Introdu	iced by		_
First Reading		Second Reading	
Ordinance No		Council Bill No.	<u>B 138-13</u>
	AN ORDII	NANCE	
accepting the authorizing a p	dedication of rig	Residences at Old Haghts-of-way and eastact; and fixing the tilective.	sements;
BE IT ORDAINED BY THE FOLLOWS:	COUNCIL OF T	HE CITY OF COLU	MBIA, MISSOURI, AS
SECTION 1. The City Old Hawthorne, dated April 1 clubhouse, north of Route V 9.33 acres in the City of Col directs the Mayor and City C	l, 2013, a subdivis VW and east of R Iumbia, Boone Co	ion located northwes olling Hills Road, co ounty, Missouri, and	ntaining approximately hereby authorizes and
SECTION 2. The City easements as dedicated upo		ccepts the dedication	of all rights-of-way and
SECTION 3. The Cit contract with Boone Develop The Residences at Old Ha substantially as set forth in "E set forth herein verbatim.	oment, Inc. in conr awthorne. The fo	nection with the approrm and content of	the contract shall be
SECTION 4. This ord passage.	dinance shall be	in full force and eff	ect from and after its
PASSED this	day of		_, 2013.
ATTEST:			
City Clerk		Mayor and Presidi	ng Officer

APPROVED AS TO FORM:
City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this day _	of	, 2013 between the City
of Columbia, MO ("City") and Boone Developn	nent, Inc. ("S	Subdivider").

City and Subdivider agree as follows:

- Subdivider shall construct, erect and install all improvements and utilities
 required in connection with the final plat of The Residences at Old
 Hawthorne, 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 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 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 obligation s 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:			
City Counselor			

Boone Development, Inc.

Ritty G Sann President



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date:

May 20, 2013

Re: The Residences at Old Hawthorne final plat request (Case #13-60)

EXECUTIVE SUMMARY:

A request by Crockett Engineering, on behalf of Boone Development, Inc., for approval of a 2-lot final plat to be known as 'The Residences at Old Hawthorne." The 9.33-acre property is located northwest of the Old Hawthorne clubhouse. (Case #13-60)

DISCUSSION:

The subject site consists of approximately 9.33 acres, is zoned PUD, and is currently undeveloped. The plat is part of the phasing for the overall Old Hawthorne development. Both lots substantially comply with the preliminary plat, and comply with applicable standards, such as those of the approved PUD zoning district. The long stem portion of the lot connects to the nearest public street, a requirement of the Subdivision Regulations. A PUD development plan must be submitted for the site at a later date. The plat has been reviewed by pertinent City departments and other agencies, and complies with the Subdivision Ordinance.

Locator maps and a reduced size copy of the plat are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

Staff recommends approval of the final plat.

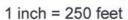
FISCAL and VISION NOTES:								
City Fiscal Impact Enter all that apply		Program Impact		Mandates				
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No			
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation 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'I facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A			
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A			





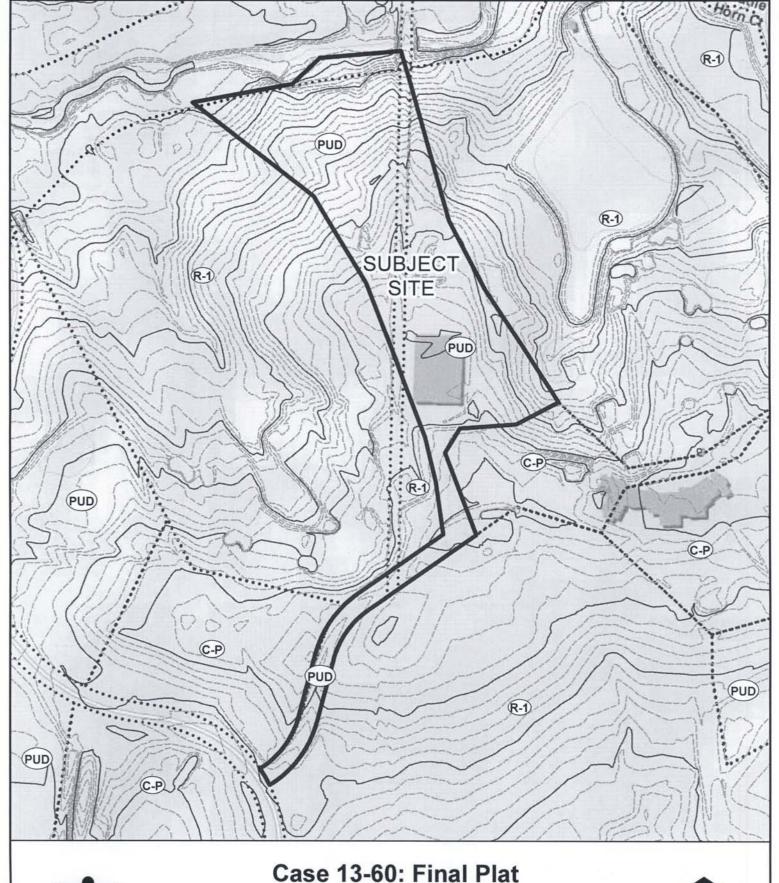
Case 13-60: Final Plat Residences at Old Hawthorne







2011 Orthophoto Souce: Boone County Assessor





Case 13-60: Final Plat Residences at Old Hawthorne

