

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 92-14

AN ORDINANCE

declaring the need to acquire easements for replacement of a water main along Business Loop 70, between Old Highway 63 and Eastwood Circle; 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 in connection with the replacement of a water main along Business Loop 70, between Old Highway 63 and Eastwood Circle, described as follows:

Elinor M. Arendt Revocable Trust
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 9 and Lot 10 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Starting at the northeast corner of Tract 3 of a warranty deed recorded in book 3911 page 01, described as being N 88°36'W 180 feet from the northeast corner of Lot 10 in Wellington Gordon and M.R. Conley's Subdivision, thence S 1°13'15"W, along the easterly

line of said tract, 5.00 feet to the southerly right-of-way of Business Loop 70, the point of beginning.

From the point of beginning, thence S 1°13'15"W, along the easterly line of Tract 3 of a warranty deed recorded in book 3911 page 01, a distance of 15.00 feet; thence, leaving said line, N 89°14'10"W 125.00 feet to the westerly line of Tract 3 of a warranty deed recorded in book 3911 page 01; thence N 1°13'50"E, along said line, 15.00 feet to the southerly right-of-way line of Business Loop 70; thence S 89°14'10"E, along said line, 125.00 to the beginning and containing 1,875 square feet or 0.04 acre.

Wesley H. Fewell
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 10 and Lot 11 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northeast corner of a tract of land described by a warranty deed recorded in book 2703 page 07, also being the northwest corner of a tract of land described by a survey recorded in book 400 page 222; thence S 1°14'50"W, along the easterly line of said tract described by a warranty deed recorded in book 2307 page 07, 15.00 feet; thence, leaving said line, N 89°14'10"W 166.62 feet; thence S 0°45'50"W 5.00 feet; thence N 89°14'10"W 141.42 feet to the westerly line of the tract of land described by a warranty deed recorded in book 2703 page 07; thence N 1°13'50"E, along said line, 15.00 feet to the southerly right-of-way of Business Loop 70; thence along said line, S 89°14'10"E 141.30 feet; thence N 0°45'50"E 5.00 feet; thence S 89°14'10"E 166.75 feet to the beginning and containing 4,621 square feet or 0.11 acre.

Robert and Carol Grove
UTILITY EASEMENT

A strip of land ten (10) feet wide, located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lots 5 and 6 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

A strip of land ten (10) feet wide located left or westerly of, the following described line:

Starting at the southwest corner of Lot 5 in Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4, thence S 88°27'00"E, along the south line thereof and the south line of Lot 6 Wellington Gordon and M.R. Conley's Subdivision,

202.58 feet to the westerly right-of-way line of Old 63; thence along said right-of-way, N 1°34'20"E 137.65 feet; thence N 4°01'45"W 81.00 feet to the point of beginning.

From the point of beginning, N 4°01'45"W, along the westerly right-of-way line of Old 63, 20.00 feet to the southerly right-of-way line of Business Loop 70; thence along said right-of-way, N 44°11'45"W 214.20 feet; thence N 88°15'25"W 20.00 feet to the end of the line. This strip contains 2,465 square feet or 0.06 acre.

Pam and Thomas Kardon
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 9 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of Lot 9 in Wellington Gordon and M.R. Conley's Subdivision, thence S 89°14'10"E, along the northerly line of said lot, and the southerly right-of-way of Business Loop 70, a distance of 231.82 feet; thence, leaving the northerly line of said Lot 9, and continuing along the southerly right-of-way of Business Loop 70, S 0°45'50"W 5.00 feet; thence S 89°14'10"E 33.70 feet to the westerly line of a tract of land described by a warranty deed recorded in book 3911 page 01; thence S 1°13'50"W, along said line, 15.00 feet; thence leaving said line, N 89°14'10"W 33.58 feet; thence N 0°45'50"E 5.00 feet; thence N 89°14'10"W 231.94 feet to the westerly line of said Lot 9; thence N 1°14'40"E 15.00 feet to the beginning and containing 3,983 square feet or 0.09 acre.

Poonam, Inc.
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 11 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of a tract of land described by a warranty deed recorded in book 1599 page 60, as being on the south right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 128 feet east of the west line of Lot 11 Wellington Gordon and M.R. Conley's Subdivision, thence along the southerly right-of-way of Business Loop 70, S 89°14'10"E 250.00 feet to the northeast corner of said tract; thence along the easterly line thereof, S 1°15'50"W 15.00 feet; thence leaving said line, N 89°14'10"W 250.00 feet to the westerly line of said tract of land; thence N 1°14'50"E, along said line, 15.00 feet to the beginning and containing 3,750 square feet or 0.09 acre.

Realty Income Corporation
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lots 7 and 8 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northeast corner of Lot 8 in Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4, thence S 1°14'40"W, along the easterly line thereof, 15.00 feet; thence, leaving said line, N 89°11'30"W 99.29 feet; thence S 45°48'40"W 225.62 feet; thence S 6°30'40"W 16.43 feet; thence N 83°29'20"W 10.00 feet to the easterly right-of-way line of Old 63; thence, along said line, N 6°30'40"E 20.00 feet; thence N 45°48'40"E 240.40 feet to the northerly line of Lot 8 in Wellington Gordon and M.R. Conley's Subdivision, also being the southerly right-of-way line of Business Loop 70; thence S 89°11'20"E, along said line, 98.55 feet to the beginning and containing 3,996 square feet or 0.09 acre.

Riback Holding & Investment Association
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 13 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of Tract 1 described by a warranty deed recorded in book 2501 page 139, also being the northeast corner of Lot 4A of the administrative subdivision of Eastwood Business Park, recorded in book 627 page 557, thence S 89°03'00"E, along southerly right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 290.00 feet to the northeast corner of Tract 1 described by a warranty deed recorded in book 2501 page 139; thence S 0°50'30"W, along the easterly line of said tract, 15.00 feet; thence leaving said line, N 89°03'00"W 290.00 feet to the westerly line of Tract 1 described by a warranty deed recorded in book 2501 page 139; thence N 0°50'30"E 15.00 feet to the beginning and containing 4,350 square feet or 0.10 acre.

