

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 375-13

AN ORDINANCE

vacating a utility easement on Lot 1 and Lot 3 within Broadhead Place located on the south side of Conley Avenue, between Fourth Street and Fifth Street; directing the City Clerk to have a copy of this ordinance 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 a certain utility easement on Lot 1 and Lot 3 within Broadhead Place located on the south side of Conley Avenue, between Fourth Street and Fifth Street, more particularly described as follows:

A STRIP OF LAND TEN (10.00) FEET WIDE ABUTTING, ADJOINING, ADJACENT AND SOUTH OF THE NORTH LINE OF LOT THREE (3) AND LOT ONE (1) OF BROADHEAD PLACE RECORDED IN PLAT BOOK 2, PAGE 45 OF THE BOONE COUNTY RECORDS, SAID STRIP BEGINS AT THE NORTHWEST CORNER OF SAID LOT THREE (3), CONTINUES WITH THE NORTH LINES OF SAID LOT 3 ACROSS SAID LOT THREE (3) TO THE NORTHWEST CORNER OF SAID LOT 1 AND CONTINUES WITH THE NORTH LINE OF SAID LOT ONE (1) A DISTANCE OF THREE (3.0) FEET TO THE END OF THIS EASEMENT.

is in excess and surplus to the needs of the City and is 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. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

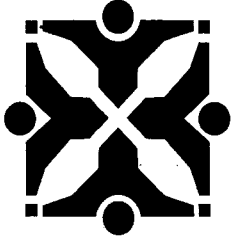
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Community Development - Planning 

Agenda Item No:

To: **City Council**
From: **City Manager and Staff** 

Council Meeting Date: Dec 16, 2013

Re: Broadhead Place easement vacation request (Case #13-229)

EXECUTIVE SUMMARY:

A request by Columbia Properties II, LLC (owner) to vacate a utility easement on Lots 1 & 3 of Broadhead Place. The subject site is located on the south side of Conley Avenue, between Fourth and Fifth Streets. (Case # 13-229)

DISCUSSION:

The applicant seeks to vacate a 10 wide utility easement running across all of Lot 1 and 3 feet into Lot 3 of Broadhead Place. The easement was obtained by the City's Water and Light Department in March 2004 for the purposes of having access to and maintaining future electric utility lines.

Since its acquisition, the easement has not been improved and its location is within the boundaries of the recently approved PUD development named "The Residences at 5th and Conley". The proposed PUD will redevelop all of the lots running along Conley Avenue from 4th to 5th Streets.

This request has been reviewed by applicable internal and external departments and agencies and is supported. A new utility easement will be granted with the replat of these lots and others adjacent to it as part of the pending platting action for Broadhead Place, Plat No. 2 currently under review (Case #13-235).

Locator maps, copies of the vacation exhibit, and legal description are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

Staff recommends approval of the easement vacation.

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	\$0.00	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?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



