

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 5-11

AN ORDINANCE

declaring the need to acquire easements for construction of the Hominy Branch Outfall Relief Sewer, Phase II and the acquisition of additional easements for construction of the Hominy Creek Trail, Phase II; 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 the following described easements for construction of the Hominy Branch Outfall Relief Sewer, Phase II and the additional easements for construction of the Hominy Creek Trail, Phase II:

JACK AND DORIS J. OVERTON
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-217-00-03-001.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF LOT 1, RICHLAND HEIGHTS PLAT 2, RECORDED IN PLAT BOOK 31, PAGE 46 OF THE BOONE COUNTY RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK

638, PAGE 79 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE CENTER OF SAID SECTION 9-48-12; THENCE WITH THE QUARTER SECTION LINE, S89°07'00"W, 77.40 FEET; THENCE LEAVING SAID QUARTER SECTION LINE, S7°44'00"W, 5.95 FEET; THENCE S35°24'00"W, 357.75 FEET TO THE EAST LINE OF SAID LOT 1, RICHLAND HEIGHTS PLAT 2, THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID EAST LINE AND CONTINUING S35°24'00"W, 142.25 FEET; THENCE S2°19'50"E, 223.30 FEET TO A POINT ON THE CENTERLINE OF THE EXISTING SIXTEEN (16) FOOT SEWER EASEMENT SHOWN ON SAID RICHLAND HEIGHTS PLAT 2; THENCE WITH SAID CENTERLINE, S47°17'00"W, 307.40 FEET; THENCE S78°24'50"W, 336.65 FEET; THENCE S84°44'15"W, 300.25 FEET; THENCE LEAVING SAID CENTERLINE, N84°56'40"W, 145.95 FEET TO THE EAST LINE OF SAID LOT 1; THE END OF THE DESCRIBED CENTERLINE, BEING N1°41'00"E, 60.80 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 1. THE DESCRIBED STRIP CONTAINS 25,290 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE EXISTING ELECTRIC AND SEWER EASEMENTS AS SHOWN ON SAID RICHLAND HEIGHTS, ALL OF WHICH IS WITHIN THE GREENSPACE ACCESS EASEMENT SHOWN ON SAID RICHLAND HEIGHTS.

JACK AND DORIS J. OVERTON
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-217-00-03-001.00 01

A STRIP OF LAND EIGHTY (80) FEET WIDE ACROSS PART OF LOT 1, RICHLAND HEIGHTS PLAT 2, RECORDED IN PLAT BOOK 31, PAGE 46 OF THE BOONE COUNTY RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 638, PAGE 79 AND BEING FIFTY-FIVE (55) FEET ON THE RIGHT OR NORTHERLY SIDE OF AND TWENTY-FIVE (25) FEET ON THE LEFT OR SOUTHERLY SIDE OF ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE CENTER OF SAID SECTION 9-48-12; THENCE WITH THE QUARTER SECTION LINE, S89°07'00"W, 77.40 FEET; THENCE LEAVING SAID QUARTER SECTION LINE, S7°44'00"W, 5.95 FEET; THENCE S35°24'00"W, 357.75 FEET TO THE EAST LINE OF SAID LOT 1, RICHLAND HEIGHTS PLAT 2, THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID EAST LINE AND CONTINUING S35°24'00"W, 142.25 FEET; THENCE S2°19'50"E, 223.30 FEET TO A POINT ON THE CENTERLINE OF THE EXISTING SIXTEEN (16) FOOT SEWER

EASEMENT SHOWN ON SAID RICHLAND HEIGHTS PLAT 2; THENCE WITH SAID CENTERLINE, S47°17'00"W, 307.40 FEET; THENCE S78°24'50"W, 336.65 FEET; THENCE S84°44'15"W, 300.25 FEET; THENCE LEAVING SAID CENTERLINE, N84°56'40"W, 145.95 FEET TO THE EAST LINE OF SAID LOT 1; THE END OF THE DESCRIBED CENTERLINE, BEING N1°41'00"E, 60.80 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 1. THE DESCRIBED STRIP CONTAINS 1.61 ACRES, NOT INCLUDING THE AREA WITHIN THE PROPOSED PERMANENT SEWER EASEMENT AND THE EXISTING ELECTRIC AND SEWER EASEMENTS AS SHOWN ON SAID RICHLAND HEIGHTS, ALL OF WHICH, EXCEPT FOR 1,785 SQUARE FEET, IS WITHIN THE GREENSPACE ACCESS EASEMENT SHOWN ON SAID RICHLAND HEIGHTS.

DALE A. AND HAZEL R. SCHLOTTACH
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-00-021.01 01

A STRIP OF LAND THIRTY (30) FEET WIDE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE CENTER OF SAID SECTION 9-48-12; THENCE WITH THE QUARTER SECTION LINE, S89°07'00"W, 77.40 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID QUARTER SECTION LINE, S7°44'00"W, 5.95 FEET; THENCE S35°24'00"W, 357.75 FEET TO THE WEST LINE OF SAID TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417, BEING S7°48'30"E, 296.45 FEET FROM THE NORTHWEST CORNER OF SAID TRACT. THE DESCRIBED STRIP CONTAINS 6,925 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE EXISTING SEWER EASEMENT RECORDED IN BOOK 418, PAGE 520.