Windell & Zerah Lee Tyree
UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 11 and Lot 12 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of a tract of land described by a warranty deed recorded in book 397 page 309, as being on the south right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 378 feet east of the west line of Lot 11 Wellington Gordon and M.R. Conley's Subdivision, thence along the southerly right-of-way of Business Loop 70, S 89°14'10"E 33.25 feet; thence S 0°45'50"W 5.00 feet; thence S 89°14'10"E 126.69 feet; thence leaving said right-of-way, S 1°15'50"W 15.05 feet to the northwest corner of Lot 1AA of the administrative replat of Lot 1A and Lot 1B of Eastwood Business Park Plat 2, recorded in book 1418 page 312; thence continuing S 1°15'50"W, along the westerly line of said Lot, 9.95 feet; thence, leaving said line, N 89°14'10"W 40.00 feet; thence N 0°45'50"E 10.00 feet; thence N 89°14'10"W 86.47 feet; thence N 0°45'50"E 5.00 feet; thence N 89°14'10"W 33.39 feet to the westerly line of said tract of land described by a warranty deed recorded in book 397 page 309; thence N 1°15'50"E, along said line, 15.00 feet to the beginning and containing 2,800 square feet or 0.06 acre.

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.

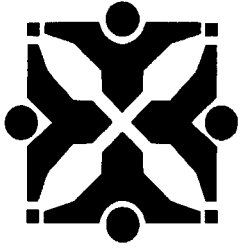
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Water & Light 

Agenda Item No:

To: City Council
From: City Manager and Staff 

Council Meeting Date: Apr 7, 2014

Re: Easement Acquisition and Bid Call for the Business Loop Water Main Replacement Project - Phase 6b

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the acquisition of easements necessary to upgrade aging water distribution infrastructure along Business Loop 70 from Old Highway 63 to Eastwood Circle and an ordinance authorizing a bid call through the Purchasing division or authorizing the construction through the use of city personnel. The public hearing for this project was held on October 7, 2013.

DISCUSSION:

The approximate length of 12-inch water main to be replaced on Business Loop 70 from Old Highway 63 to Eastwood Circle is 3,400 feet. The water main is designed to be located within a separate utility easement outside of MoDOT right of way in order to avoid any conflicts with potential roadway improvements along the Interstate 70 corridor. This project is part of a phased approach to upgrade aging water distribution infrastructure along Business Loop 70.

The proposed water main replacement project requires the acquisition of eight (8) separate utility easements from adjacent properties. All property owners are aware of the project and have discussed the needed easements with city staff.

FISCAL IMPACT:

A total of \$935,000 has been appropriated from 2008 voter approved revenue bonds into Capital Improvement Project WT0197. The engineering estimate for the construction costs of this project is \$600,000.

VISION IMPACT:

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

This project has been identified as necessary in order to ensure reliable water supply to the distribution system.

SUGGESTED COUNCIL ACTIONS:

Approval of the ordinances authorizing the bid call and easement acquisition for the Business Loop Water Replacement Project - Phase 6b.

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	\$935,000.00	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	\$0.00	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 #	

July 10, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

Robert and Carol Grove
(Warranty deed recorded in book 3946 page 146)

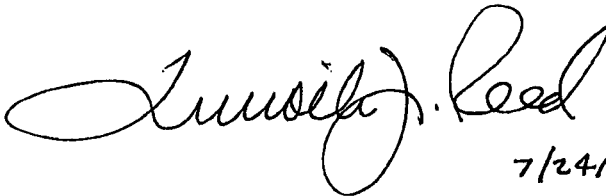
PROPOSED UTILITY EASEMENT

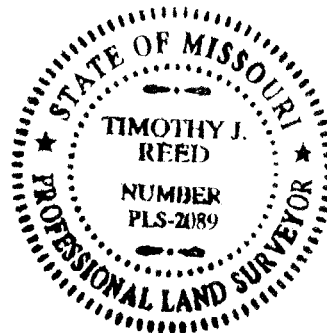
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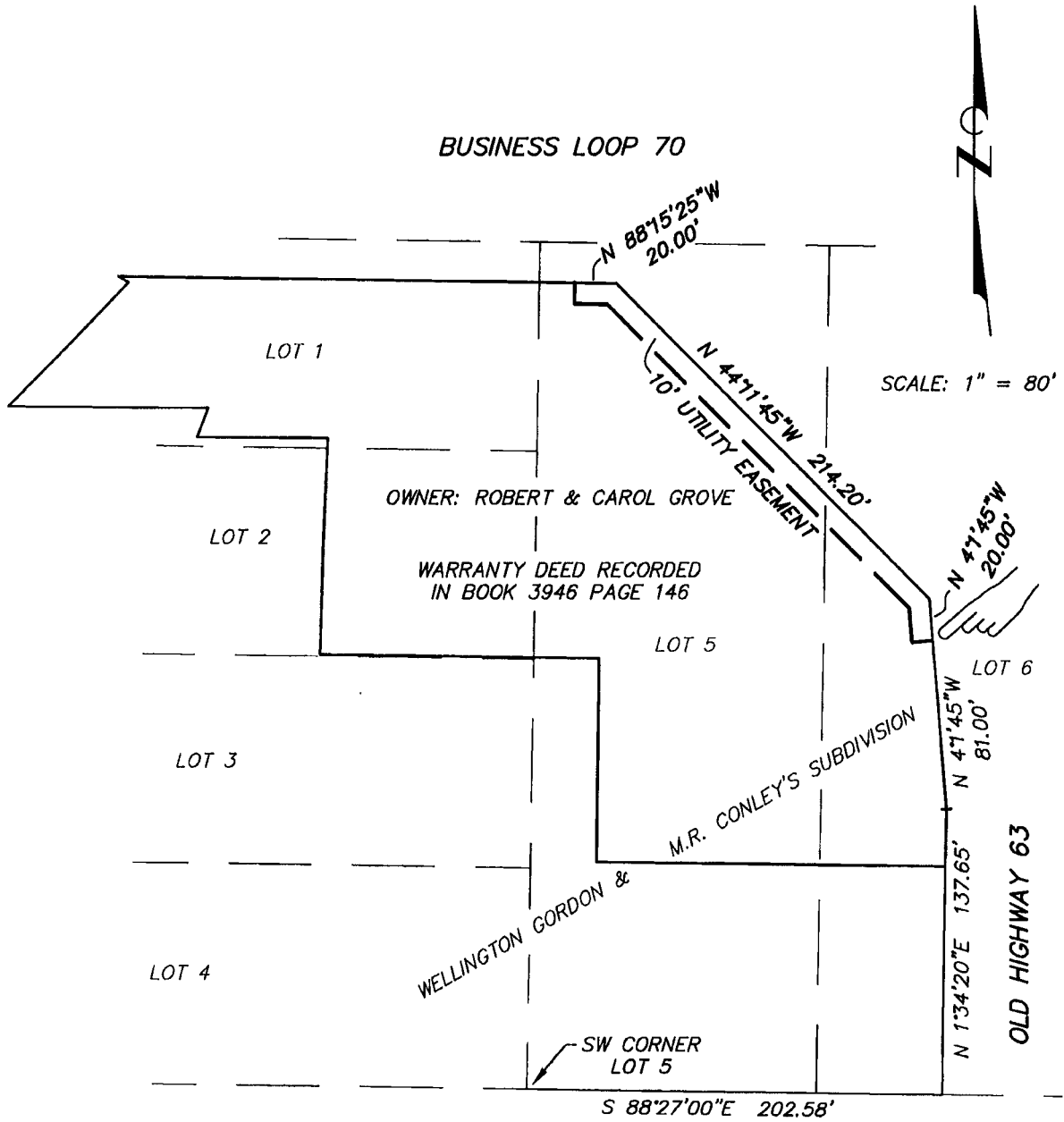
A strip of land ten (10) feet wide located left or westerly of, the following described line:

