



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Parks and Recreation

To: City Council

From: City Manager & Staff

Council Meeting Date: February 15, 2016

Re: Easement Acquisition: Chapel Hill Connector to the County House Trail

## Executive Summary

The Parks and Recreation Department is requesting Council authorization to acquire an easement in order to construct a 6' wide concrete trail connecting an existing sidewalk along the west bound lane of Chapel Hill Road to the County House Trail. The proposed 200' trail was requested by the developer of the Face Rock Court neighborhood and will connect the Face Rock development, as well as future residential and commercial development in the area, to the County House Trail. The proposed route crosses one property owned by Central Missouri Land, LLC and on-going negotiations indicate that the owners are willing to donate the easement for the trail. In a Council Report, staff will seek Council approval for an Administrative Public Improvement Project of \$10,000 in order to construct the trail. This project will be funded by 2010 Park Sales Tax Annual Trails funds. It is anticipated that construction will begin in early spring 2016 and will be completed by summer.

## Discussion

After completion of the Rock Court neighborhood located on the west side of the County House Trail, the Parks and Recreation Department was contacted by the developer of the neighborhood about a possible trail connection to the County House Trail. Park staff met with Greg Bartels to discuss the location of 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 the Bartels property to provide the desired trail access. The connecting trail will provide access to the Face Rock Court neighborhood and future residential and commercial development to the west of the County House Trail.

After analyzing the property for the potential trail connector, staff determined that the department would need to acquire a permanent trail easement to construct the 200' concrete trail on privately-owned property. The property owner, Greg Bartels, met with staff and has had email correspondence with park staff since January 2015. Mr. Bartels is very receptive to the proposed trail on his property and is willing to work with the department for a possible donation of the easement. Allstate Consultants has prepared the necessary easement paperwork for the property and park staff has completed proposed plans for the location of the connector trail.



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In a separate Council Report, staff will seek Council authorization via the Administrative Public Improvement Project process to construct the trail using \$10,000 from the 2010 Park Sales Tax Annual Trails funds. Staff anticipates that the trail will be completed by summer 2016.

## Fiscal Impact

Short-Term Impact: Park staff is in negotiation with the property owner and believes that there is a strong possibility that the property owner will donate the trail easement.

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

## Vision & Strategic Plan Impact

### Vision Impacts:

Primary Impact: Parks, Recreation & Greenways, Secondary Impact: Transportation, Tertiary Impact: Tertiary

### Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

### Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Infrastructure

## Legislative History

Date	Action
05/18/2009	Ord #020279, Approve construction of County House Trail Phase I <a href="https://www.gocolumbiamo.com/ParksandRec/Council_Agenda_Items/documents/b122-09_county-house-trail.pdf">https://www.gocolumbiamo.com/ParksandRec/Council_Agenda_Items/documents/b122-09_county-house-trail.pdf</a>

## Suggested Council Action

Approve the ordinance authorizing the acquisition of an easement required for the construction of the Chapel Hill Road connector to the County House Trail.

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 41-16

### **AN ORDINANCE**

declaring the need to acquire a trail easement for construction of the Chapel Hill connector to the County House 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 a trail easement for construction of the Chapel Hill connector to the County House Trail, described as follows:

#### **CENTRAL MISSOURI LAND, L.L.C. TRAIL EASEMENT**

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4086, PAGE 147 AND ACROSS PART OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 1036, PAGE 89, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, WESTWOOD HILLS SUBDIVISION NO. 8 AS RECORDED IN PLAT BOOK 10, PAGE 25; THENCE WITH THE EAST LINE OF SAID SUBDIVISION, N 1°39'35"E, 264.45 FEET TO THE

SOUTHEASTERLY CORNER OF ROCK VALLEY PLAT 1, RECORDED IN PLAT BOOK 29, PAGE 2; THENCE LEAVING SAID EAST LINE AND WITH THE SOUTHERLY LINES OF SAID ROCK VALLEY PLAT 1, N89°00'45"W, 93.08 FEET; THENCE N42°52'00"W, 112.26 TO THE WEST LINE OF COUNTY HOUSE BRANCH TRAIL EASEMENT #6 DESCRIBED BY THE SCENIC CONSERVATION BIKEWAY/WALKWAY EASEMENT RECORDED IN BOOK 3599, PAGE 192; THENCE LEAVING SAID SOUTHERLY LINE AND WITH SAID WEST LINE, S50°01'15"W, 70.92 FEET; THENCE S34°39'10"W, 125.58 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING S34°39'10"W, 5.56 FEET; THENCE S81°33'45"W, 41.97 FEET; THENCE LEAVING SAID WEST LINE, N77°42'00"W, 21.09 FEET; THENCE 18.55 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S84°35'25"W, 18.25 FEET; THENCE S66°52'50"W, 9.51 FEET; THENCE 24.49 FEET ALONG A 35.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S86°55'40"W, 24.00 FEET; THENCE N73°01'30"W, 13.34 FEET; THENCE 25.82 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S82°18'50"W, 25.03 FEET; THENCE S57°39'15"W, 19.09 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CHAPEL HILL ROAD AS SHOWN BY SAID SURVEY RECORDED IN BOOK 1036, PAGE 89; THENCE WITH SAID RIGHT-OF-WAY LINE, N43°51'55"W, 20.41 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, N57°39'15"E, 23.17 FEET; THENCE 43.04 FEET ALONG A 50.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N82°18'50"E, 41.72 FEET; THENCE S73°01'30"E, 13.34 FEET; THENCE 10.50 FEET ALONG A 15.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N86°55'40"E, 10.28 FEET; THENCE N66°52'50"E, 9.51 FEET; THENCE 30.91 FEET ALONG A 50.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N84°35'25"E, 30.42 FEET; THENCE S77°42'00"E, 62.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,335 SQ. FT.).

