

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 304-12

AN ORDINANCE

declaring the need to acquire easements for construction of the Ash Street and Hubbell Street storm water management project; 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 easements for construction of the Ash Street and Hubbell Street storm water management project described as follows:

BOONE COUNTY GROUP HOMES
PERMANENT DRAINAGE EASEMENT
Parcel: 17-117-00-00-011.00 01

A TRACT OF LAND LOCATED IN SECTION 7, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF PARCEL 6 DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1368, PAGE 285 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH RIGHT-OF-WAY LINE OF ASH STREET, AT THE NORTHEAST CORNER OF PARCEL 6 AS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1368, PAGE 285, THENCE WITH THE EAST LINE OF SAID PARCEL, S 0°13'55"W, 179.22 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE WITH THE SOUTH LINE OF SAID PARCEL, N 89°13'40"W, 33.43; THENCE LEAVING SAID SOUTH LINE, N 45°53'00"E, 13.00 FEET; THENCE N 1°29'45"E, 170.13 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ASH STREET; THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE, S 88°59'15"E, 20.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 4050 SQ. FT.

BOONE COUNTY GROUP HOMES
TEMPORARY CONSTRUCTION EASEMENT
Parcel: 17-117-00-00-011.00 01

A TRACT OF LAND LOCATED IN SECTION 7, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF PARCEL 6 DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1368, PAGE 285 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH RIGHT-OF-WAY LINE OF ASH STREET, AT THE NORTHEAST CORNER OF PARCEL 6 AS DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1368, PAGE 285, THENCE WITH THE EAST LINE OF SAID PARCEL, S 0°13'55"W, 179.22 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WITH THE SOUTH LINE OF SAID PARCEL, N 89°13'40"W, 38.00; THENCE LEAVING SAID SOUTH LINE, N 0°13'55"E, 154.38 FEET; THENCE N 88°59'15"W, 29.00 FEET; THENCE N 0°13'55"E, 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LANE OF ASH STREET; THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE, S 88°59'15"E, 67.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 7538 SQ. FT.

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 _____, 2012.

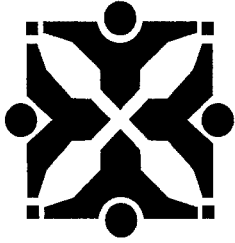
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Public Works

Jah

Agenda Item No:

To: City Council

From: City Manager and Staff

MM

Council Meeting Date: Nov 5, 2012

Re: Easement Acquisition for Ash Street and Hubbell Street Stormwater Management Project

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an Ordinance authorizing the acquisition of easements for the construction of the Ash Street and Hubbell Street stormwater management project. This project will involve constructing approximately 460 linear feet of 54-inch to 60-inch storm drain along with the necessary junctions and transitions. The storm system will run from 200 feet south of Ash Street, near College Avenue (in front of Boone Family Resources) to the intersection of Ash and Hubbell Streets. A public hearing is being held on November 5, 2012.

DISCUSSION:

The Ash Street and Hubbell Street stormwater management project has been identified as a potential CIP project for several years. The existing storm system is undersized and antiquated, and the Boone Family Resources building was built over it which makes the system difficult to maintain or replace. The stormwater project was approved as part of a development agreement when properties on Walnut Street were rezoned on June 18, 2012. In order to construct the storm system, one (1) permanent drainage easement and one (1) temporary construction easement will be required.

FISCAL IMPACT:

The estimated cost for the project is \$150,000, and funds were transferred from the Street Division Snow Removal account per Resolution 85-12. The project is expected to reduce maintenance burden and cost for the Stormwater Utility.

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing the acquisition of easements for the construction of the Ash Street and Hubbell Street stormwater management project.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$11,021.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$155,000.00	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 #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



 Permanent Drainage Easement
 Temporary Construction Easement

St. Joseph St

Ash Street

54" to 60" Storm Drain

1208

Owner:
Boone County
Group Homes

SIDEWALK

PARKING LOT

TCE


PDE

TCE

Owner:
College and
Walnut LLC

54" to 60" Storm Drain

0 20 40 Feet
Scale

 **City of Columbia, Missouri**
Department of Public Works
College & Walnut to Hubbell
Easements Exhibit

Scale: as shown Dwn: J.K.M. Date: 10/05/12