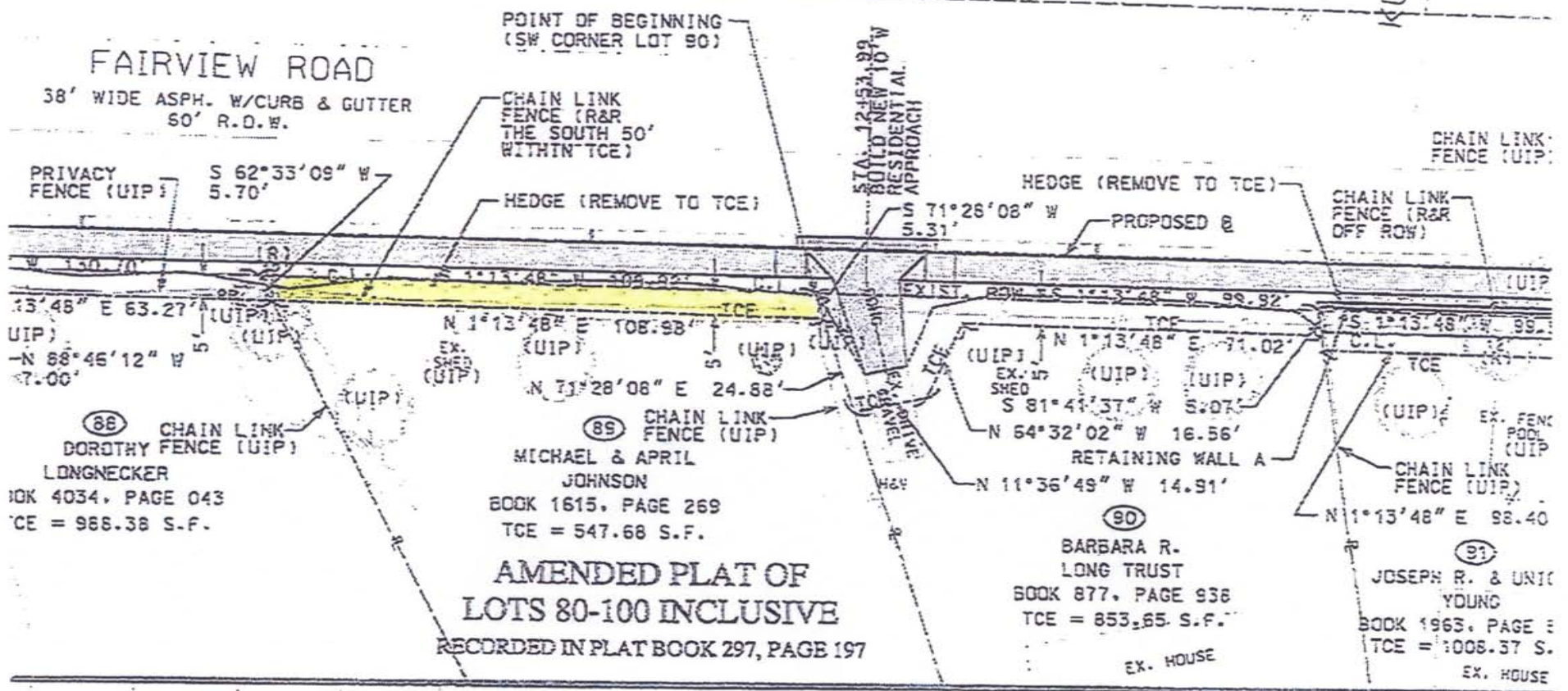
STATE OF MISSOURI
 STEVEN R. WHITAKER
 NUMBER
 PLS. 2005019220
 PROFESSIONAL LAND SURVEYOR