DALE A. AND HAZEL R. SCHLOTTACH
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-00-021.01 01

A STRIP OF LAND EIGHTY (80) FEET WIDE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417 AND BEING FIFTY-FIVE (55) FEET ON THE RIGHT OR NORTHERLY SIDE OF AND TWENTY-FIVE (25) FEET

ON THE LEFT OR SOUTHERLY SIDE OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE CENTER OF SAID SECTION 9-48-12; THENCE WITH THE QUARTER SECTION LINE, S89°07'00"W, 77.40 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID QUARTER SECTION LINE, S7°44'00"W, 5.95 FEET; THENCE S35°24'00"W, 357.75 FEET TO THE WEST LINE OF SAID TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417, BEING S7°48'30"E, 296.45 FEET FROM THE NORTHWEST CORNER OF SAID TRACT. THE DESCRIBED STRIP CONTAINS 12,445 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE EXISTING SEWER EASEMENT RECORDED IN BOOK 418, PAGE 520 AND THE PROPOSED PERMANENT SEWER EASEMENT.

EMANUEL AND SHEILA BURKHOLDER
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCELS: 17-213-00-06-006.00 & 01 17-213-00-06-007.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE LOCATED IN THE EAST PART OF LOT 6 AND LOT 7, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1673, PAGE 597 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE WITH THE SOUTH LINE THEREOF, S89°07'00"W, 77.40 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE, N7°44'00"E, 151.68 FEET TO THE LINE COMMON TO SAID LOTS 6 AND 7, BEING S89°07'00"W, 61.35 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 6; THENCE CONTINUING N7°44'00"E, 153.14 FEET TO THE NORTH LINE OF SAID LOT 6, THE END OF THE DESCRIBED CENTERLINE, BEING N81°47'30"W, 45.35 FEET FROM THE NORTHEAST CORNER OF SAID LOT 6. THE DESCRIBED STRIP CONTAINS 2,770 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 376 AND THE UTILITY AND DRAINAGE EASEMENTS SHOWN ON SAID LITTLEBEAR INDUSTRIAL PARK, ALL OF WHICH IS WITHIN THE GREENSPACE TRAIL EASEMENT SHOWN ON SAID LITTLEBEAR INDUSTRIAL PARK.

EMANUEL AND SHEILA BURKHOLDER
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCELS: 17-213-00-06-006.00 & 01 17-213-00-06-007.00 01

A STRIP OF LAND EIGHTY (80) FEET WIDE LOCATED IN THE EAST PART OF LOT 6 AND LOT 7, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1673, PAGE 597 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE WITH THE SOUTH LINE THEREOF, S89°07'00"W, 52.15 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING S89°07'00"W, 90.05 FEET; THENCE LEAVING SAID SOUTH LINE, N35°24'00"E, 19.50 FEET; THENCE N7°44'00"E, 297.70 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE WITH SAID NORTH LINE, S81°47'30"E, 80.00 FEET; THENCE LEAVING SAID NORTH LINE, S7°44'00"W, 300.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 13,545 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 376 AND THE UTILITY AND DRAINAGE EASEMENTS SHOWN ON SAID LITTLEBEAR INDUSTRIAL PARK OR THE PROPOSED PERMANENT SEWER EASEMENT, ALL, EXCEPT 870 SQUARE FEET, IS WITHIN THE GREENSPACE TRAIL EASEMENT SHOWN ON SAID LITTLEBEAR INDUSTRIAL PARK.

BNG INVESTMENTS, INC.
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-213-00-06-005.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE IN THE EAST PART OF LOT 5, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61, OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1695, PAGE 51 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WITH THE SOUTH LINE THEREOF, N81°47'30"W, 45.35 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE, N7°24'00"E, 132.23 FEET TO THE NORTH LINE OF SAID LOT 5, THE END OF THE DESCRIBED CENTERLINE, BEING N88°21'00"W, 31.82 FEET FROM THE NORTHEAST CORNER OF SAID LOT 5. THE DESCRIBED STRIP CONTAINS 1,160 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE DRAINAGE AND SANITARY SEWER EASEMENTS SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK, OF WHICH 500 SQUARE FEET IS WITHIN THE GREENSPACE TRAIL EASEMENT AS SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK.

BNG INVESTMENTS, INC.
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-213-00-06-005.00 01

A TRACT OF LAND IN THE EAST PART OF LOT 5, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61, OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1695, PAGE 51 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WITH THE SOUTH LINE THEREOF, N81°47'30"W, 20.35 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N81°47'30"W, 80.00 FEET; THENCE LEAVING SAID SOUTH LINE, N7°44'00"E, 63.15 FEET; THENCE N37°44'00"E, 58.85 FEET; THENCE N7°05'30"E, 15.00 FEET TO THE NORTH LINE OF SAID LOT 5; THENCE WITH SAID NORTH LINE, S88°21'00"E, 56.95 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE WITH THE EAST LINE OF SAID LOT 5, S1°39'00"W, 52.50 FEET; THENCE LEAVING SAID EAST LINE, S37°44'00"W, 22.90 FEET; THENCE S7°44'00"W, 63.78 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,205 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE DRAINAGE EASEMENT, SANITARY SEWER EASEMENTS AND GREENSPACE TRAIL EASEMENT AS SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK OR THE PROPOSED PERMANENT SEWER EASEMENT.

