

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 305-15

Department Source: Utilities-Water & Light

To: City Council

From: City Manager & Staff

Council Meeting Date: 10/19/2015

Re: Easement Release – Oakland Church Water Main Project

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Diagrams (construction, route, etc.)

Executive Summary

Staff has prepared for council consideration an Ordinance vacating portions of an easement granted to the City of Columbia for water utility purposes.

Discussion

In preparation for the construction of the proposed 16-inch Oakland Church Road water main, an owner of a tract of property, Deborah Booker, has requested that a portion of an existing easement for water utility purposes in granted in 1997 and recorded in Book 1355, Page 383, of the Boone County Records be vacated. Much of this easement is unused and does not contain any water distribution infrastructure. A new legal description for the remaining water utility easement has been prepared as part of this agreement as shown in the attached exhibits along with the areas shown to be vacated.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Infrastructure...Connecting the Community

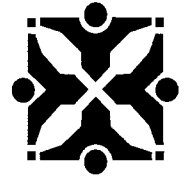
Comprehensive Plan Impact: Infrastructure

Suggested Council Action

Approval of an Ordinance vacating portions of the easements granted to the City of Columbia for water Utility purposes.

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Legislative History

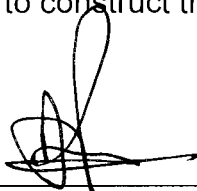
3/17/14 (R43-14) - Declaring the necessity for construction of the 16-inch Oakland Church water main project and setting a public hearing

4/07/14 (R43-14) - Public Hearing for the 16-inch Oakland Church water main project.

8/04/14 (B253-14) - Declaring the need to acquire easements for the Oakland Church water main project.

8/18/14 (B252-14) - Determining it is in the public interest to construct the 16-inch Oakland Church water main project.


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 305-15

AN ORDINANCE

vacating a portion of a water utility easement adjacent to Lot 2 and Lot 3 within Horse Fair Subdivision located on the north side of Oakland Gravel Road; 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 water utility easement adjacent to Lot 2 and Lot 3 within Horse Fair Subdivision located on the north side of Oakland Gravel Road, more particularly described as follows:

TWO TRACTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 49 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE WATER UTILITY EASEMENT RECORDED IN BOOK 1355, PAGE 383 OF THE BOONE COUNTY RECORDS AND BEING FURTHER DESCRIBED AS FOLLOWS:

TRACT A (WATER EASEMENT TO REMAIN)

A 53.00-FOOT WIDE TRACT OF LAND, BEING APPROXIMATELY THE WEST 390.00 FEET OF SAID WATER EASEMENT AND FURTHER DESCRIBED AS FOLLOWS;

BEGINNING AT THE SW CORNER OF THE SURVEY RECORDED IN BOOK 358 , PAGE 57 , SAID POINT ALSO BEING SOUTHEAST CORNER OF WILLOW BROOK PLAT 3 AS RECORDED IN PLAT BOOK 34, PAGE 100; THENCE ALONG THE WEST LINE OF SAID SURVEY AND THE EAST LINE OF SAID PLAT,

N 04°25'55"E, 53.02 FEET TO A POINT ON THE NORTH LINE OF SAID WATER EASEMENT; THENCE ALONG SAID EASEMENT LINE, S84°07'30"E, 391.34 FEET; THENCE LEAVING SAID EASEMENT LINE, S05°52'30"W, 53.00 FEET TO A POINT IN THE CENTER OF OAKLAND GRAVEL ROAD; THENCE ALONG SAID CENTERLINE, N84°07'30" W,

390.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 20,700 SQUARE FEET.

TRACT B (WATER EASEMENT TO BE VACATED)

A TRACT OF LAND BEING ALL OF SAID WATER EASEMENT EXCEPT THE WEST 390.00 FEET AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SURVEY AS RECORDED IN BOOK 358, PAGE 57; THENCE ALONG THE SOUTH LINE OF SAID SURVEY AND THE CENTER OF OAKLAND GRAVEL ROAD, S84°07'30" E, 390.00 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID CENTER LINE, N05°52'30" E, 53.00 FEET TO A POINT ON THE NORTH LINE OF SAID EASEMENT; THENCE FOLLOWING THE LINES OF SAID EASEMENT FOR THE FOLLOWING FOUR (4) CALLS: S84°07'30" E, 1083.55 FEET; THENCE N64°18'30" E, 183.76 FEET; THENCE N19°34'50" E, 241.55 FEET; THENCE N00°29'45" E, 1250.03 FEET TO A POINT ON THE NORTH LINE OF LOT 2 OF HORSE FAIR SUBDIVISION AS RECORDED IN PLAT BOOK 39 , PAGE 39 ; THENCE ALONG SAID NORTH LINE, N89°21'10" E, 53.01 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 20; THENCE ALONG SAID QUARTER SECTION LINE, S00°29'45" W , 1260.00 FEET TO A POINT IN THE CENTER OF OAKLAND GRAVEL ROAD; THENCE LEAVING SAID QUARTER SECTION LINE AND FOLLOWING SAID CENTER LINE, S19°34'50" W, 225.37 FEET; THENCE LEAVING SAID CENTER LINE, S 64°18'30" W, 244.54 FEET; THENCE N84°07'30" W , 448.02 FEET; THENCE S04°27'35" W, 33.01 FEET TO A POINT IN THE CENTER OF OAKLAND GRAVEL ROAD; THENCE ALONG SAID CENTER LINE, N84°07'30" W, 642.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 126,605 SQUARE FEET.