Nov. 6, 2013

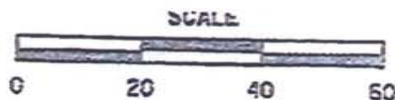


CITY OF COLO
 FAIRVIEW ROAD

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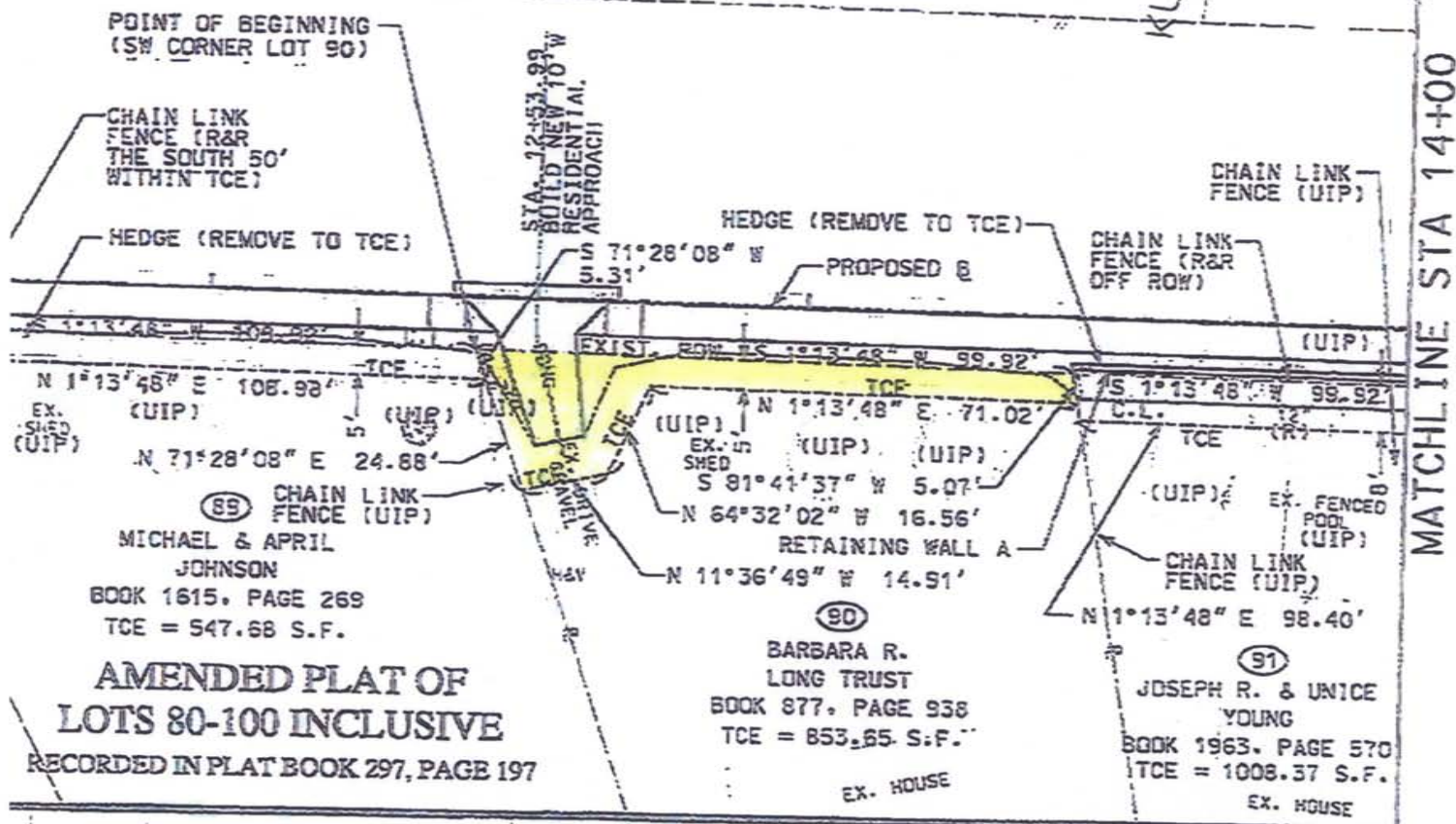