W.L.-MARILYN STONE TRUST
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-03-001.01 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS PART OF LOT 1, HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153, BEING ACROSS PART OF TRACT C OF THE WARRANTY DEED RECORDED IN BOOK 3058, PAGE 72 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE WITH THE WEST LINE THEREOF, N1°39'00"E, 217.75 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID WEST LINE, N52°46'15"E, 171.65 FEET TO A POINT ON THE LINE BETWEEN SAID LOT 1 AND TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849, BEING S62°29'00"E, 32.75 FEET FROM A CORNER OF SAID LOT 1. THE DESCRIBED STRIP CONTAINS 4,840 SQUARE

FEET, NOT INCLUDING THE AREA WITHIN THE UTILITY EASEMENT SHOWN ON SAID HAVELKA SUBDIVISION.

W.L.-MARILYN STONE TRUST
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-03-001.01 01

A TRACT OF LAND ACROSS PART OF LOT 1, HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153, BEING ACROSS PART OF TRACT C OF THE WARRANTY DEED RECORDED IN BOOK 3058, PAGE 72 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE WITH THE WEST LINE THEREOF, N1°39'00"E, 301.25 FEET; THENCE LEAVING SAID WEST LINE, N52°46'15"E, 93.05 FEET TO A POINT ON THE WEST LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 399, PAGE 326; THENCE WITH THE WEST LINE OF SAID TRACT, S9°55'00"E, 5.10 FEET; THENCE S62°29'00"E, 34.10 FEET TO A CORNER ON THE EAST LINE OF SAID HAVELKA SUBDIVISION; THENCE LEAVING SAID WEST LINE AND WITH SAID EAST LINE, CONTINUING S62°29'00"E, 49.35 FEET; THENCE LEAVING SAID EAST LINE, S52°46'15"W, 138.60 FEET; THENCE S7°05'30"W, 205.20 FEET; THENCE S37°44'00"W, 29.60 FEET TO THE SOUTH LINE OF SAID HAVELKA SUBDIVISION; THENCE WITH SAID SOUTH LINE, S52°39'00"W, 4.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 9,510 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE UTILITY EASEMENTS SHOWN ON SAID HAVELKA SUBDIVISION OR THE EXISTING AND PROPOSED PERMANENT SEWER EASEMENTS.

ROLAND PROPERTIES, AN ILLINOIS L.L.C.
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-213-00-06-001.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE ACROSS THE SOUTHEAST PART OF LOT 1, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61, OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1642, PAGE 2 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WITH THE SOUTH LINE THEREOF, N88°21'00"W, 31.82 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE, N7°05'25"E, 154.20 FEET; THENCE N52°46'15"E, 22.10 FEET TO THE EAST LINE OF SAID LOT 1, THE END OF THE DESCRIBED CENTERLINE, BEING N1°39'00"E, 167.38 FEET FROM SAID SOUTHEAST CORNER OF LOT 1. THE DESCRIBED STRIP CONTAINS 3,640 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE SEWER EASEMENT RECORDED IN BOOK 1156, PAGE 626 OR THE DRAINAGE EASEMENT SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK.

ROLAND PROPERTIES, AN ILLINOIS L.L.C.
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-213-00-06-001.00 01

A TRACT OF LAND ACROSS THE SOUTHEAST PART OF LOT 1, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61, OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1642, PAGE 2 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WITH THE SOUTH LINE THEREOF, N88°21'00"W, 56.95 FEET; THENCE LEAVING SAID SOUTH LINE, N7°05'25"E, 118.95 FEET; THENCE N1°39'00"E, 95.60 FEET; THENCE N52°46'15"E, 58.67 FEET TO THE EAST LINE OF SAID LOT 1; THENCE WITH SAID EAST LINE, S1°39'00"W, 250.85 TO THE POINT OF BEGINNING AND CONTAINING 3,785 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE SEWER EASEMENT RECORDED IN BOOK 1156, PAGE 626, THE DRAINAGE EASEMENT SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK OR THE PROPOSED PERMANENT SEWER EASEMENT.

JAMES W. FORWARD
PERMANENT SEWER EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCELS: 17-203-00-00-017.00 01, 17-203-00-02-001.00 01

A STRIP OF LAND THIRTY (30) FEET WIDE LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 498, PAGE 860 AND BEING FIFTEEN (15) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153; THENCE WITH THE WEST LINE THEREOF, N1°39'00"E, 217.75 FEET; THENCE LEAVING SAID WEST LINE, N52°46'15"E, 171.65 FEET TO A POINT ON THE LINE BETWEEN SAID HAVELKA

SUBDIVISION AND TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849, BEING S62°29'00"E, 32.75 FEET FROM A CORNER OF SAID TRACT 2 AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N52°46'15"E, 66.85 FEET; THENCE N82°26'25"E, 168.65 FEET; THENCE N70°48'40"E, 35.45 FEET TO A POINT ON THE WEST LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555, BEING N9°37'00"W, 5.50 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING N70°48'40"E, 323.65 FEET; THENCE N79°45'20"E, 169.80 FEET TO THE EAST LINE OF ANSON ACRES BLOCK ONE, RECORDED IN PLAT BOOK 10, PAGE 150, BEING N8°52'00"W, 68.90 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE CONTINUING N79°45'20"E, 25.00 FEET TO THE END OF THE DESCRIBED CENTERLINE. THE DESCRIBED STRIP CONTAINS 12,800 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555 OR THE EXISTING DRAINAGE AND UTILITY EASEMENTS SHOWN BY SAID ANSON ACRES AND THE SEWER EASEMENTS RECORDED IN BOOK 418, PAGE 120 AND BOOK 437, PAGE 897.