Starting at the southwest corner of Lot 5 in Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4, thence S 88°27'00"E, along the south line thereof and the south line of Lot 6 Wellington Gordon and M.R. Conley's Subdivision, 202.58 feet to the westerly right-of-way line of Old 63; thence along said right-of-way, N 1°34'20"E 137.65 feet; thence N 4°01'45"W 81.00 feet to the point of beginning.

From the point of beginning, N 4°01'45"W, along the westerly right-of-way line of Old 63, 20.00 feet to the southerly right-of-way line of Business Loop 70; thence along said right-of-way, N 44°11'45"W 214.20 feet; thence N 88°15'25"W 20.00 feet to the end of the line. This strip contains 2,465 square feet or 0.06 acre.


7/24/12





UTILITY EASEMENT
EXHIBIT "A"
 SHEET 1 OF 1



Engineering Surveys & Services
 1113 Fay Street
 Columbia, Missouri
 573 - 449 - 2646

July 16, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

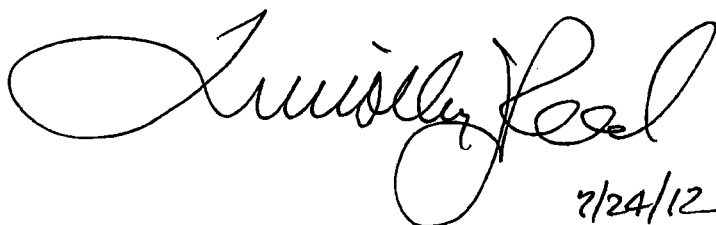
Riback Holding & Investment Association

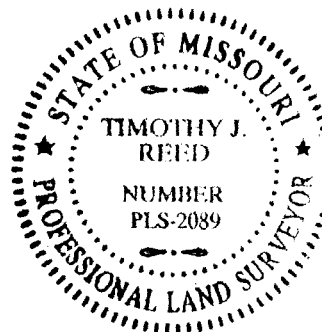
(Warranty deed recorded in book 2501 page 139)

PROPOSED UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 13 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of Tract 1 described by a warranty deed recorded in book 2501 page 139, also being the northeast corner of Lot 4A of the administrative subdivision of Eastwood Business Park, recorded in book 627 page 557, thence S 89°03'00"E, along southerly right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 290.00 feet to the northeast corner of Tract 1 described by a warranty deed recorded in book 2501 page 139; thence S 0°50'30"W, along the easterly line of said tract, 15.00 feet; thence leaving said line, N 89°03'00"W 290.00 feet to the westerly line of Tract 1 described by a warranty deed recorded in book 2501 page 139; thence N 0°50'30"E 15.00 feet to the beginning and containing 4,350 square feet or 0.10 acre.

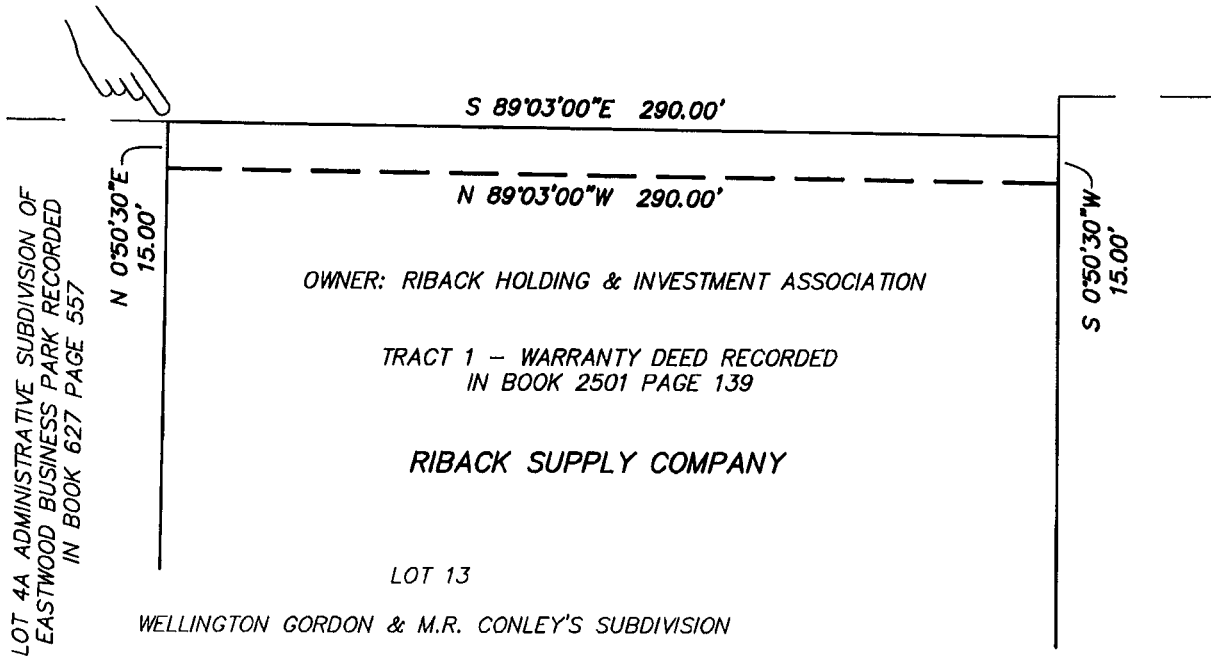

7/24/12





SCALE: 1" = 60'

