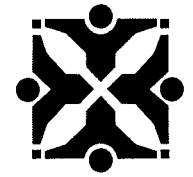


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 10-15

Department Source: Parks and Recreation

To: City Council

From: City Manager & Staff

Council Meeting Date: 1/5/2015

Re: Easement Acquisition and Construction: Timberhill Connector to the Hominy Creek Trail

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Plats and Plans, Easement Description

Executive Summary

The Parks and Recreation Department is requesting Council authorization to proceed with the acquisition of an easement to construct a 6' wide concrete trail from Timberhill Street to the Hominy Creek Trail. Staff is also requesting authorization to construct the trail after acquisition of the easement. The proposed 410' trail was requested by residents of the Timberhill neighborhood and will connect the Timberhill neighborhood, as well as future residential and commercial development in the area, to the south of the Hominy Creek Trail. The proposed route crosses one property owned by William and Ruby Riggs. Park staff is currently in negotiations for the easement and believes that the property owners will donate the easement for the construction of the trail. Crockett Engineering has completed the required easement description for the proposed trail. The project, totalling \$20,000, will be funded using remaining funds from the Hominy Creek Trail Project. It is anticipated that construction will begin in spring 2015 and be completed using a combination of force account and contract labor.

Discussion

After the completion of the Hominy Creek Trail, the Parks and Recreation Department was contacted by residents of the Timberhill neighborhood in August 2014 about a possible trail connection to the Hominy Creek Trail. Park staff met with representatives of the neighborhood on September 22, 2014 to discuss the proposed trail connector, necessary steps to acquire the easement for the trail and the construction process and timeline. Park staff evaluated potential routes and determined that a 6' wide concrete trail could be constructed on property adjacent to Highway 63 to provide the desired trail access. The connecting trail will provide access to the Timberhill neighborhood and future residential and commercial development to the south of the Hominy Creek Trail.

After determining ownership of the property between the neighborhood and Hominy Creek Trail, staff determined that the department would need to acquire a permanent trail easement to construct the 410' concrete trail on privately-owned property. The property owners, William and Ruby Riggs, met



with staff and has had email correspondence with park staff since September 2014. The Riggs family is very receptive to the proposed trail on their property and are willing to work with the department for a possible donation of the easement. Crockett Engineering has prepared the necessary easement paperwork for the property and park staff has completed proposed plans for the location of the connector trail.

Once the permanent trail easement has been acquired, park staff will use a combination of contract and force account labor to construct the connector trail from Timberhill Street to the Hominy Creek Trail. The 6' wide concrete trail will be constructed using contract labor, and park staff will complete all necessary backfilling and seeding to complete the project. Park staff also anticipates that the property owners will request the installation of estate fencing along their property on Timberhill Road to eliminate vehicle traffic on the property from individuals accessing the Hominy Creek Trail. The total project budget is \$20,000 and will be funded by remaining funds in the Hominy Creek Trail Project account. Staff anticipates that the trail will be completed by summer 2015.

Fiscal Impact

Short-Term Impact: Park staff is in negotiation with the property owners and believes that there is a strong possibility that the property owner will donate the trail easement. Staff estimates that the proposed trail connector will have a total project cost of \$20,000 and will be funded by remaining funds in the Hominy Creek Trail Project account.

Long-Term Impact: Staff anticipates minimal annual maintenance cost due to the trail being constructed in concrete.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Parks, Recreation and Greenways

Strategic Plan Impact: Economic Development, Health, Safety and Wellbeing, Infrastructure

Comprehensive Plan Impact: Mobility, Connectivity, and Accessibility, Livable & Sustainable Communities

Suggested Council Action

Approve the resolution to set the public hearing and approve the ordinance authorizing the acquisition the trail easement and construction of the Timberhill Connector for the Hominy Creek Trail.

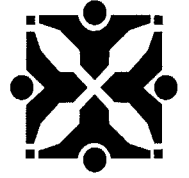
Legislative History

Ordinance # 20732, 9/7/2010 - Council approval to acquire easements for construction of Hominy Trail Phase I

<https://www.gocolumbiamo.com/CMS/codemaster/attachment.php?ordid=18926y>

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Ordinance # 20731, 9/7/2010 - Council authorization to construct the Hominy Trail Phase I

<https://www.gocolumbiamo.com/CMS/codemaster/attachment.php?ordid=18925>

Link to other Hominy Trail Phase I legislation

https://www.gocolumbiamo.com/ParksandRec/Council_Agenda_Items/councilagendaitems_2011-2015.php#hominy


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 10-15

AN ORDINANCE

declaring the need to acquire an easement for construction of the Timberhill Street connector to the Hominy Creek Trail; 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 an easement for construction of the Timberhill Street connector to the Hominy Creek Trail, described as follows:

**WILLIAM N. & RUBY ARLENE RIGGS
TRAIL EASEMENT- TIMBERHILL CONNECTION**

A STRIP OF LAND LOCATED IN THE EAST HALF OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1128, PAGE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63 AT THE AT THE SOUTHWEST CORNER OF TRACT 5 OF THE SURVEY RECORDED IN BOOK 448, PAGE 396 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, S 46°02'45"W, 39.40 FEET; THENCE S 52°18'40"W, 480.54 FEET TO CENTERLINE STATION 60+35,

295 FEET LEFT OF SAID CENTERLINE; THENCE CONTINUING WITH SAID EAST RIGHT-OF-WAY LINE, S 15°23'45"W, 91.73 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH SAID EAST RIGHT-OF-WAY LINE, SAID STRIP BEING 20.00 FEET WIDE AND LYING 10 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE, S 15°23'45"W, 15.00 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, S 7°00'10"E, 10.83 FEET; THENCE S 15°00'00"W, 22.34 FEET; THENCE S 30°00'00"W, 22.39 FEET; THENCE S 15°00'00"W, 34.10 FEET; THENCE S 8°47'00"W, 44.89 FEET; THENCE S 18°38'35"E, 22.16 FEET; THENCE S 2°15'50"W, 29.06 FEET; THENCE S 26°40'30"W, 63.92 FEET; THENCE S 7°47'55"W, 59.78 FEET; THENCE S 45°00'00"E, 18.52 FEET; THENCE N 84°15'15"E, 73.34 FEET TO THE END OF THIS DESCRIBED CENTERLINE.

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 _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

City of Columbia

701 East Broadway, Columbia, Missouri 65201



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Plats and Plans, Easement Description



TYPICAL ESTATE FENCE PHOTO

WILLIAM AND RUBY RIGGS

← APPROXIMATE LOCATION OF PROPOSED TIMBERHILL CONNECTOR
410 LINEAL FEET OF 6' WIDE TRAIL

PROPOSED ESTATE FENCE
TO BE INSTALLED BY
PARKS AND RECREATION

TIMBERHILL STREET

HWY 63 NB

PROPOSED TIMBERHILL CONNECTOR
TO HOMINY CREEK TRAIL

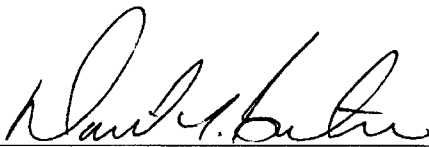
DESCRIPTION OF 20-FOOT TRAIL EASEMENT- TIMBERHILL CONNECTION
FOR COLUMBIA PARKS AND RECREATION
JOB #112073

AUGUST 6, 2014

A STRIP OF LAND LOCATED IN THE EAST HALF OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1128, PAGE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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DAVID T. BUTCHER, PLS-2002014095

8/6/2014

DATE

