

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 184-12

AN ORDINANCE

approving the Final Plat of The Gates Plat 1, a major subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; 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 hereby approves the Final Plat of The Gates Plat 1, dated June 1, 2012, a major subdivision located on the south side of Old Plank Road, southwest of the Route K and Old Plank Road intersection, containing approximately 18.29 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with Cherokee Valley Farms in connection with the approval of the Final Plat of The Gates Plat 1. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2012.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this _____ day of _____, 2012 between the City of Columbia, MO ("City") and Cherokee Valley Farms ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of The Gates, Plat 1, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.
2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.
3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until all utilities and improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.
4. No occupancy permit shall be issued to Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.
5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by City in collecting amounts owed by Subdivider under this paragraph.
6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.
7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.

8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.

9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHEREOF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

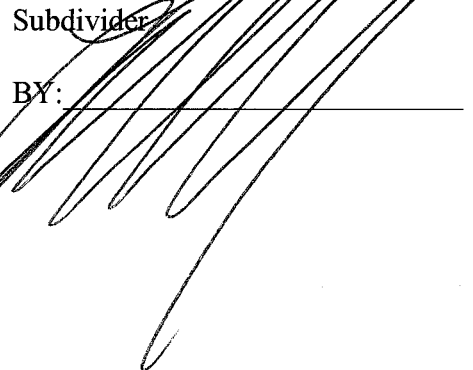
BY: _____
Mike Matthes, City Manager

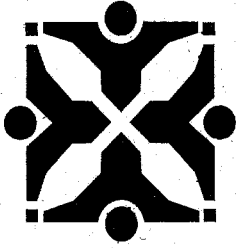
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

Subdivider _____
BY: _____




Source: Community Development - Planning ^{TT}

Agenda Item No:

To: City Council
From: City Manager and Staff ^{MM}

Council Meeting Date: Aug 6, 2012

Re: The Gates, Plat 1 final major plat (**Case #12-91**)

EXECUTIVE SUMMARY:

A request by A Civil Group, on behalf of Cherokee Valley Farms, LLC, for a 30-lot, final major plat to be known as "The Gates, Plat 1." The 18.29-acre site is located on Old Plank Road, 1000 feet southwest of the Route K and Old Plank Road intersection. (**Case #12-91**)

DISCUSSION:

The applicant requests a 30-lot (including common lots; 26 buildable lots) final plat. The site received preliminary plat approval in 2005. This final plat encompasses the eastern entrance to the property on Old Plank Road. A final plat was submitted in 2006 for the area, but was withdrawn before receiving approval. The site is not subject to current Chapter 12A requirements, as the preliminary plat was approved before the standards were enacted.

The plat has been reviewed by City and external departments and agencies and complies with subdivision regulations.

Locator maps and a copy of the plat are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