19220
SURVEYED
NOV. 6, 2013

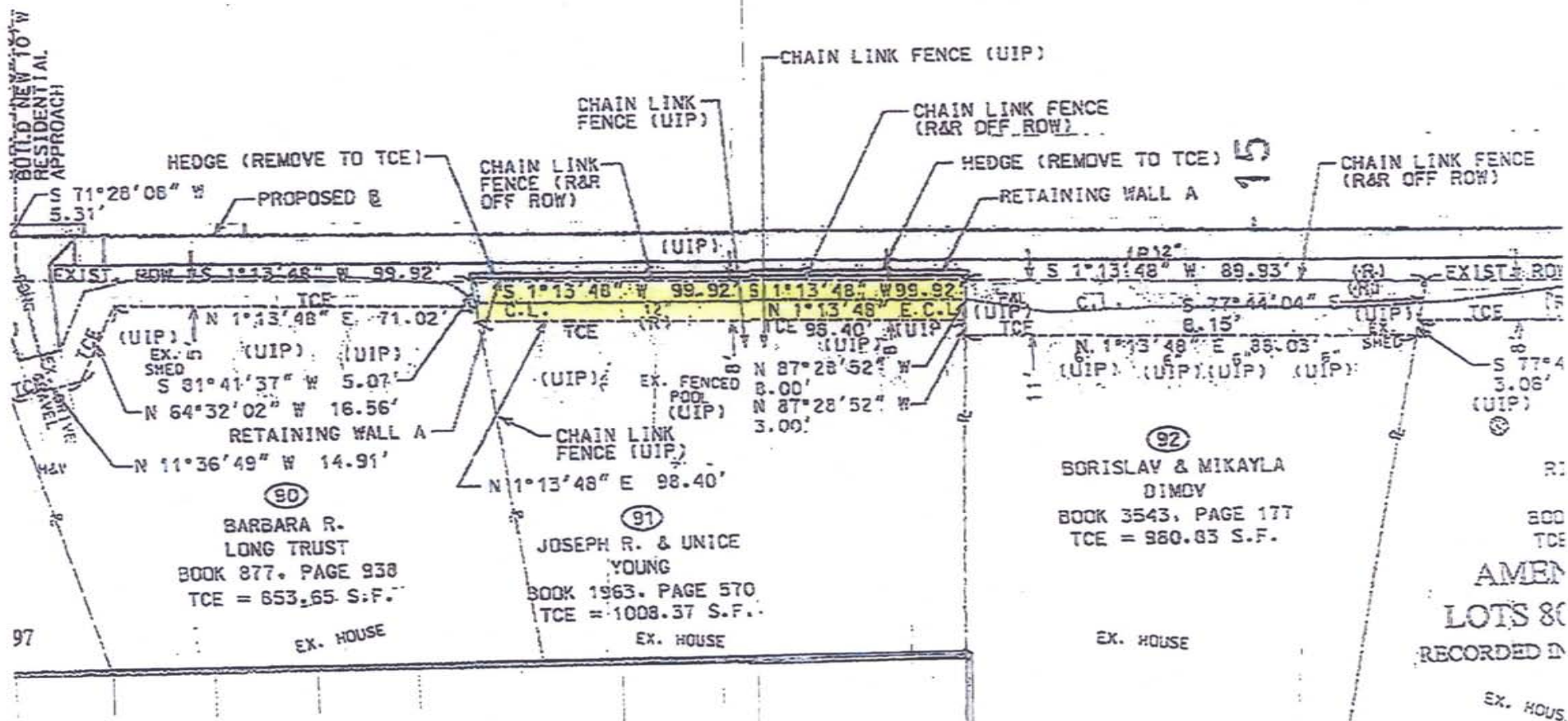


CONSTRUCT

DATE October 2



UNLUN



MATCHLINE STA 14+00

CHAIN LINK FENCE (UIP)

CHAIN LINK FENCE
(R&R OFF ROW)

HEDGE (REMOVE TO TCE)

RETAINING WALL A

CHAIN LINK FENCE
(R&R OFF ROW)

H&V

FAIRVIE

38' WIDE ASPH.
60' R.