BUSINESS LOOP 70



UTILITY EASEMENT
EXHIBIT "A"
SHEET 1 OF 1



Engineering Surveys & Services

1113 Fay Street
Columbia, Missouri
573 - 449 - 2646

July 11, 2012

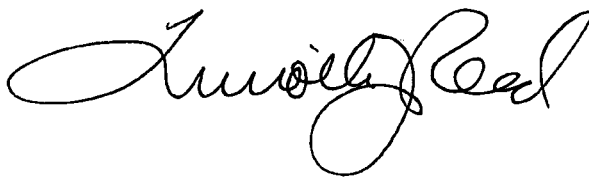
BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

Realty Income Corporation
(Warranty deed recorded in book 2878 page 59)

PROPOSED UTILITY EASEMENT

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Beginning at the northeast corner of Lot 8 in Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4, thence S 1°14'40"W, along the easterly line thereof, 15.00 feet; thence, leaving said line, N 89°11'30"W 99.29 feet; thence S 45°48'40"W 225.62 feet; thence S 6°30'40"W 16.43 feet; thence N 83°29'20"W 10.00 feet to the easterly right-of-way line of Old 63; thence, along said line, N 6°30'40"E 20.00 feet; thence N 45°48'40"E 240.40 feet to the northerly line of Lot 8 in Wellington Gordon and M.R. Conley's Subdivision, also being the southerly right-of-way line of Business Loop 70; thence S 89°11'20"E, along said line, 98.55 feet to the beginning and containing 3,996 square feet or 0.09 acre.

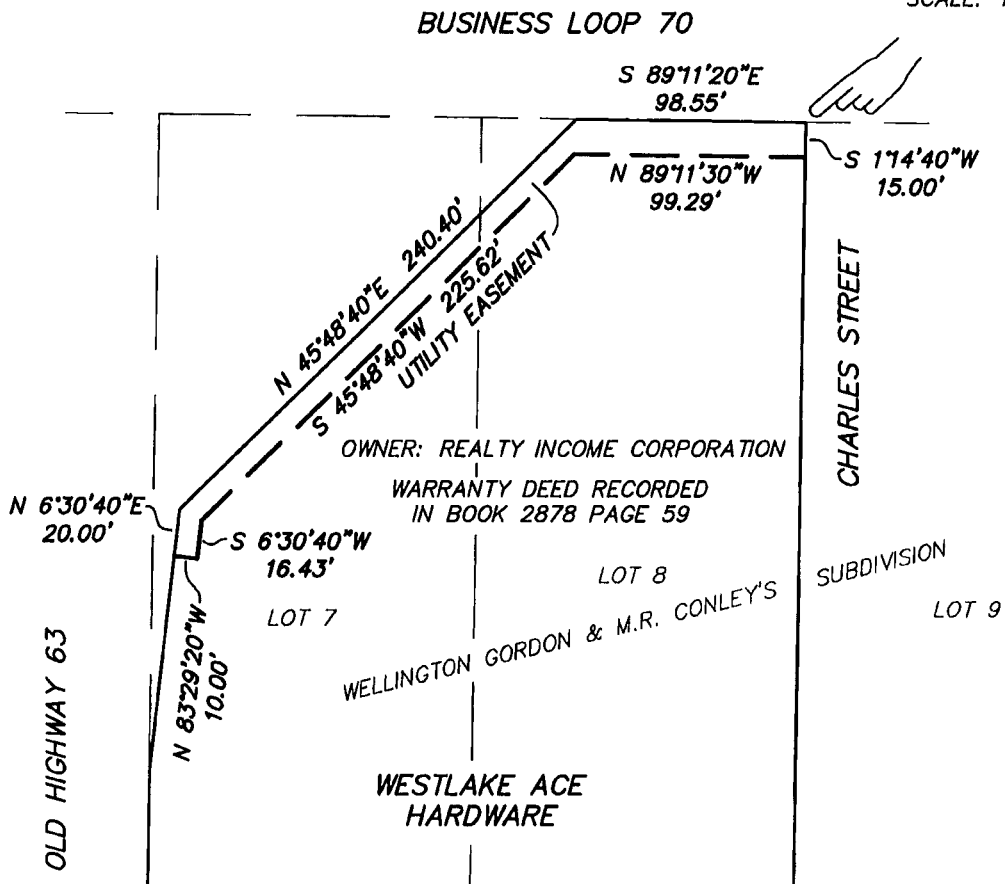


7/24/12





SCALE: 1" = 80'



UTILITY EASEMENT
EXHIBIT "A"
 SHEET 1 OF 1



Engineering Surveys & Services

1113 Fay Street
 Columbia, Missouri
 573 - 449 - 2646

July 12, 2012

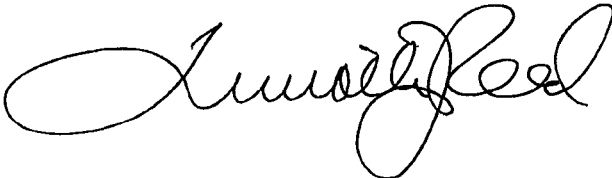
BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

Pam and Thomas Kardon
(Warranty deed recorded in book 1692 page 475)