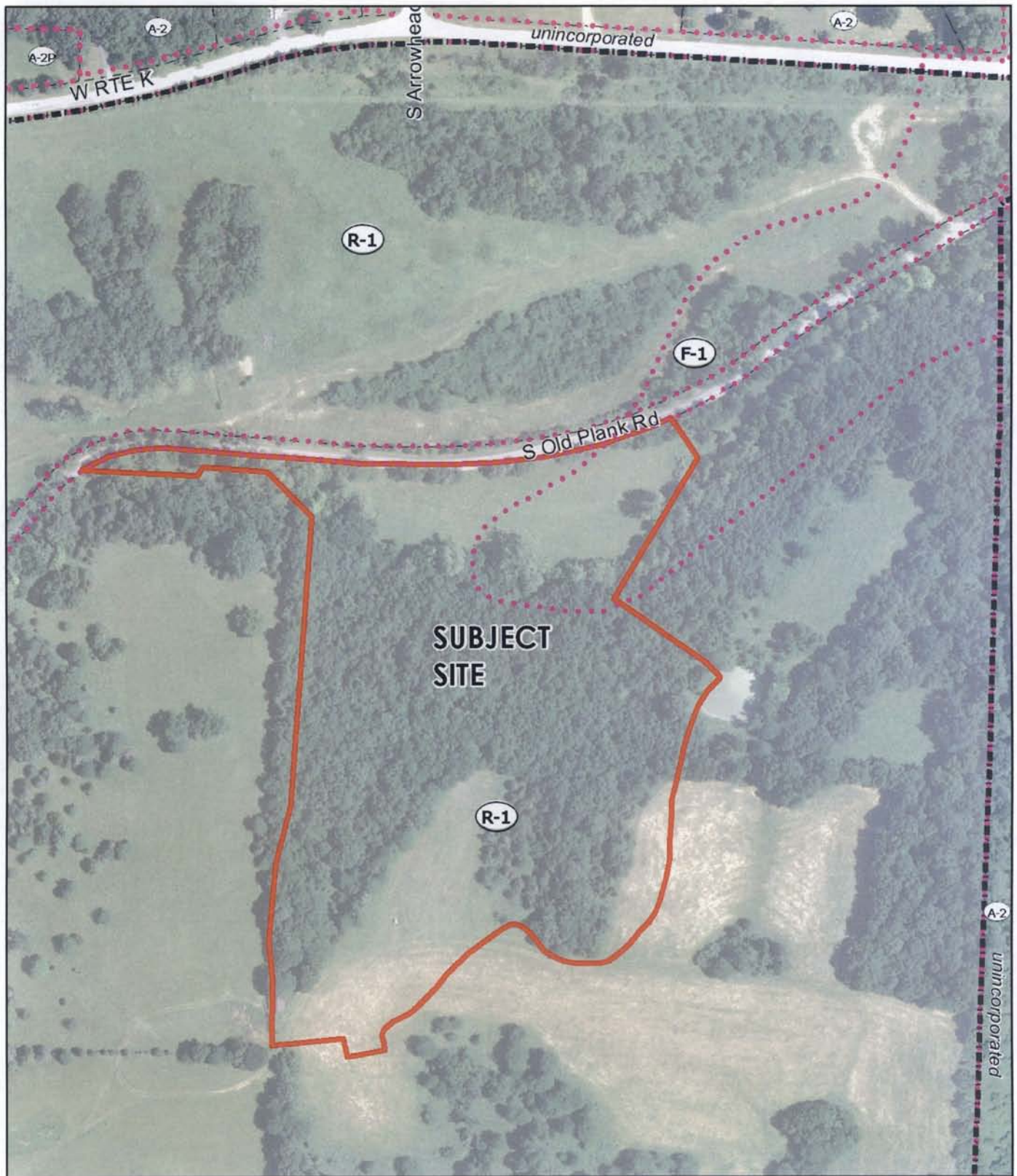
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Approval of the final plat.

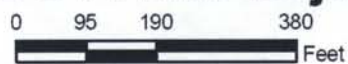
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
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