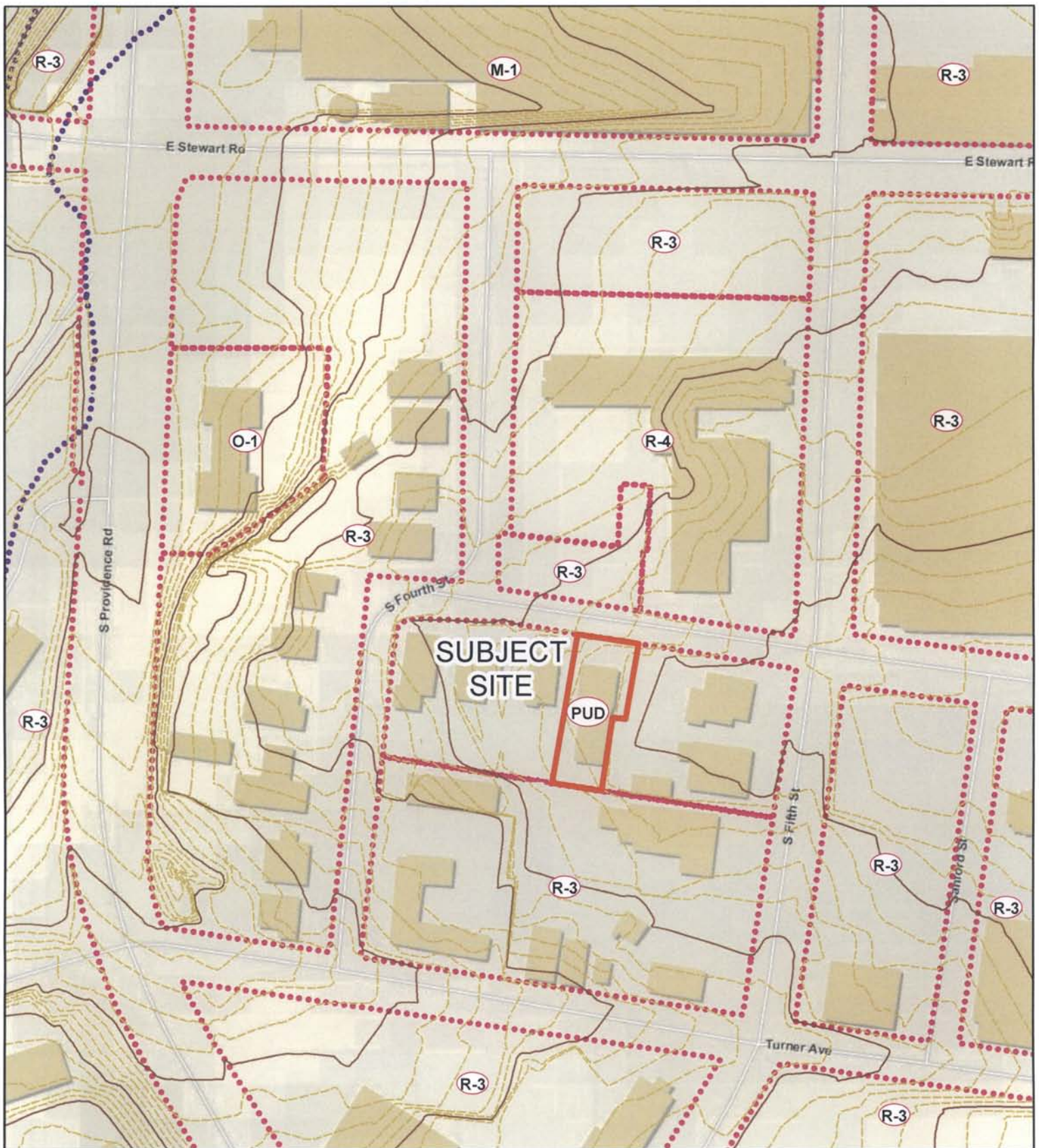
13-229: Broadhead Place Easement Vacation

