

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

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

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

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

Council Bill No. B 217-12

### **AN ORDINANCE**

approving the Final Plat of Red Oak South, Plat No. 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 Red Oak South, Plat No. 1, dated July 2, 2012, a major subdivision located on the south side of Grindstone Parkway, across from the intersection of Grindstone Parkway and Grindstone Plaza Drive, containing approximately 25.30 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 Red Oak Investment Co., Inc. in connection with the approval of the Final Plat of Red Oak South, Plat No. 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:

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City Counselor

## PERFORMANCE CONTRACT

This contract is entered into on this day \_\_\_\_ of \_\_\_\_\_, 2012 between the City of Columbia, MO ("City") and **Red Oak Investment Co., Inc.** ("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 **Red Oak South, Plat No. 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 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 the 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 the 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 WHERE OF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: \_\_\_\_\_  
Mike Matthes, City Manager

ATTEST:

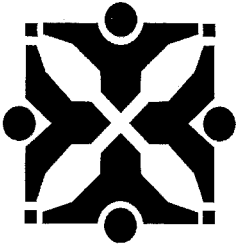
\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Fred Boeckmann, City Counselor

Subdivider

BY: Jed Stephens



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Aug 20, 2012

Re: Red Oak South, Plat No. 1 - final major plat (Case 12-104)

**EXECUTIVE SUMMARY:**

A request by Red Oak Investment Co. (owner) for approval of a nine lot final major plat to be known as Red Oak South, Plat No. 1. The 25.3-acre subject site is located on the south side of Grindstone Parkway, across from the intersection of Grindstone Parkway and Grindstone Plaza Drive. (Case #12-104)

**DISCUSSION:**

The applicant is requesting approval of a nine-lot plat on C-P (Planned Business District) zoned land. The proposed plat is consistent with the preliminary plat of Red Oak South, which was approved by Council on August 6.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat, and performance contracts are attached.

**FISCAL IMPACT:**

None

**VISION IMPACT:**

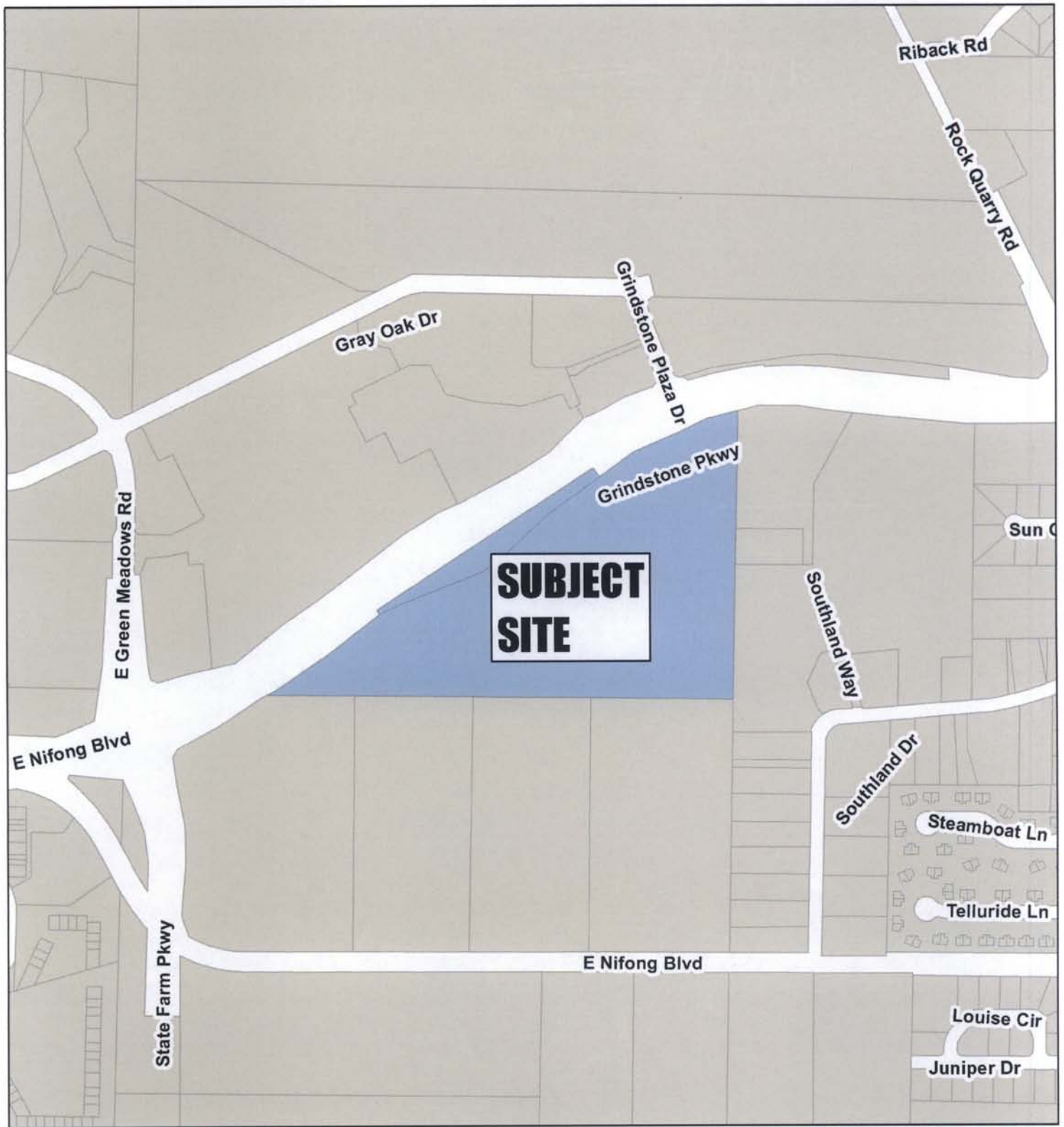
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