The Gates, Plat 1
Case 12-91 Final Major Plat

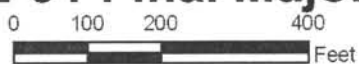


Aerial Image 2007

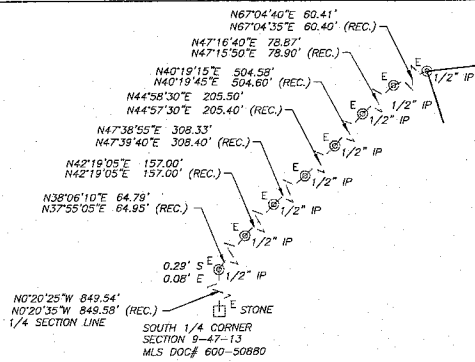


1 inch represents 250 feet

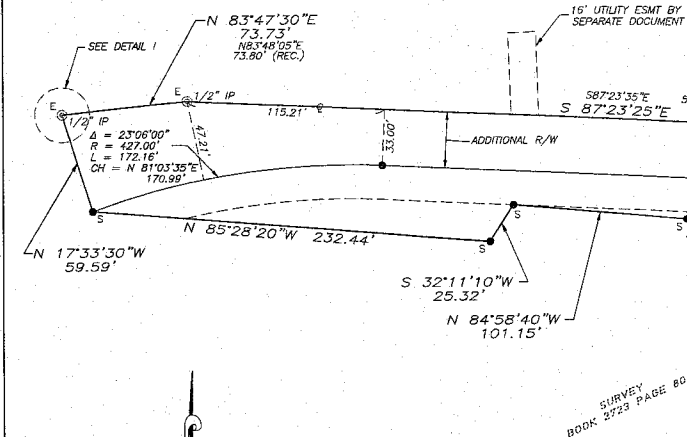




FILED FOR RECORD, BOONE COUNTY MISSOURI
BETHE JOHNSON, RECORDER OF DEEDS



DETAIL I



FLOOD PLAIN STATEMENT

A PORTION OF THIS TRACT IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN AS SHOWN BY THE FEMA FLOOD PLAIN MAPS. FIRM MAP NUMBER 28019003350. DATED: MARCH 17, 2011.

LEGEND

- IRON PIPE CAP #2001006115
- EXISTING
- SET
- PM, PERMANENT MONUMENT
- RADIAL LINE
- RECORD
- DH, DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10,000 SQUARE FEET
- 1.50 ACRES
- STONE
- IP, IRON PIPE
- C100 CURVE NUMBER

NOTES

- THIS IS AN URBAN CLASS SURVEY.
- PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
- ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
- RECORD TITLE INFORMATION FOR THIS SURVEY WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, COMMITMENT NUMBER 0511282, DATED APRIL 12, 2005.
- THIS TRACT MAY BE SUBJECT TO AN ELECTRIC EASEMENT, GRANTED TO BOONE COUNTY COOPERATIVE ELECTRIC ASSOCIATION, DATED SEPTEMBER 16, 1937 AND RECORDED IN BOOK 218, PAGE 171 OF THE BOONE COUNTY RECORDS.
- SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.
- THIS TRACT IS NOT SUBJECT TO THE REQUIREMENTS OF ARTICLE X OF CHAPTER 12A OF THE COLUMBIA CODE OF ORDINANCE BECAUSE IT WAS SHOWN ON A PRELIMINARY PLAT PRIOR TO JANUARY 2, 2007.

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS ____ DAY OF ____, 2012.

ROBERT MCDAVID, MAYOR

SHEELA AMIN, CITY CLERK

KNOW ALL MEN BY THESE PRESENTS

CHEROKEE VALLEY FARMS, LLC BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, CHEROKEE VALLEY FARMS, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA, FOREVER.

OLD PLANK ROAD, BRILEY DRIVE, BUCKY ROAD, STORY DRIVE, THOR DRIVE, AND LEATHERS DRIVE ARE HEREBY DEDICATED FOR PUBLIC USE FOREVER.

CHEROKEE VALLEY FARMS, LLC

LARRY POTTERFIELD, MEMBER

MATCH-LINE

MATCH-LINE

(SEE SHEET 2 OF 2)

STATE OF MISSOURI }
COUNTY OF BOONE } SS

ON THIS ____ DAY OF ____, IN THE YEAR 2012, BEFORE ME, SPENCER HASKAMP, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED ____ KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

SPENCER HASKAMP

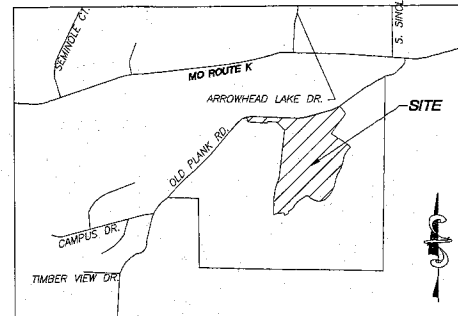
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 15, 2012.