JAMES W. FORWARD
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCELS: 17-203-00-00-017.00 01, 17-203-00-02-001.00 01

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 498, PAGE 860 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153; THENCE WITH THE WEST LINE THEREOF, N1°39'00"E, 217.75 FEET; THENCE LEAVING SAID WEST LINE, N52°46'15"E, 171.65 FEET TO A POINT ON THE LINE BETWEEN SAID HAVELKA SUBDIVISION AND TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849, THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, WITH THE LINES OF SAID TRACT 2, N62°29'00"W, 32.75 FEET; THENCE N54°00'15"E, 119.85 FEET; THENCE N37°16'00"E, 31.30 FEET; THENCE LEAVING THE LINES OF SAID TRACT 2, N82°26'25"E, 119.45 FEET; THENCE N70°48'40"E, 39.80 FEET TO THE WEST LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH THE LINES OF SAID TRACT, S9°37'00"E, 71.40 FEET; THENCE 89.89 FEET ALONG A 213.79-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N69°15'15"E, 89.23 FEET; THENCE 30.52 FEET ALONG A

20.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N13°37'40"E, 27.64 FEET; THENCE 45.07 FEET ALONG A 326.47-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N26°06'45"W, 45.03 FEET; THENCE LEAVING THE LINES OF SAID TRACT, N70°48'40"E, 231.00 FEET; THENCE N79°45'20"E, 184.65 FEET TO THE WEST LINE OF THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 120; THENCE WITH SAID WEST LINE, S12°57'00"E, 48.30 FEET; THENCE LEAVING SAID WEST LINE, S45°17'40"E, 20.90 FEET TO THE WEST END OF THE SEWER EASEMENT RECORDED IN BOOK 850, PAGE 346; THENCE WITH SAID WEST END AND SAID WEST END EXTENDED, S6°14'50"E, 14.65 FEET; THENCE S79°45'20"W, 191.75 FEET; THENCE S70°48'40"W, 359.45 FEET; THENCE S82°26'25"W, 166.20 FEET; THENCE S52°46'15"W, 55.80 FEET TO THE LINE BETWEEN SAID TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849 AND HAVELKA SUBDIVISION; THENCE WITH SAID LINE, N62°29'00"W, 16.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.67 ACRES, NOT INCLUDING THE AREA WITHIN THE PROPOSED PERMANENT SEWER EASEMENT OR THE EXISTING UTILITY EASEMENTS SHOWN BY ANSON ACRES BLOCK ONE, RECORDED IN PLAT BOOK 10, PAGE 150 AND THE EXISTING SEWER EASEMENTS RECORDED IN BOOK 418, PAGE 120 AND BOOK 437, PAGE 897.

O. RAY HAINES AND SUSAN CHRISTINE HAINES
PERMANENT CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-00-012.00 01

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS THE SOUTH PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT DESCRIBED THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH THE WEST LINE THEREOF, N9°37'00"W, 76.40 FEET; THENCE LEAVING SAID WEST LINE, N70°48'40"E, 101.05 FEET TO THE EAST LINE OF SAID TRACT; THENCE WITH THE LINES OF SAID TRACT, 25.27 FEET ALONG A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S21°15'00"W, 23.62 FEET; THENCE 89.89 FEET ALONG A 213.79-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S69°15'15"W, 89.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 835 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE EXISTING SEWER EASEMENT RECORDED IN BOOK 418, PAGE 120.

O. RAY HAINES AND SUSAN CHRISTINE HAINES
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-00-012.00 01

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS THE SOUTH PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT DESCRIBED THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH THE WEST LINE THEREOF, N9°37'00"W, 71.35 FEET; THENCE LEAVING SAID WEST LINE, N70°48'40"E, 86.90 FEET TO THE EAST LINE OF SAID TRACT; THENCE WITH THE LINES OF SAID TRACT, 45.07 FEET ALONG A 326.47-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S26°06'45"E, 45.03 FEET; THENCE 30.52 FEET ALONG A 20.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S13°37'40"W, 27.64 FEET; THENCE 89.89 FEET ALONG A 213.79-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S69°15'15"W, 89.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,675 SQUARE FEET, NOT INCLUDING THE AREA WITHIN THE EXISTING SEWER EASEMENT RECORDED IN BOOK 418, PAGE 120 OR THE PROPOSED PERMANENT SEWER EASEMENT.

4206, 4208 I- 70 DR SE, LLC
TEMPORARY CONSTRUCTION EASEMENT
PROJECT: HOMINY BRANCH OUTFALL RELIEF SEWER
PARCEL: 17-203-00-03-001.00 01

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF LOT 1, HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153 AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 399, PAGE 326 AND BOOK 3391, PAGE 166 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERNMOST CORNER OF SAID TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 399, PAGE 326; THENCE WITH THE WESTERLY LINE THEREOF, N62°29'00"W, 34.10 FEET; THENCE N9°55'00"W, 5.10 FEET; THENCE LEAVING SAID WESTERLY LINE, N52°46'15"E, 110.27 FEET; THENCE N82°26'25"E, 59.75 FEET TO THE SOUTHEAST LINE OF SAID TRACT; THENCE WITH SAID SOUTHEAST LINE, S37°16'00"W, 31.30 FEET; THENCE S54°00'15"W, 119.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,925 SQUARE FEET.