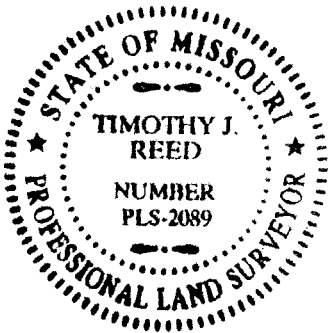
PROPOSED UTILITY EASEMENT

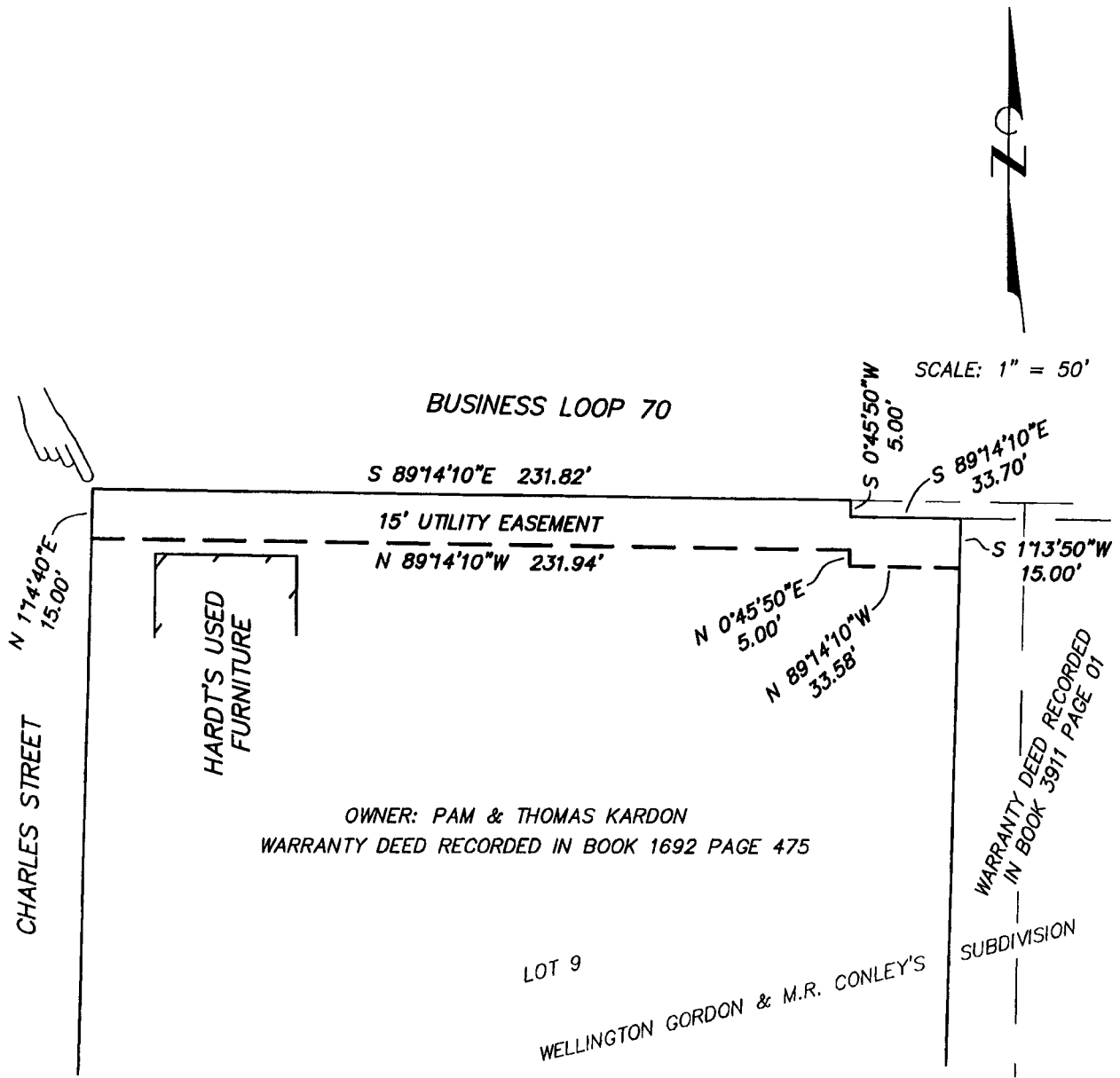
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Beginning at the northwest corner of Lot 9 in Wellington Gordon and M.R. Conley's Subdivision, thence S 89°14'10"E, along the northerly line of said lot, and the southerly right-of-way of Business Loop 70, a distance of 231.82 feet; thence, leaving the northerly line of said Lot 9, and continuing along the southerly right-of-way of Business Loop 70, S 0°45'50"W 5.00 feet; thence S 89°14'10"E 33.70 feet to the westerly line of a tract of land described by a warranty deed recorded in book 3911 page 01; thence S 1°13'50"W, along said line, 15.00 feet; thence leaving said line, N 89°14'10"W 33.58 feet; thence N 0°45'50"E 5.00 feet; thence N 89°14'10"W 231.94 feet to the westerly line of said Lot 9; thence N 1°14'40"E 15.00 feet to the beginning and containing 3,983 square feet or 0.09 acre.



7/24/12





UTILITY EASEMENT
EXHIBIT "A"
 SHEET 1 OF 1



Engineering Surveys & Services

1113 Fay Street
 Columbia, Missouri
 573 - 449 - 2646

July 12, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

Elinor M. Arendt Revocable Trust
(Warranty deed recorded in book 3911 page 01)

PROPOSED UTILITY EASEMENT

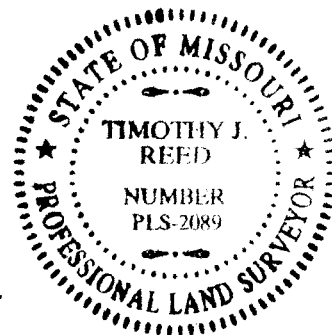
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From the point of beginning, thence S 1°13'15"W, along the easterly line of Tract 3 of a warranty deed recorded in book 3911 page 01, a distance of 15.00 feet; thence, leaving said line, N 89°14'10"W 125.00 feet to the westerly line of Tract 3 of a warranty deed recorded in book 3911 page 01; thence N 1°13'50"E, along said line, 15.00 feet to the southerly right-of-way line of Business Loop 70; thence S 89°14'10"E, along said line, 125.00 to the beginning and containing 1,875 square feet or 0.04 acre.