FINAL PLAT

THE GATES PLAT 1

MAJOR SUBDIVISION

06/01/12



LOCATION MAP

NOT TO SCALE

CERTIFICATION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 47 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF THE TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 2749, PAGE 26, AND SHOWN BY THE SURVEY IN BOOK 2723, PAGE 80, ALL OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SURVEY RECORDED IN BOOK 2723, PAGE 80, THENCE S59°48'20"W, 281.45 FEET, THENCE S53°49'00"W, 206.20 FEET, THENCE S52°38'35"W, 167.96 FEET TO THE POINT OF BEGINNING; THENCE S37°21'25"E, 118.88 FEET, THENCE S35°50'50"W, 288.80 FEET, THENCE S35°43'40"E, 235.59 FEET, THENCE S43°11'07"E, 50.00 FEET, THENCE ALONG A 300.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 193.27 FEET, SAID CURVE HAVING A CHORD S27°55'30"W, 189.84 FEET, THENCE ALONG A 350.00-FOOT RADIUS CURVE TO THE RIGHT 138.70 FEET, SAID CURVE HAVING A CHORD S20°39'30"W, 133.83 FEET, THENCE ALONG A 325.00-FOOT RADIUS CURVE TO THE LEFT 132.83 FEET, SAID CURVE HAVING A CHORD S20°39'30"W, 131.91 FEET, THENCE ALONG A 350.00-FOOT RADIUS CURVE TO THE RIGHT 234.19 FEET, SAID CURVE HAVING A CHORD S27°35'55"W, 229.85 FEET, THENCE ALONG A 125.00-FOOT RADIUS CURVE TO THE RIGHT 118.71 FEET, SAID CURVE HAVING A CHORD S23°38'30"W, 114.30 FEET, THENCE ALONG A 200.00-FOOT RADIUS CURVE TO THE RIGHT 125.54 FEET, SAID CURVE HAVING A CHORD N60°51'55"W, 123.22 FEET, THENCE ALONG A 20.00-FOOT RADIUS CURVE TO THE LEFT 27.30 FEET, SAID CURVE HAVING A CHORD N82°00'40"W, 25.23 FEET, THENCE S38°33'30"W, 51.19 FEET, THENCE ALONG A 325.00-FOOT RADIUS CURVE TO THE LEFT 152.73 FEET, SAID CURVE HAVING A CHORD S49°25'40"W, 151.33 FEET, THENCE ALONG A 125.00-FOOT RADIUS CURVE TO THE RIGHT 74.58 FEET, SAID CURVE HAVING A CHORD S49°03'15"W, 73.46 FEET, THENCE ALONG A 20.00-FOOT RADIUS CURVE TO THE LEFT 30.95 FEET, SAID CURVE HAVING A CHORD S21°48'40"W, 27.95 FEET, THENCE ALONG A 175.00-FOOT RADIUS CURVE TO THE LEFT 6.04 FEET, SAID CURVE HAVING A CHORD S23°30'30"E, 6.04 FEET, THENCE S35°30'10"W, 50.00 FEET, THENCE ALONG A 225.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 33.99 FEET, SAID CURVE HAVING A CHORD N20°10'10"W, 33.96 FEET, THENCE S32°11'15"W, 75.07 FEET, THENCE S74°13'00"W, 48.54 FEET, THENCE N03°28'50"E, 116.84 FEET, THENCE N08°25'50"W, 52.52 FEET, THENCE N11°04'50"E, 156.70 FEET, THENCE N18°58'55"E, 140.21 FEET, THENCE N08°27'10"E, 577.12 FEET, THENCE N42°28'15"W, 38.78 FEET, THENCE N48°36'40"W, 101.15 FEET, THENCE S32°11'10"W, 25.32 FEET, THENCE N85°28'20"W, 232.44 FEET, THENCE N17°33'30"W, 59.59 FEET, THENCE N87°47'30"E, 73.73 FEET, THENCE S87°23'25"E, 556.83 FEET, THENCE N82°26'20"E, 89.52 FEET, THENCE N74°23'20"E, 325.08 FEET, THENCE N62°36'50"E, 96.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 18.29 ACRES.

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY
A CIVIL GROUP, LLC
CORPORATE NUMBER
2001006115

CHRISTOPHER M. SANDER L.S. 2003013178

DATE

STATE OF MISSOURI }
COUNTY OF BOONE } SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY OF ____, 2012.