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation or by the exercise of the power of eminent domain as set forth in Section 4 hereof.

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 \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
City Clerk

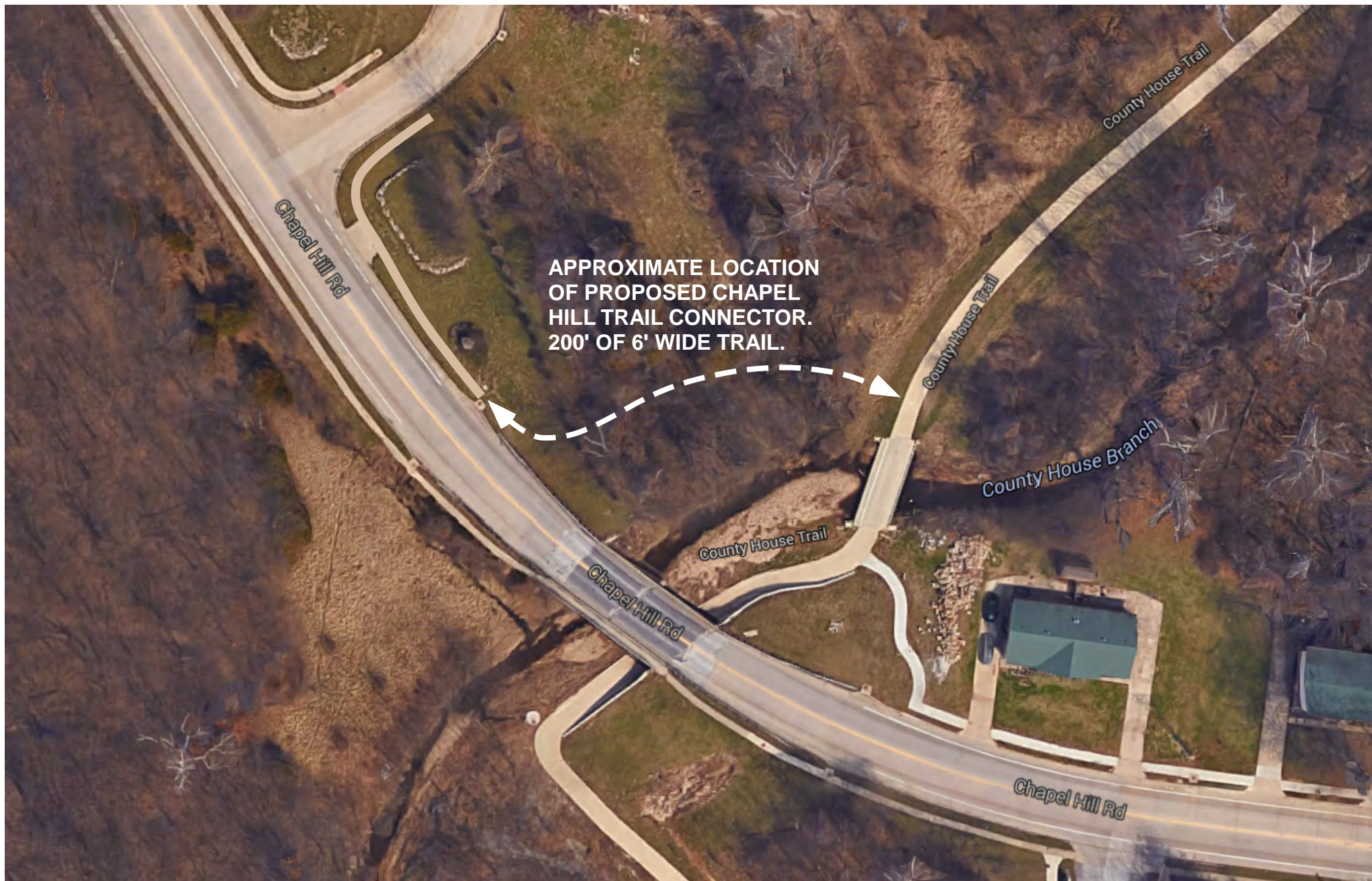
\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

SUPPORTING  
DOCUMENTS FOR  
THIS AGENDA ITEM





**CHAPEL HILL CONNECTOR TO THE  
COUNTY HOUSE TRAIL 2-15-2016**