CHAIN LINK F

S 1°13'48" W 99.92' (UIP) S 1°13'48" W 89.93' (R) EXIST. ROW S 1°13'48" W

N 1°13'48" E C.L. S 77°44'04" E (UIP) TCE (R) S 67°45'14" W

CE 98.40' (UIP) TCE (UIP) S 77°44'04" E 8.15' (UIP) S 77°44'04" E 3.06' (UIP)

N 87°28'52" W 8.00' (UIP) N 1°13'48" E 86.03' (UIP) (UIP) (UIP) (UIP) S 77°44'04" E 3.06' (UIP)

N 87°28'52" W 3.00' EX (UIP) SHED S 77°44'04" E 3.06' (UIP)

3.00' EX (UIP) FENCED POOL (S)

JOSEPH R. & UNICE YOUNG BOOK 1963, PAGE 570 TCE = 1008.37 S.F. EX. HOUSE

BORISLAV & MIKAYLA DIMOV BOOK 3543, PAGE 177 TCE = 980.83 S.F. EX. HOUSE

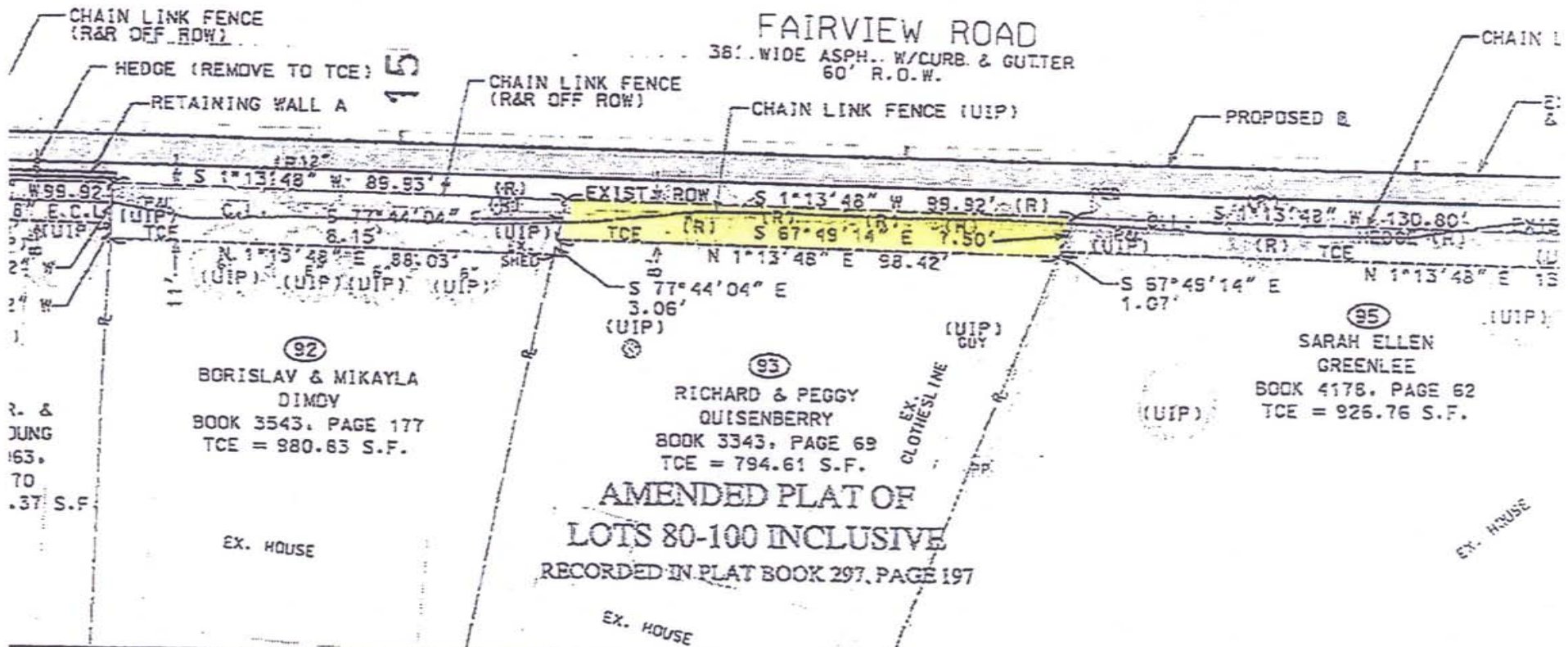
RICHARD & PEGGY QUISENBERRY BOOK 3343, PAGE 69 TCE = 794.61 S.F. EX. HOUSE

AMENDED PLAT C

LOTS 80-100 INCLUS.