0 65 130 260
Feet



Parcel Data Source: Boone County Assessor

Created by The City of Columbia - Community Development Department



13-229: Broadhead Place Easement Vacation

0 65 130 260
Feet

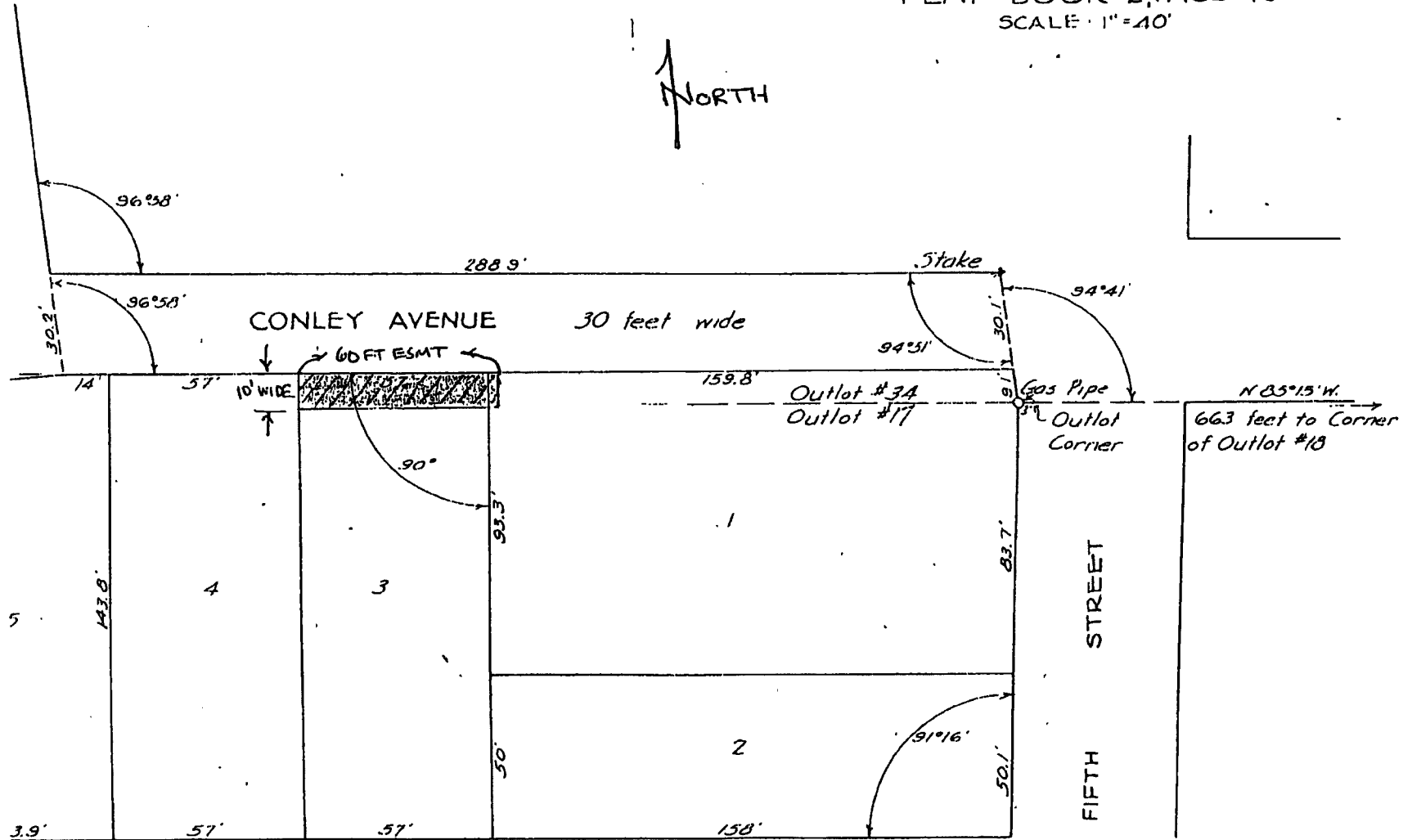
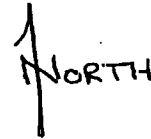


EASEMENT
EXHIBIT 'A'

BROADHEAD PLACE

PLAT BOOK 2, PAGE 45

SCALE 1"=40'



DESCRIPTION OF UTILITY EASEMENT TO BE VACATED FOR FIFTH & CONLEY
FOR COLUMBIA PROPERTIES II LLC
JOB #130083

NOVEMBER 4, 2013

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT ONE (1) AND PART OF LOT THREE (3) OF BROADHEAD PLACE RECORDED IN PLAT BOOK 2, PAGE 45, ALSO BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4263, PAGE 32, ALSO BEING ALL OF THE LAND DESCRIBED BY THE EASEMENT RECORDED IN BOOK 2449, PAGE 130 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT DESCRIPTION IS AS FOLLOWS:

A STRIP OF LAND TEN (10.00) FEET WIDE ABUTTING, ADJOINING, ADJACENT AND SOUTH OF THE NORTH LINE OF LOT THREE (3) AND LOT ONE (1) OF BROADHEAD PLACE RECORDED IN PLAT BOOK 2, PAGE 45 OF THE BOONE COUNTY RECORDS, SAID STRIP BEGINS AT THE NORTHWEST CORNER OF SAID LOT THREE (3), CONTINUES WITH THE NORTH LINES OF SAID LOT 3 ACROSS SAID LOT THREE (3) TO THE NORTHWEST CORNER OF SAID LOT 1 AND CONTINUES WITH THE NORTH LINE OF SAID LOT ONE (1) A DISTANCE OF THREE (3.0) FEET TO THE END OF THIS EASEMENT.



DAVID T. BUTCHER, PLS-2002014095

11/4/2013

DATE