**SUGGESTED COUNCIL ACTIONS:**

Approval of the proposed final major 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/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?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA



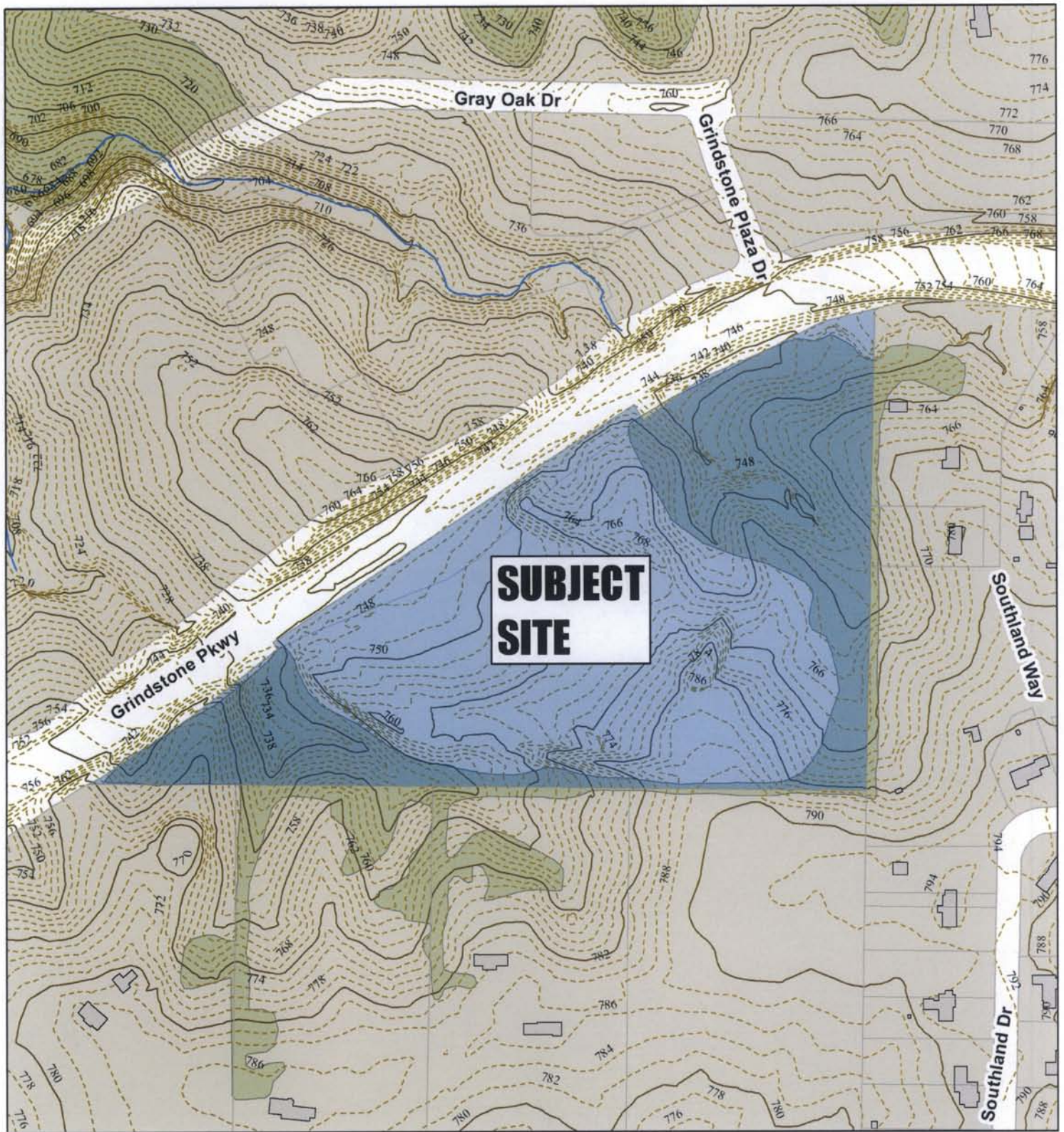
**Case 12-104 Red Oak South, Plat No. 1**  
**Final Major Plat**