RECORDED IN PLAT BOOK 297, P.

LINK FENCE (UIP)



EXISTING GROUND AT PROPOSED E
(PROPOSED EDGE OF SIDEWALK TO
EXISTING TOP BACK OF BARRIER

FAIRVIEW ROAD

SHEET	OF
4	4

H&V

FAIRVIEW ROAD

E ASPH. W/CURB & GUTTER
60' R.O.W.

N LINK FENCE (UIP)

S 13° 48' W 99.92' (R)

S 67° 49' 14" E 7.50' (UIP)

48° E 98.42'

PEGGY

MARY

PAGE 69

1 S.F.

PLAT OF
INCLUSIVE

BOOK 297, PAGE 197

PROPOSED E

CHAIN LINK FENCE (UIP)

EXISTING CURB
& GUTTER (UIP)

(ATG)
T-RISER

(TRIM TO ROW)

S 13° 48' W 130.80'

S 67° 49' 14" E 1.07' (UIP)

N 1° 13' 48" E 133.72' (UIP)

S 89° 17' 16" W 7.00' (UIP)

EX. HOUSE

EX. CLOTHES LINE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

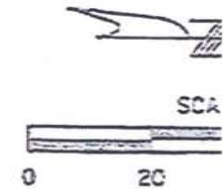
EX. HOUSE

EX. HOUSE

EX. HOUSE

EX. HOUSE

MATCHLINE STA 18+00



[illegible]

CITY OF COLUMBIA, MO PUBLIC WORKS - ENGINEERING DIVISION			NOTIFIED OF 4/23/13 I.P. MEETING	ATTNDED 4/23/13 I.P. MEETING	NOTIFIED OF 7/1/13 P. H. BY CERT. MAIL	NOTIFIED OF 12/16 ORDINACE TO ACQUIRE	SPOKE WITH ON PHONE OR LEFT MESSAGE	MET IN OFFICE or ON SITE	NOTES
PROPERTY OWNER CONTACT LOG									
Project: Fairview Sidewalk		By: Tyler Wallace							
PARCEL NO./ADDRESS	OWNER NAME	OWNER ADDRESS							
1650700020150001 / 2718 Braemore	April & Michael Johnson	PO Box 7322	x		x		---		Unlisted phone number
1650700020130001 / 2724 Braemore	Joseph R & Unice Young	2724 Braemore Rd	x		x	x	6/14 - left message		6/19, called, no answer.
1650700020110001 / 2730 Braemore	Richard Quisenberry	2730 Braemore	x		x	x	6/18 - spoke with on phone		Concerned about snow removal / maintanance, height of any retaining walls, disturbance to landscaping and fence during construction.
1650700020080001 / 2806 Skye Wynd	Donna J Puelo	2806 Skye Wynd	x		x	x	6/14 - spoke with on phone	6/17 - met on site	Concerned about bushes along property line that provide privacy and security. Homeowner has a dog and worries that neighbors will complain about the barking because the dog will be able to see cars and people during and after construction.
1650700020180001 / 2809 Highland	Dorothy Longnecker	2809 Highland	x		x	x	6/14 - spoke with on phone		Questioned why the need for a new sidewalk when there is existing on west side of the street. Need to maintain what we have before we build new.
1650700020140001 / 2722 Braemore	JB & Barbara Long Trust	2722 Braemore	x		x	x	6/19 - spoke with on phone		No concerns either way. Believes sidewalk on west side is sufficient.
1650700020090001 / 2804 Skye Wynd	WMS Emerson	504 Silver Thorne Dr.	x		x	x	6/18 - spoke with on phone		Very much in support.
1650700020010001 / 2810 Broadway	Derek Flood-Lorber	2810 W Broadway	x		x	x	---		Unlisted phone number
1650700020070001 / 2805 Skye Wynd	David Richard Thomas	3812 Addison Dr	x		x	x	6/18 - spoke with on phone		Very much in support