DORIS J. OVERTON
PERMANENT TRAIL EASEMENT
PARCEL 20 - EAST END
HOMINY TRAIL

A STRIP OF LAND ACROSS PART OF LOT 1, RICHLAND HEIGHTS PLAT 2, RECORDED IN PLAT BOOK 31, PAGE 46 OF THE BOONE COUNTY RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 638, PAGE 79 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE WITH THE EAST LINE THEREOF, S7°48'30"E, 243.80 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING THENCE FROM THE POINT OF BEGINNING, CONTINUING S7°48'30"E, 59.25 FEET; THENCE LEAVING SAID EAST LINE, 101.05 FEET ALONG A 735.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S22°37'05"W, 100.97 FEET; THENCE S16°54'45"W, 200.40 FEET; THENCE 414.29 FEET ALONG A 435.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S47°34'50"W, 398.80 FEET; THENCE S78°26'45"W, 200.32 FEET; THENCE S73°52'30"W, 16.62 FEET; THENCE S2°51'20"E, 59.69 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE WITH SAID SOUTH LINE, S86°52'55"W, 39.80 FEET; THENCE LEAVING SAID SOUTH LINE, N1°37'25"E, 51.59 FEET; THENCE S73°52'30"W, 146.31 FEET; THENCE S80°16'05"W, 102.95 FEET; THENCE N89°08'30"W, 131.15 FEET; THENCE S0°51'30"W, 8.00 FEET; THENCE N89°08'30"W, 20.00 FEET; THENCE N0°51'30"E, 8.00 FEET; THENCE N89°08'30"W, 43.25 FEET TO THE WEST LINE OF SAID LOT 1; THENCE WITH SAID WEST LINE, N1°41'00"E, 35.00 FEET; THENCE LEAVING SAID WEST LINE, S89°08'30"E, 42.75 FEET; THENCE N0°51'30"E, 8.00 FEET; THENCE S89°08'30"E, 20.00 FEET; THENCE S0°51'30"W, 8.00 FEET; THENCE S89°08'30"E, 128.65 FEET; THENCE N80°23'50"E, 95.97 FEET; THENCE N75°08'55"E, 160.68 FEET; THENCE N1°37'25"E, 13.04 FEET; THENCE N4°49'00"E, 97.40 FEET; THENCE N6°11'25"W, 91.43 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HILLSDALE ROAD; THENCE WITH SAID RIGHT-OF-WAY LINE, 30.04 FEET ALONG A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N86°39'00"E, 30.04 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S6°11'25"E, 89.94 FEET; THENCE S0°07'20"W, 43.83 FEET; THENCE S7°52'10"W, 57.85 FEET; THENCE S1°37'25"W, 4.17 FEET; THENCE N75°08'55"E, 109.17 FEET; THENCE N79°08'25"E, 98.43 FEET; THENCE 380.95 FEET ALONG A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N47°34'50"E, 366.72 FEET; THENCE N16°54'00"E, 199.41 FEET; THENCE 154.81 FEET ALONG A 770.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N24°26'25"E, 154.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.32 ACRES, INCLUSIVE OF 13,410 SQUARE FEET WITHIN THE

EXISTING SEWER, ELECTRIC, UTILITY AND DRAINAGE EASEMENTS. ALL OF THE 1.32 ACRES IS WITHIN THE GREENSPACE ACCESS EASEMENT AS SHOWN BY SAID RICHLAND HEIGHTS PLAT 2.

DORIS J. OVERTON
PERMANENT TRAIL EASEMENT
PARCEL 21 – EAST END
HOMINY TRAIL

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF REBEL HILLS MOBILE HOME PARK, RECORDED IN PLAT BOOK 10, PAGE 50 AND PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 638, PAGE 79 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF RICHLAND HEIGHTS PLAT 2, RECORDED IN PLAT BOOK 31, PAGE 46; THENCE WITH THE SOUTH LINE THEREOF N86°52'55"E, 436.15 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N86°52'55"E, 39.80 FEET; THENCE LEAVING SAID SOUTH LINE, S2°51'20"E, 4.30 FEET; THENCE S8°45'00"W, 40.30 FEET; THENCE S1°37'30"W, 52.25 FEET; THENCE N88°22'30"W, 30.00 FEET; THENCE N1°37'30"E, 52.25 FEET; THENCE N5°30'00"W, 40.30 FEET; THENCE N1°37'30"E, 1.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,070 SQUARE FEET

DALE A. AND HAZEL R. SCHLOTTACH
PERMANENT TRAIL EASEMENT
PARCEL 22 – EAST END
HOMINY TRAIL

A STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 9-48-12; THENCE WITH THE QUARTER SECTION LINE, S89°07'00"W, 73.40 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID QUARTER SECTION LINE, 76.75 FEET ALONG A 515.00 – FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S30°06'30"W, 76.68 FEET; THENCE