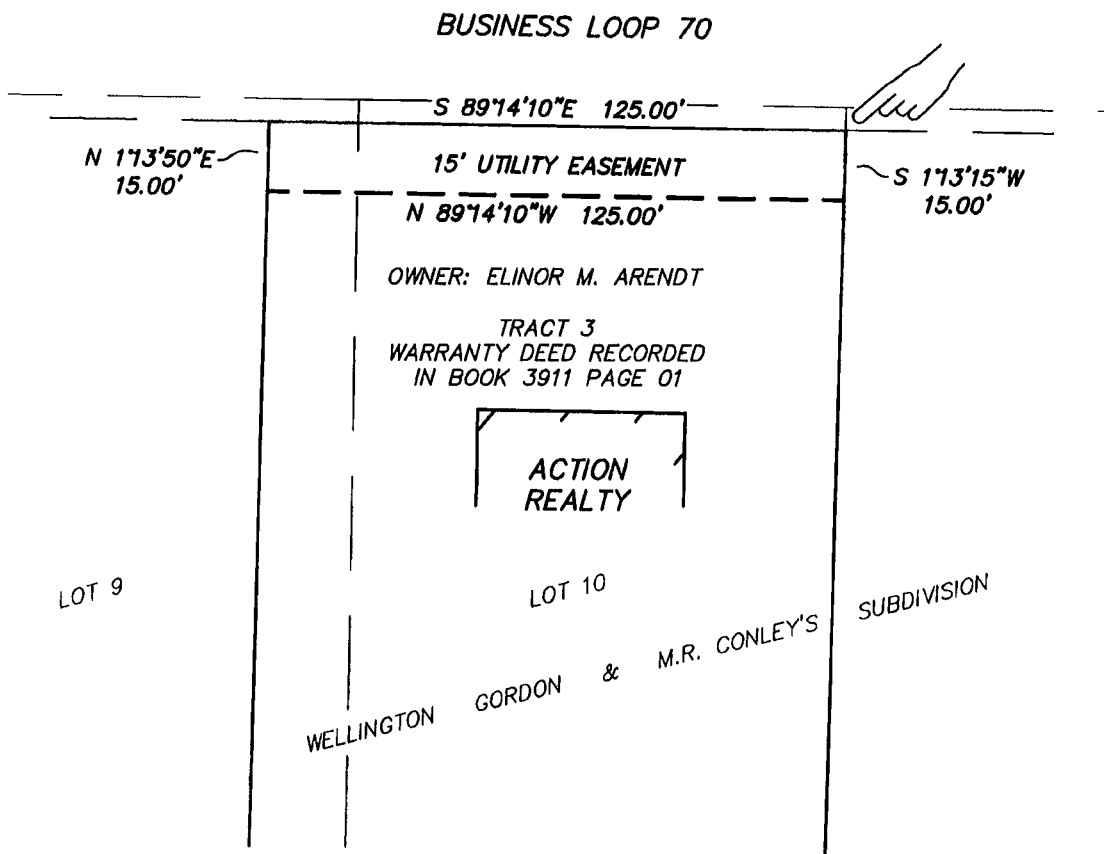
Timothy J. Reed

7/24/12





SCALE: 1" = 40'



UTILITY EASEMENT
EXHIBIT "A"
SHEET 1 OF 1



Engineering Surveys & Services

1113 Fay Street
Columbia, Missouri
573 - 449 - 2646

July 12, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

Wesley H. Fewell
(Warranty deed recorded in book 2703 page 07)

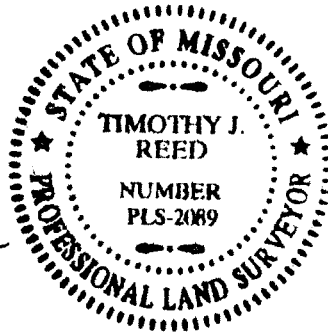
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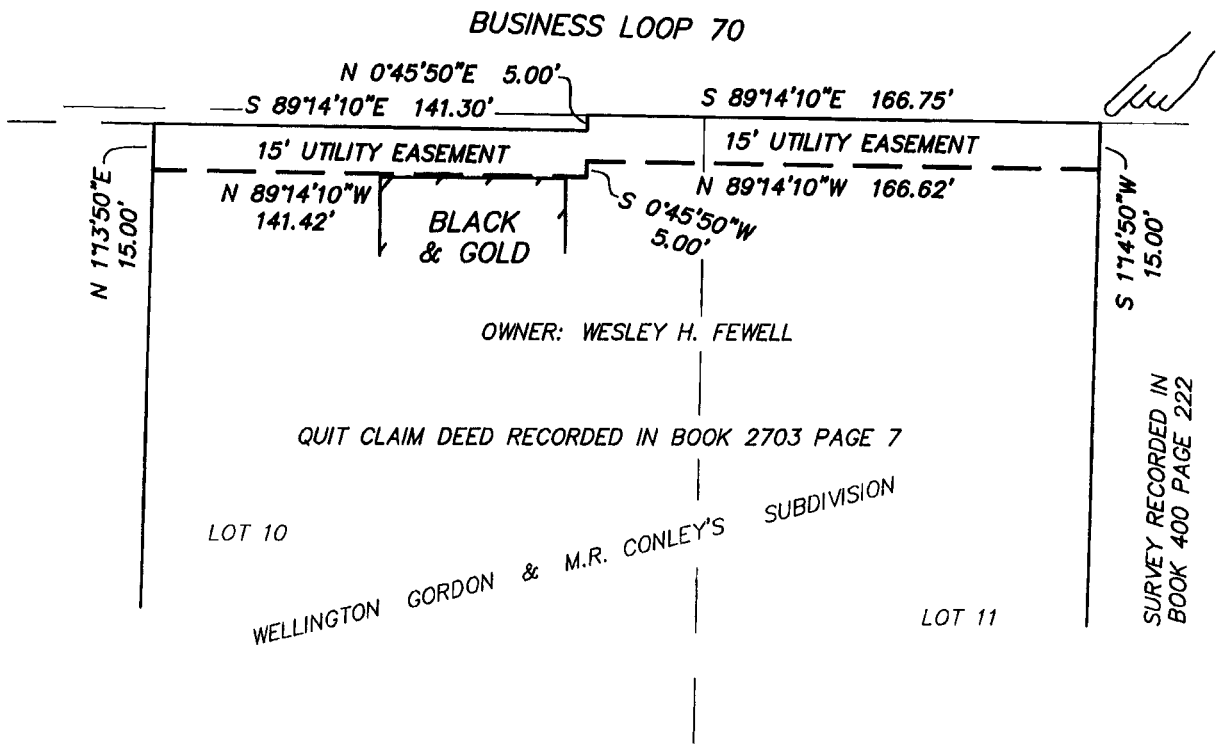
Timothy J. Reed