SPENCER HASKAMP

NOTARY PUBLIC MY
COMMISSION EXPIRES
JULY 15, 2012.



A CIVIL GROUP

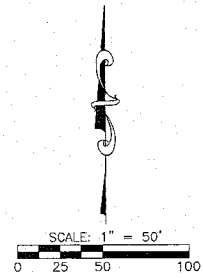
CIVIL ENGINEERING, PLANNING, SURVEYING
1401 BEDFORDWAY BUSINESS PARK COURT
SUITE 105
COLUMBIA, MO 65209
PHONE: (573) 891-5750, FAX: (573) 891-1071

Plotted by: chris; Jul 13 2012 -- 9:12am

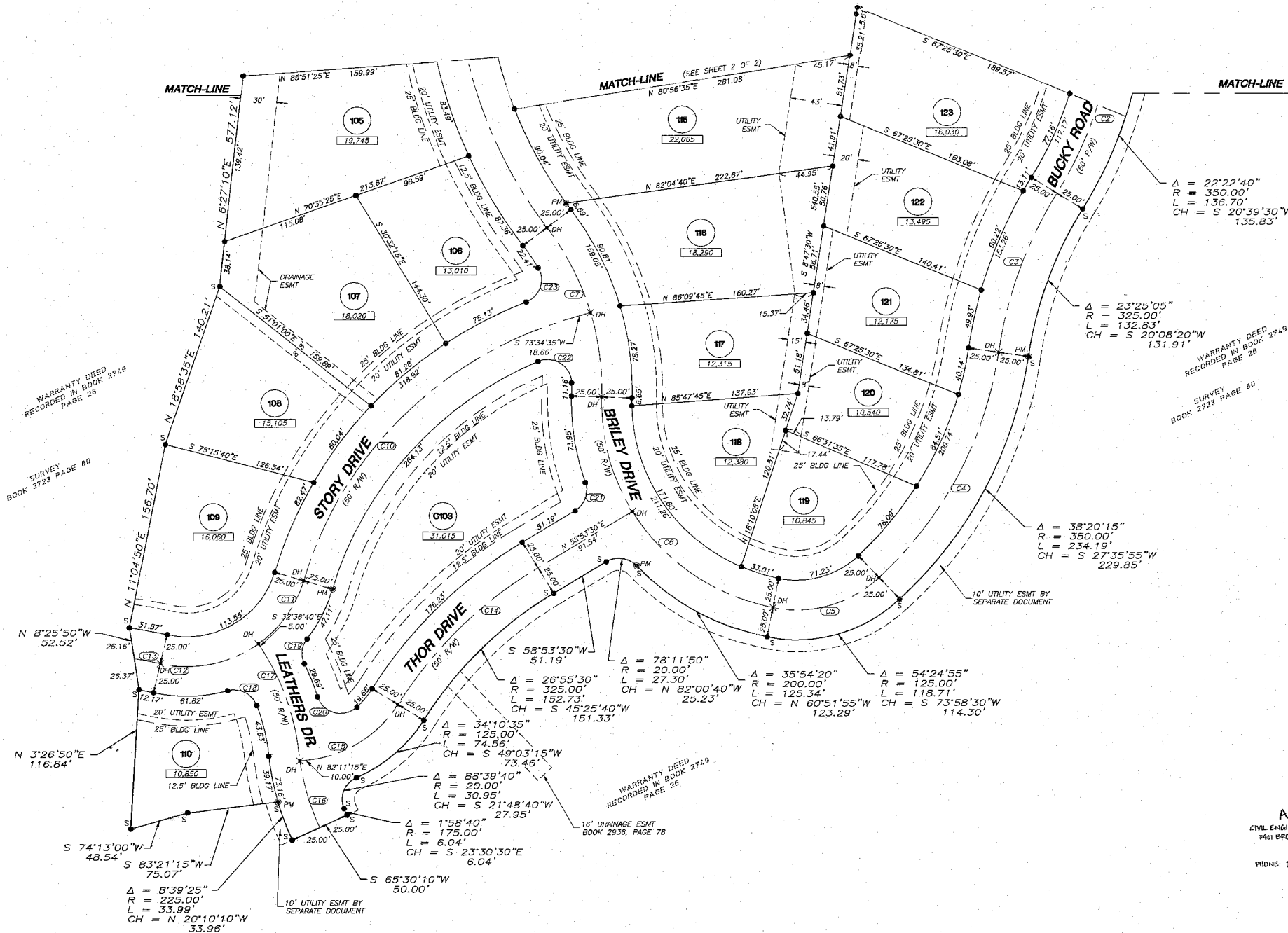
FINAL PLAT
THE GATES PLAT 1
MAJOR SUBDIVISION
06/01/12