S39°36'05"W, 101.77 FEET; THENCE 192.95 FEET ALONG A 770.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S34°04'40"W, 192.40 FEET TO THE WEST LINE OF SAID TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 707, PAGE 417; THENCE WITH SAID WEST LINE, N7°48'30"W, 59.25 FEET; THENCE LEAVING SAID WEST LINE, 153.19 FEET ALONG A 770.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N35°53'55"E, 152.94 FEET; THENCE N39°40'30"E, 97.37 FEET; THENCE 53.74 FEET ALONG A 480.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N31°10'10"E, 53.71 FEET TO THE QUARTER SECTION LINE; THENCE WITH SAID QUARTER SECTION LINE, N89°07'00"E, 39.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 11,805 SQUARE FEET, INCLUSIVE OF 300 SQUARE FEET WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 520.

EMANUEL AND SHEILA BURKHOLDER
PERMANENT TRAIL EASEMENT
PARCEL 23 AND PARCEL 24 – EAST END
HOMINY TRAIL

A STRIP OF LAND LOCATED IN THE EAST PART OF LOT 6 AND LOT 7, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1673, PAGE 597 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7; THENCE WITH THE SOUTH LINE THEREOF, S89°07'00"W, 73.40 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING S89°07'00"W, 39.55 FEET; THENCE 234.26 FEET ALONG A 480.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N13°58'50"E, 231.94 FEET; THENCE N2°34'35"W, 43.27 FEET; THENCE N9°57'45"E, 37.17 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE WITH SAID NORTH LINE, S81°47'30"E, 31.71 FEET; THENCE LEAVING SAID NORTH LINE, S0°39'40"W, 75.31 FEET; THENCE 232.25 FEET ALONG A 515.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S12°55'10"W, 230.29 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,920 SQUARE FEET, ALL OF WHICH IS WITHIN THE GREENSPACE TRAIL EASEMENT AS SHOWN ON SAID LITTLEBEAR INDUSTRIAL PARK, INCLUSIVE OF 5,800 SQUARE FEET WITHIN THE SEWER EASEMENT RECORDED IN THE BOOK 418, PAGE 376, 245 SQUARE FEET WITHIN THE DRAINAGE EASEMENT AND 570 SQUARE FEET WITHIN THE UTILITY EASEMENT AS SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK.

BNG INVESTMENTS, INC.
PERMANENT TRAIL EASEMENT
PARCEL 25 – EAST END
HOMINY TRAIL

A STRIP OF LAND IN THE EAST PART OF LOT 5, LITTLEBEAR INDUSTRIAL PARK, RECORDED IN PLAT BOOK 33, PAGE 61, OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1695, PAGE 51 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WITH THE SOUTH LINE THEREOF, N81°47'30"W, 29.85 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N81°47'30"W, 31.71 FEET; THENCE LEAVING SAID SOUTH LINE, N9°57'45"E, 27.50 FEET; THENCE N42°47'20"E, 86.90 FEET TO THE EAST LINE OF SAID LOT 5; THENCE WITH SAID EAST LINE, S1°39'00"W, 43.46 FEET; THENCE LEAVING SAID EAST LINE, S43°06'40"W, 45.25 FEET; THENCE S0°39'40"W, 18.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 2575 SQUARE FEET, ALL OF WHICH IS WITHIN THE GREENSPACE TRAIL EASEMENT AS SHOWN BY SAID LITTLEBEAR INDUSTRIAL PARK, INCLUSIVE OF 1,085 SQUARE FEET WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 376.

W.L.-MARILYN STONE TRUST
PERMANENT TRAIL EASEMENT
PARCEL 26
HOMINY TRAIL

A STRIP OF LAND ACROSS PART OF LOT 1, HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153, BEING ACROSS PART OF TRACT C OF THE WARRANTY DEED RECORDED IN BOOK 3058, PAGE 72 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE WITH THE WEST LINE THEREOF, N1°39'00"E, 13.32 FEET; THENCE LEAVING SAID WEST LINE, N42°47'20"E, 218.59 FEET; THENCE N36°18'55"E, 92.31 FEET; THENCE N9°14'20"E, 24.67 FEET; THENCE N83°29'40"W, 18.55 FEET; THENCE N6°30'20"E, 21.75 FEET TO A POINT ON THE LINE BETWEEN SAID LOT 1 AND TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849; THENCE WITH SAID LINE, S62°29'00"E, 74.57 FEET; THENCE LEAVING SAID LINE, N83°29'40"W, 9.61 FEET; THENCE S23°37'25"W, 29.86 FEET; THENCE S38°29'30"W, 104.97 FEET; THENCE S43°06'40"W, 109.90 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE WITH SAID SOUTH LINE, S52°39'00"W, 120.40 FEET TO THE POINT OF BEGINNING AND

CONTAINING 10,380 SQUARE FEET, INCLUSIVE OF 4,420 SQUARE FEET WITHIN THE DRAINAGE AND UTILITY EASEMENT SHOWN BY SAID HAVELKA SUBDIVISION AND THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 377.