0 250 500 1,000  
Feet







**Case 12-104 Red Oak South, Plat No. 1**  
**Final Major Plat**



0 250 500  
Feet

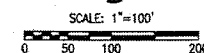
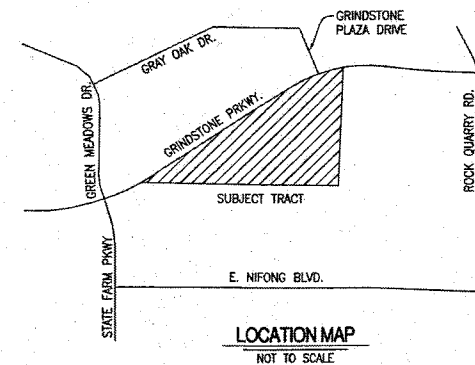




FINAL PLAT  
RED OAK SOUTH, PLAT NO. 1

A MAJOR SUBDIVISION LOCATED IN THE NW 1/4 OF THE  
SW 1/4 SECTION 30, TOWNSHIP 48 NORTH, RANGE 12  
WEST, COLUMBIA, BOONE COUNTY, MISSOURI  
JULY 2, 2012

CURVE TABLE				
CURVE	L	R	Δ	CHDIST
A	318.19'	233.00'	78°14'35"	294.03'
B	276.06'	283.00'	55°53'30"	265.25'
AA	36.38'	30.00'	69°28'30"	34.19'
BB	47.12'	30.00'	90°00'05"	42.43'
CC	49.80'	30.00'	95°07'15"	44.28'
DD	44.44'	30.00'	84°52'45"	40.49'



BEARINGS ARE REFERENCED TO GRID  
NORTH, OF THE MISSOURI STATE PLANE  
COORDINATE SYSTEM (CENTRAL ZONE),  
OBTAINED FROM GPS OBSERVATION.

LEGEND:

- E EXISTING
- S SET
- 1/2" IRON PIPE  
(UNLESS NOTED OTHERWISE)
- Δ RIGHT-OF-WAY MARKER
- PERMANENT MONUMENT
- DH x DRILL HOLE
- (REC) RECORDED DISTANCE
- (M) MEASURED DISTANCE
- P.O.B. POINT OF BEGINNING

CERTIFICATION:

I HEREBY CERTIFY THAT IN JUNE 2012, I COMPLETED A SURVEY FOR RED OAK INVESTMENT CO., INC. OF A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 2833, PAGE 2, AND THE QUIT-CLAIM DEED RECORDED IN BOOK 2927, PAGE 145, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

