

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 332-12

AN ORDINANCE

authorizing a right of use permit with Charity Baptist Church for the placement and maintenance of a directional sign in portions of the McKee Road and Clark Lane rights-of-way; 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 Manager is hereby authorized to execute a right of use permit with Charity Baptist Church for the placement and maintenance of a directional sign in portions of the McKee Road and Clark Lane rights-of-way. The form and content of the permit 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 2. 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

RIGHT OF USE PERMIT

KNOW ALL MEN BY THESE PRESENT that on this _____ day of _____, 20__ the City of Columbia, a municipal corporation, in consideration of the sum of ten dollars (\$10.00) and other considerations to it paid, does hereby permit **Charity Baptist Church** their heirs and/or assigns (hereinafter referred to as "Permittee") to enter upon the following described lands:

From the center line of station 85+00 of McKee Road approximately 85' East, and from the centerline of station 20+90 of Clark Lane approximately 60' north, located within City of Columbia right-of-way.

1. This permit is for the exclusive purpose of maintenance and placement of a four foot by eight foot directional sign in the right-of-way of McKee Road and Clark Lane.
2. Permittee will be responsible for the costs of any future repairs, maintenance or replacements which is the result from Permittee's use under this Right of Use Permit.
3. Prior to exercising its right granted herein, the Permittee shall present any future construction plans or diagrams locating the proposed sign and any components related to the system to the City Public Works Department and City Water and Light Department and any existing utility company using facilities located within the limits of the Permit.
4. Prior to exercising its right granted hereunder, Permittee agrees to obtain all necessary permits required by the City of Columbia pertaining to the future work being done in the right of way.
5. If the sign is abandoned, all rights herein granted shall cease and terminate and Permittee shall have no further right of interest therein except that, upon abandonment, Permittee remains responsible for all of Permittee's structures left in place and any costs to remove them or store them or to otherwise clean up the right of way.
6. If at any time construction, repair, modification or relocation of the sign or any utility existing in the right-of-way at the time this permit is granted, is necessary which would require the relocation of the sign or any of its components, the Permittee shall relocate the them at their expense.
7. The Permittee agrees by exercising its rights under this permit that if the sign or any of it's components is damaged in anyway, whether negligently or intentionally by the construction, repair, modification or relocation of any utility existing in the right of way at the time this permit is granted it will repair or replace the sign at their own cost and hold the City of Columbia harmless for any of the costs associated with the repair or replacement or any other costs associated with the damage to the facilities.
8. This permit shall remain in effect until canceled by the City of Columbia, which shall be obligated to notify Permittee six (6) months in advance of the cancellation.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be signed by its officers the day and year first written above.

City of Columbia, Missouri

By: _____

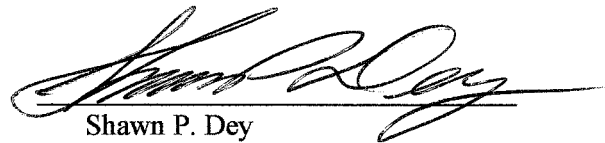
Mike Matthes
City Manager

Attest:

By: _____
Sheela Amin
City Clerk

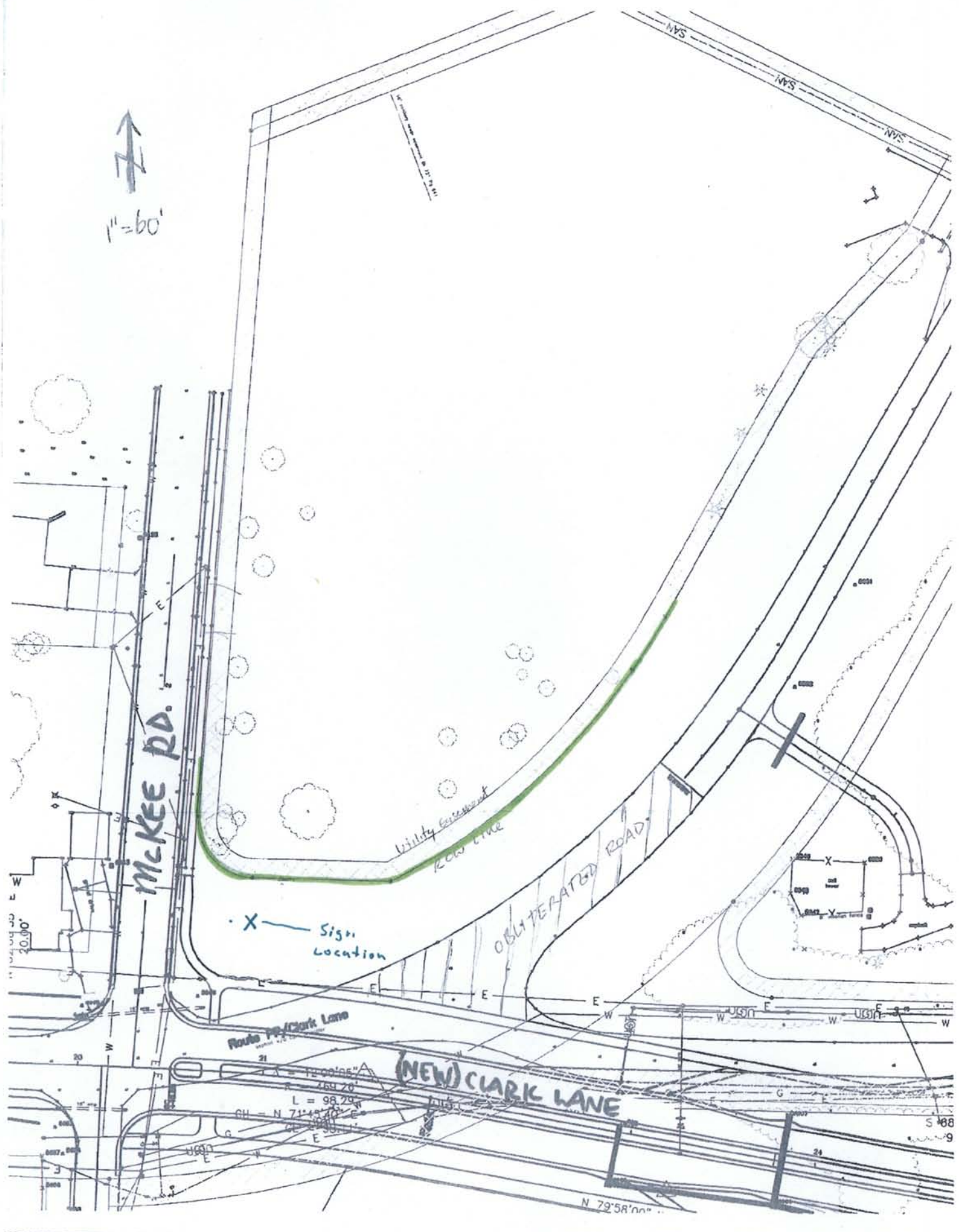
Approved as to form:

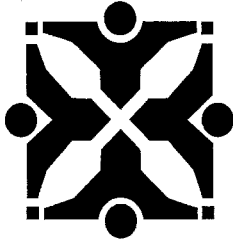
By: _____
Fred Boeckmann
City Counselor



Shawn P. Dey
Charity Baptist Church

↑
1" = 60'





Source: Public Works *Joh*

Agenda Item No:

To: City Council
From: City Manager and Staff *MM*

Council Meeting Date: Nov 19, 2012

Re: Right of Use Permit allowing Charity Baptist Church to Install and Maintain a Sign in a Portion of McKee Road and Clark Lane Right-of-Way

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute a Right of Use Permit with Charity Baptist Church to install and maintain a directional sign in a portion of McKee Road and Clark Lane right-of-way, owned by the City of Columbia. A diagram of the sign location is attached.

DISCUSSION:

Charity Baptist Church has proposed to install and maintain a four foot by eight foot directional sign in a portion of McKee Road and Clark Lane right-of-way. The right of use permit stipulates the responsibilities and duties of Charity Baptist Church and is similar to other right of use permits granted for street rights-of-way. The proposal has been reviewed by staff with no objection.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing the City Manager to execute a Right of Use Permit with Charity Baptist Church to install and maintain a sign in a portion of McKee Road and Clark Lane right-of-way

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 #	
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 #	

1" = 60'

McKEE RD.

Utility easement
ROW line

OBTERATED ROAD

X — Sign Location

Route 10/Clark Lane

(NEW) CLARK LANE

$\Delta = 12.00165^\circ$
 $L = 98.29$
 $CH = N 71^\circ 45' 40" E$
 $CE = 30.11$

N 79° 58' 00" ...