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 _____, 2015.

ATTEST:

City Clerk

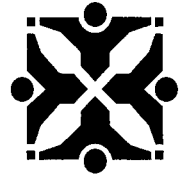
Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

City of Columbia

701 East Broadway, Columbia, Missouri 65201



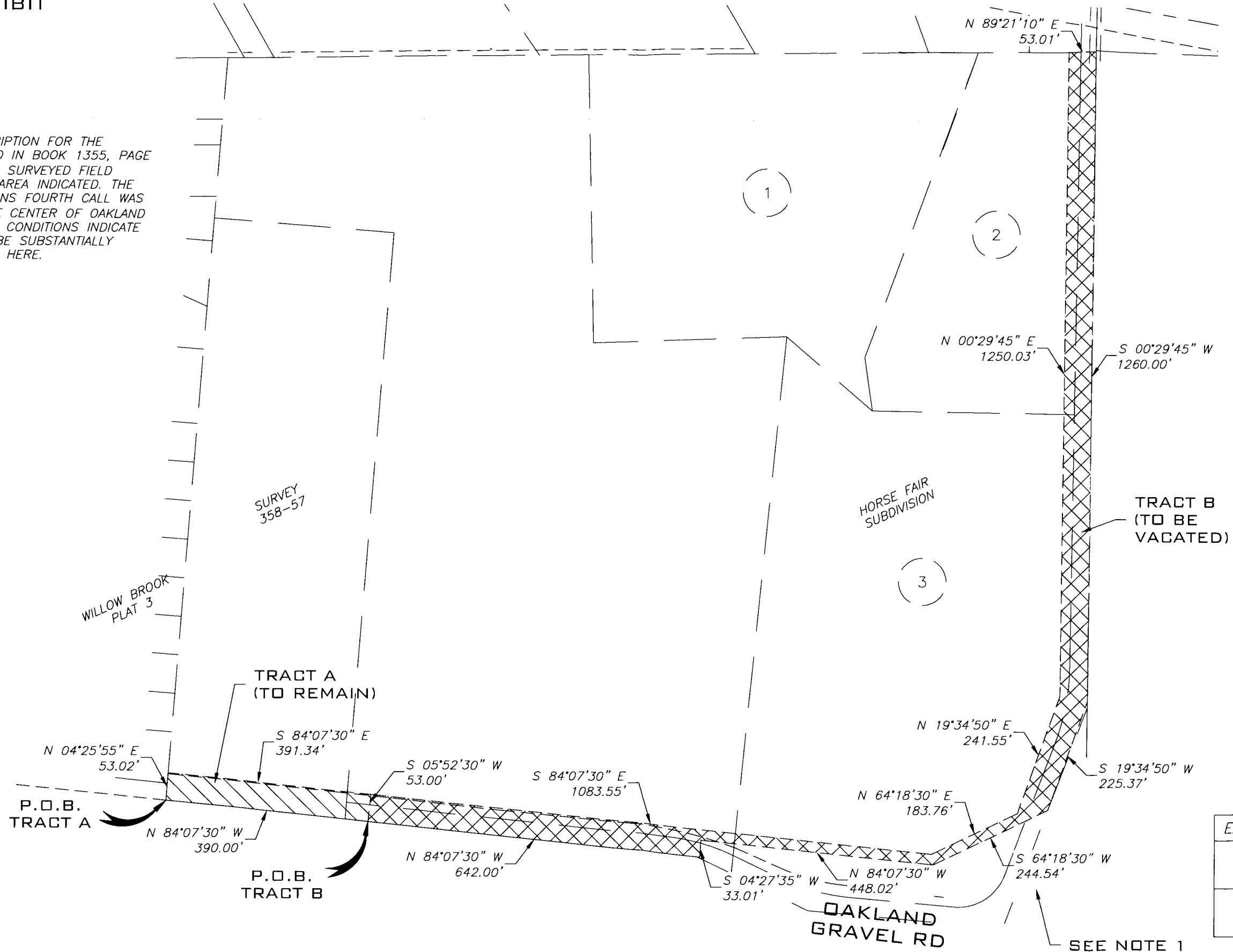
**SUPPORTING DOCUMENTS INCLUDED WITH
THIS AGENDA ITEM ARE AS FOLLOWS:**

Diagrams (construction, route, etc.)

DEBORAH BOOKER
WATER EASEMENT
VACATION EXHIBIT

NOTES:

1. THE ORIGINAL DESCRIPTION FOR THE EASEMENT RECORDED IN BOOK 1355, PAGE 383 DOESN'T MATCH SURVEYED FIELD CONDITIONS IN THE AREA INDICATED. THE ORIGINAL DESCRIPTIONS FOURTH CALL WAS FOR 320.00' TO THE CENTER OF OAKLAND GRAVEL ROAD. FIELD CONDITIONS INDICATE THIS CALL SHOULD BE SUBSTANTIALLY SHORTER AS SHOWN HERE.



EASEMENT INFORMATION	
TRACT B	126,605
TRACT A	20,700