JAMES W. FORWARD, OWNER
PERMANENT TRAIL EASEMENT
PARCEL 28 – EAST END
HOMINY TRAIL

TWO (2) TRACTS OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 498, PAGE 860 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

BEGINNING AT THE SOUTHWEST CORNER OF HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153; THENCE WITH THE SOUTH LINE THEREOF, N52°39'00"E, 120.40 FEET; THENCE LEAVING SAID SOUTH LINE, S43°06'40"W, 141.33 FEET TO THE WEST LINE OF TRACT 2 OF THE SURVEY RECORDED IN BOOK 453, PAGE 849; THENCE WITH SAID WEST LINE, N1°39'00"E, 30.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,410 SQUARE FEET.

TRACT 2

COMMENCING AT THE SOUTHWEST CORNER OF HAVELKA SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 153; THENCE WITH THE LINES OF SAID SUBDIVISION, N52°39'00"E, 309.40 FEET; THENCE N25°57'00"E, 71.10 FEET; THENCE N62°29'00"W, 21.85 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N62°29'00"W, 74.57 FEET; THENCE LEAVING THE LINES OF SAID SUBDIVISION, N6°30'20"E, 8.25 FEET; THENCE S83°29'40"E, 20.00 FEET; THENCE N29°08'00"E, 54.33 FEET; THENCE N69°55'15"E, 57.90 FEET; THENCE N76°10'50"E, 94.72 FEET; THENCE N41°39'50"E, 15.55 FEET TO THE WEST LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH THE LINES OF SAID TRACT, S9°37'00"E, 13.50 FEET; THENCE 42.90 FEET ALONG A 213.79-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N75°31'55"E, 42.83 FEET; THENCE LEAVING THE LINES OF SAID TRACT, S46°13'35"W, 52.57 FEET; THENCE S73°10'55"W, 147.21 FEET; THENCE S16°37'00"W, 30.79 FEET; THENCE S83°29'40"E, 20.00 FEET; THENCE S6°30'20"W, 30.00 FEET; THENCE N83°29'40"W, 10.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,960 SQUARE FEET, INCLUSIVE OF 1,505 SQUARE FEET WITHIN THE SEWER EASEMENTS RECORDED IN BOOK 418, PAGE 120 AND BOOK 437, PAGE 897.

O. RAY HAINES AND SUSAN CHRISTINE HAINES
PERMANENT TRAIL EASEMENT
PARCEL 29 – EAST END
FOR HOMINY TRAIL

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS THE SOUTH PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH THE WEST LINE THEREOF, $N9^{\circ}37'00''W$, 13.50 FEET; THENCE LEAVING SAID WEST LINE, $N41^{\circ}10'00''E$, 27.61 FEET; THENCE $N51^{\circ}44'20''E$, 59.60 FEET; THENCE $N73^{\circ}24'45''E$, 18.50 FEET TO THE EAST LINE OF SAID TRACT; THENCE WITH THE LINES OF SAID TRACT, 20.27 FEET ALONG A 326.47-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, $S28^{\circ}30'20''E$, 20.27 FEET; THENCE 12.56 FEET ALONG A 20.00-FOOT RADIUS REVERSE CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, $S11^{\circ}48'30''E$, 12.35 FEET; THENCE LEAVING THE LINES OF SAID TRACT, $S78^{\circ}12'20''W$, 18.20 FEET; THENCE $S46^{\circ}13'35''W$, 46.20 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE WITH SAID SOUTH LINE, 42.90 FEET ALONG A 213.79-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, $S75^{\circ}31'55''W$, 42.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,085 SQUARE FEET, INCLUSIVE OF 915 SQUARE FEET WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 120.

JAMES W. FORWARD
PERMANENT TRAIL EASEMENT
PARCEL 30 AND PARCEL 31 – EAST END
HOMINY TRAIL

A STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF TRACT 2 OF THE SUREVEY RECORDED IN BOOK 453, PAGE 849 AND LOT 1, ANSON ACRES BLOCK ONE, RECORDED IN PLAT BOOK 10, PAGE 150, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 498, PAGE 860 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 2; THENCE WITH THE EAST LINE THEREOF, $S1^{\circ}44'40''W$, 223.60 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING $S1^{\circ}44'40''W$, 32.61 FEET; THENCE LEAVING SAID EAST LINE, $S87^{\circ}20'55''W$, 198.50 FEET; THENCE

S76°48'50"W, 97.45 FEET; THENCE S73°24'45"W, 31.85 FEET; THENCE S16°35'15"E, 12.00 FEET; THENCE S73°24'45"W, 20.00 FEET; THENCE N16°35'15"W, 12.00 FEET; THENCE S79°20'45"W, 48.35 FEET; THENCE S73°24'45"W, 99.90 FEET; THENCE S70°33'00"W, 100.10 FEET; THENCE S73°24'45"W, 40.00 FEET; THENCE S16°35'15"E, 12.00 FEET; THENCE S73°24'45"W, 24.00 FEET; THENCE N16°35'15"W, 12.00 FEET; THENCE S73°24'45"W, 32.30 FEET; THENCE S78°12'20"W, 34.55 FEET TO THE EAST LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1632, PAGE 555; THENCE WITH SAID EAST LINE, 12.56 FEET ALONG A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N11°48'30"W, 12.35 FEET; THENCE 20.27 FEET ALONG A 326.47-FOOT RADIUS REVERSE CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N28°30'20"W, 20.27 FEET; THENCE LEAVING SAID EAST LINE, N73°24'45"E, 45.80 FEET; THENCE N16°35'15"W, 10.00 FEET; THENCE N73°24'45"E, 21.00 FEET; THENCE S16°35'15"E, 10.00 FEET; THENCE N73°24'45"E, 319.00 FEET; THENCE N16°35'15"W, 10.00 FEET; THENCE N73°24'45"E, 20.00 FEET; THENCE S16°35'15"E, 10.00 FEET; THENCE N73°24'45"E, 28.25 FEET; THENCE N81°57'30"E, 153.90 FEET; THENCE N86°39'45"E, 151.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 24,315 SQUARE FEET, INCLUSIVE OF 2,200 SQUARE FEET WITHIN THE SEWER EASEMENT RECORDED IN BOOK 418, PAGE 120 AND THE UTILITY AND DRAINAGE EASEMENTS SHOWN ON SAID ANSON ACRES.