7/24/12





SCALE: 1" = 60'



UTILITY EASEMENT
EXHIBIT "A"
 SHEET 1 OF 1



Engineering Surveys & Services
 1113 Fay Street
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July 16, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

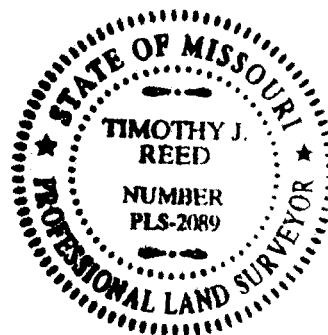
Poonam, Inc.
(Warranty deed recorded in book 1599 page 60)

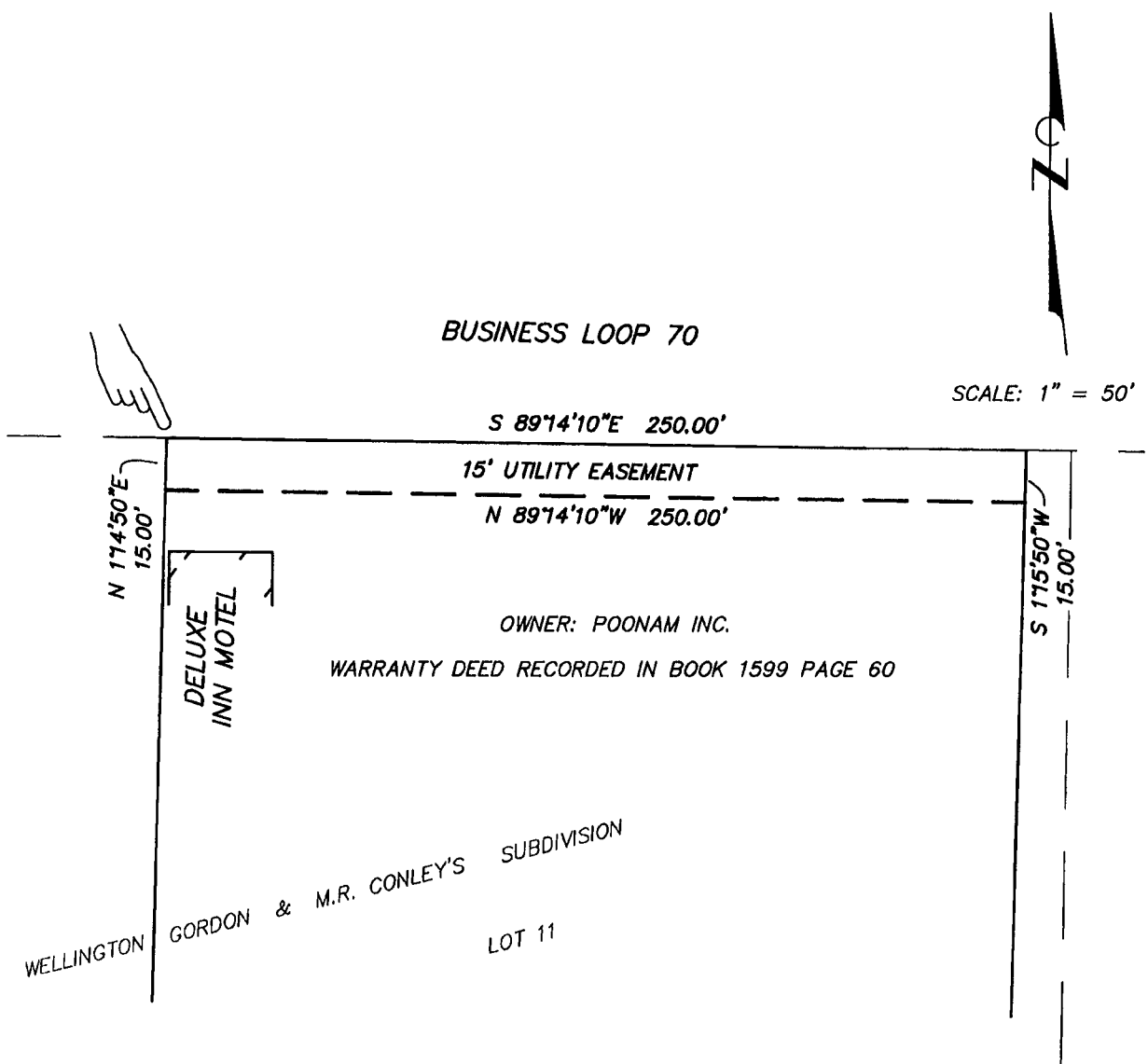
PROPOSED UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 11 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of a tract of land described by a warranty deed recorded in book 1599 page 60, as being on the south right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 128 feet east of the west line of Lot 11 Wellington Gordon and M.R. Conley's Subdivision, thence along the southerly right-of-way of Business Loop 70, S 89°14'10"E 250.00 feet to the northeast corner of said tract; thence along the easterly line thereof, S 1°15'50"W 15.00 feet; thence leaving said line, N 89°14'10"W 250.00 feet to the westerly line of said tract of land; thence N 1°14'50"E, along said line, 15.00 feet to the beginning and containing 3,750 square feet or 0.09 acre.