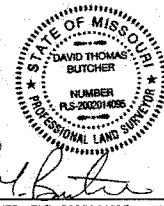
BEGINNING AT THE NORTHEAST CORNER OF BOONE COUNTY SURVEY #7811, AND WITH THE NORTH LINE AND THE NORTH LINE EXTENDED OF SAID SURVEY, N 88°52'00"W, 1779.29 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROUTE AC; THENCE LEAVING SAID NORTH LINE AND WITH SAID SOUTH RIGHT-OF-WAY LINE, N 63°27'05"E, 14.67 FEET; THENCE N 56°15'50"E, 246.08 FEET; THENCE N 52°27'05"E, 246.85 FEET TO THE WEST LINE OF THE TRACT OF LAND DESCRIBED IN SAID QUIT-CLAIM DEED RECORDED IN BOOK 2927, PAGE 145; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND WITH THE LINES OF SAID QUIT-CLAIM DEED, N 32°58'25"W, 19.68 FEET; THENCE N 57°01'35"E, 984.63 FEET; THENCE S 32°58'25"E, 40.80 TO SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROUTE AC; THENCE LEAVING THE LINES OF SAID QUIT-CLAIM DEED AND WITH SAID SOUTH RIGHT-OF-WAY LINE, N 54°08'05", 160.57 FEET; THENCE N 67°00'25"E, 154.48 FEET; THENCE N 63°39'35", 150.94 FEET; THENCE N 76°15'55"E, 149.29 FEET TO THE WEST LINE OF BOONE COUNTY SURVEY #7796; THENCE LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE ROUTE AC AND WITH THE WEST LINE OF SAID SURVEY, S 17°17'00"W, 1104.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.30 ACRES.

THIS SURVEY WAS MADE IN CONFORMANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKETT ENGINEERING CONSULTANTS, LLC  
2608 NORTH STADIUM BLVD.  
COLUMBIA, MO 65202

CORPORATE NUMBER: 2000151304



DAVID T. BUTCHER, PLS-2002014095

8/2/2012  
DATE

STATE OF MISSOURI ) SS  
COUNTY OF BOONE )

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 2012.

NATHAN T. ECKHOFF ) NOTARY PUBLIC  
MY COMMISSION EXPIRES  
JANUARY 25, 2013  
COMMISSION # 09736905

KNOW ALL MEN BY THESE PRESENTS:

THAT RED OAK INVESTMENT CO., INC. IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID CORPORATION HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ABOVE DRAWING IS HEREBY DEDICATED TO THE PUBLIC USE FOREVER. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "RED OAK SOUTH, PLAT NO. 1"

IN WITNESS WHEREOF, RED OAK INVESTMENT CO., INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS PRESIDENT THIS \_\_\_\_ DAY OF \_\_\_\_, 2012.

RED OAK INVESTMENT CO., INC.

HUGH E. STEPHENSON, JR., PRESIDENT

STATE OF MISSOURI ) SS  
COUNTY OF BOONE )

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 2012.

NATHAN T. ECKHOFF ) NOTARY PUBLIC  
MY COMMISSION EXPIRES  
JANUARY 25, 2013  
COMMISSION # 09736905

NOTES:

- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI STATUTE 20 CSR 2030-16.040 SECTION (2)(A).
- A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
- PART OF THIS TRACT IS LOCATED WITHIN THE TYPE 2 STREAM BUFFER AS DETERMINED BY THE USGS MAP FOR COLUMBIA QUADRANGLE, BOONE COUNTY, MISSOURI AND ARTICLE X OF CHAPTER 12A OF THE CITY OF COLUMBIA CODE OF ORDINANCES.
- LOTS 1 THROUGH 7 WILL NOT BE ALLOWED DIRECT ACCESS ONTO GRINDSTONE PARKWAY.
- OFFSETS FOR STATE ROUTE AC ARE SHOWN IN FEET. THE DIMENSIONS HAVE BEEN CONVERTED FROM METRIC AS SHOWN ON THE PLANS AND DEEDS. THE CONVERSION USED IS (3.2808 FEET=1 METER).
- THERE SHALL BE NO DIRECT ACCESS FROM LOT 7 TO GRINDSTONE PLAZA DRIVE AND GRINDSTONE PARKWAY. LOT 9 IS INTENDED TO BE GRANTED AS SHARED ACCESS.

FLOOD PLAIN STATEMENT:

THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY THE FLOOD MAP PANEL NUMBER 29019C0290D, DATED MARCH 17, 2011.

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS \_\_\_\_ DAY OF \_\_\_\_, 2012.

ROBERT MCDONALD, MAYOR

SHEELA AMIN, CITY CLERK