LEGEND

- IRON PIPE CAP #2001006115
- EXISTING
- S SET
- PM, PERMANENT MONUMENT
- (R) RADIAL LINE
- REC RECORD
- ✕ DH, DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10,000 SQUARE FEET
- 1.30 ACRES
- STONE
- ⊙ IP, IRON PIPE
- (CT#) CURVE NUMBER



BEARINGS ARE REFERENCED TO THE SOUTH
LINE OF SECTION 9, TOWNSHIP 47 NORTH,
RANGE 13 WEST, AS PER THE SURVEY
RECORDED IN BOOK 2446, PAGE 41.
BEARING = N88°43'25"W



CURVE TABLE					
NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH
C1-E	325.00	209.37	36°54'40"	S 27°55'30" W	205.77
C2-E	325.00	126.94	22°22'40"	S 20°38'30" W	126.13
C3-E	350.00	143.05	23°25'05"	S 20°08'20" W	142.06
C4-E	325.00	217.46	38°20'15"	S 27°35'55" W	213.43
C5-E	100.00	94.97	54°24'55"	S 73°58'30" W	91.44
C6-E	175.00	246.47	80°41'45"	N 38°28'10" W	226.60
C7-E	225.00	152.18	38°49'55"	N 17°29'50" W	149.29
C8-E	375.00	776.55	118°38'50"	N 22°27'00" E	645.05
C9-E	100.00	186.97	97°23'05"	N 33°04'55" E	150.24
C10-E	325.00	324.02	57°07'25"	S 45°00'55" W	310.77
C11-E	100.00	66.33	38°00'15"	S 39°27'20" W	63.12
C12-E	100.00	85.07	48°44'30"	S 78°49'40" W	82.53
C13-E	325.00	21.90	03°51'40"	N 78°43'55" W	21.90
C14-E	350.00	164.48	26°55'30"	S 45°25'40" W	162.97
C15-E	100.00	87.65	50°13'20"	S 57°04'35" W	84.88
C16-E	200.00	65.03	18°37'50"	N 15°11'00" W	64.75
C17-E	200.00	93.35	26°44'35"	N 19°14'20" W	92.51
C18	20.00	26.67	84°59'10"	N 62°38'45" W	27.02
C19	20.00	22.05	63°10'00"	S 06°27'55" W	20.95
C20	20.00	40.30	115°26'25"	N 75°16'45" W	33.82
C21	20.00	27.30	78°11'50"	N 19°47'35" E	25.23
C22	20.00	39.02	111°46'50"	N 57°12'40" W	33.12
C23	20.00	34.60	99°06'50"	N 19°06'10" E	30.44
C24	30.00	82.16	156°54'40"	S 27°08'20" E	58.79
C25	30.00	39.01	74°30'35"	N 37°08'00" E	36.32

SURVEY AND PLAT BY
A CIVIL GROUP, LLC
CORPORATE NUMBER
2001006115

CHRISTOPHER M. SANDER L.S. 2003013178

DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY
OF ____ 2012.

SPENCER HASKAMP

NOTARY PUBLIC MY
COMMISSION EXPIRES
JULY 15, 2015.



A CIVIL GROUP
CIVIL ENGINEERING, PLANNING, SURVEYING
7401 BRIDGEMAN BUSINESS PARK COURT
SUITE 105
COLUMBIA, MO 65208
PHONE: (573) 891-5150, FAX: (573) 891-1071

Plotted by: chris; Jul 13 2012 - 9:44am