Timothy J. Reed 7/24/12





UTILITY EASEMENT
EXHIBIT "A"
SHEET 1 OF 1



Engineering Surveys & Services

1113 Fay Street
Columbia, Missouri
573 - 449 - 2646

July 16, 2012

BUSINESS LOOP 70 EAST WATER MAIN EASEMENTS

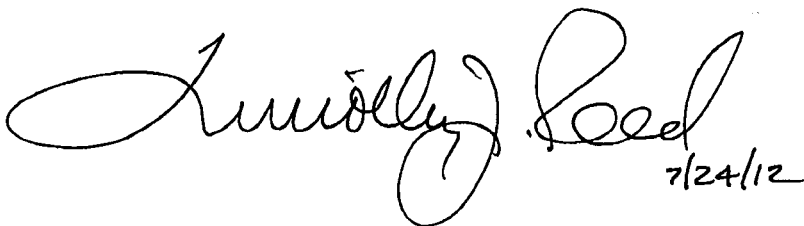
Windell & Zerah Lee Tyree

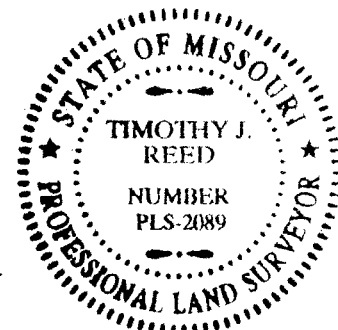
(Warranty deed recorded in book 397 page 309)

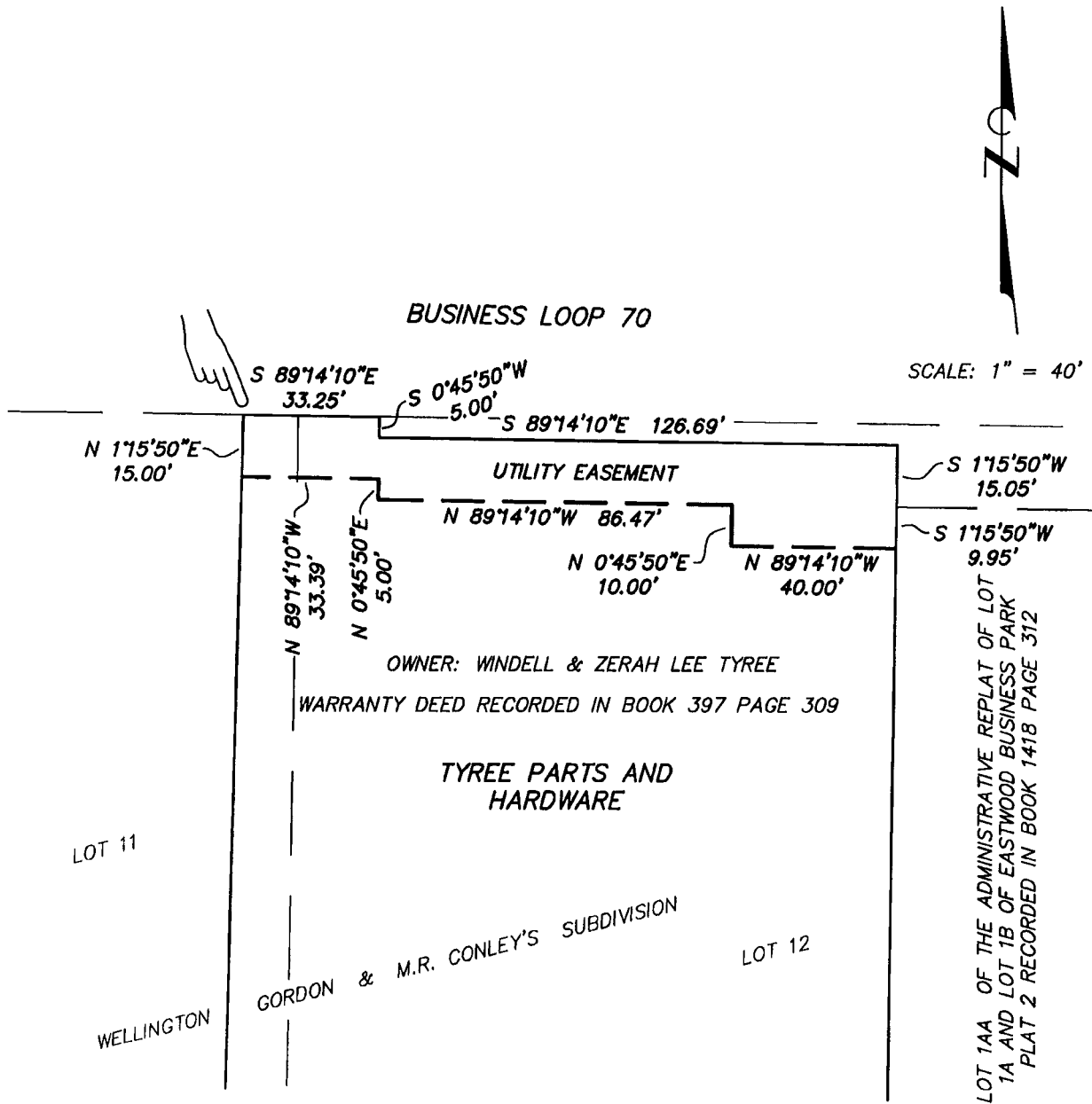
PROPOSED UTILITY EASEMENT

A strip of land located in the northeast quarter of Section 7 T48N R12W, in Columbia, Boone County, Missouri, being part of Lot 11 and Lot 12 of Wellington Gordon and M.R. Conley's Subdivision recorded in plat book 1 page 4 of the Boone County records, described as follows:

Beginning at the northwest corner of a tract of land described by a warranty deed recorded in book 397 page 309, as being on the south right-of-way line of U.S. Highway No. 40 (now Business Loop 70), 378 feet east of the west line of Lot 11 Wellington Gordon and M.R. Conley's Subdivision, thence along the southerly right-of-way of Business Loop 70, S 89°14'10"E 33.25 feet; thence S 0°45'50"W 5.00 feet; thence S 89°14'10"E 126.69 feet; thence leaving said right-of-way, S 1°15'50"W 15.05 feet to the northwest corner of Lot 1AA of the administrative replat of Lot 1A and Lot 1B of Eastwood Business Park Plat 2, recorded in book 1418 page 312; thence continuing S 1°15'50"W, along the westerly line of said Lot, 9.95 feet; thence, leaving said line, N 89°14'10"W 40.00 feet; thence N 0°45'50"E 10.00 feet; thence N 89°14'10"W 86.47 feet; thence N 0°45'50"E 5.00 feet; thence N 89°14'10"W 33.39 feet to the westerly line of said tract of land described by a warranty deed recorded in book 397 page 309; thence N 1°15'50"E, along said line, 15.00 feet to the beginning and containing 2,800 square feet or 0.06 acre.


7/24/12





**UTILITY EASEMENT
EXHIBIT "A"
SHEET 1 OF 1**



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