FRECH LEASING COMPANY, LLC
PERMANENT TRAIL EASEMENT
PARCEL 32 – EAST END
HOMINY TRAIL

A STRIP OF LAND ACROSS PART OF LOT 1A OF THE ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION PLAT NO. 2, RECORDED IN BOOK 1409, PAGE 600 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3308, PAGE 33 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1A; THENCE FROM THE POINT OF BEGINNING, WITH THE EAST LINE THEREOF, S1°43'20"W, 257.38 FEET; THENCE LEAVING SAID EAST LINE, S25°18'00"W, 34.21 FEET; THENCE S48°53'00"W, 56.90 FEET; THENCE S76°56'40"W, 55.65 FEET; THENCE S87°20'55"W, 201.30 FEET TO THE WEST LINE OF SAID LOT 1A; THENCE WITH SAID WEST LINE, N1°44'40"E, 32.61 FEET; THENCE LEAVING SAID WEST LINE, N86°39'45"E, 198.40 FEET; THENCE N77°29'00"E, 41.45 FEET; THENCE N50°20'45"E, 39.85 FEET; THENCE N9°32'45"E, 87.45 FEET; THENCE N1°43'20"E, 173.83 FEET TO THE NORTH LINE OF SAID LOT 1A; THENCE WITH SAID NORTH LINE, N73°42'30"E, 31.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 18,870 SQUARE FEET, INCLUSIVE OF 3,610 SQUARE FEET WITHIN THE ELECTRIC EASEMENT RECORDED IN BOOK 487, PAGE 147 AND UTILITY EASEMENT SHOWN ON SAID ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION.

K-9 VENTURES ASSOCIATES, LLC
PERMANENT TRAIL EASEMENT
PARCEL 33 – EAST END
HOMINY TRAIL

A STRIP OF LAND ACROSS PART OF LOT 1B AND LOT 1C OF THE ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION PLAT NO. 2, RECORDED IN BOOK 1409, PAGE 600 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 2873, PAGE 161 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1B; THENCE WITH THE NORTH LINE OF SAID LOTS 1B AND 1C, N73°42'30"E, 277.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 1C; THENCE WITH THE EAST LINE OF SAID LOT 1C, S1°43'20"W, 30.22 FEET; THENCE LEAVING SAID EAST LINE, S73°47'40"W, 211.20 FEET; THENCE S76°36'30"W, 29.01 FEET; THENCE S58°20'00"W, 30.50 FEET; THENCE S1°43'20"W, 201.45 FEET; THENCE S25°18'00"W, 24.25 FEET TO THE WEST LINE OF SAID LOT 1B; THENCE WITH SAID WEST LINE, N1°43'20"E, 257.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,090 SQUARE FEET, INCLUSIVE OF 5,090 SQUARE FEET WITHIN THE ELECTRIC EASEMENT RECORDED IN BOOK 1406, PAGE 616 AND THE UTILITY EASEMENT SHOWN ON SAID ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION.

3 CHIX, LLC, OWNER
PERMANENT TRAIL EASEMENT
PARCEL 34 – EAST END
HOMINY TRAIL

A STRIP OF LAND ACROSS THE NORTH PART OF LOT 1D OF THE ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION PLAT NO. 2, RECORDED IN BOOK 1409, PAGE 600, BEING ACROSS PART OF THE TRACTS DESCRIBED BY THE TRUSTEE'S DEEDS RECORDED IN BOOK 2873, PAGE 162 AND BOOK 3062, PAGE 140 AND BEING MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1D; THENCE WITH THE NORTH LINE OF SAID LOT 1D, N73°42'30"E, 399.88 FEET; THENCE LEAVING SAID NORTH LINE AND WITH THE EAST LINE OF SAID LOT 1D AND SAID EAST LINE EXTENDED ALONG THE LINES OF SAID TRUSTEE'S DEED RECORDED IN BOOK 3062, PAGE 140, S16°17'30"E, 34.05 FEET; THENCE LEAVING THE LINES OF SAID TRACT, S71°51'00"W, 73.25 FEET; THENCE S78°01'30"W, 97.50 FEET; THENCE S73°47'40"W, 238.80 FEET TO THE WEST LINE OF SAID LOT 1D; THENCE WITH SAID WEST LINE, N1°43'20"E, 30.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 12,535 SQUARE FEET, INCLUSIVE OF 6,040 SQUARE FEET WITHIN

THE UTILITY EASEMENT SHOWN ON SAID ADMINISTRATIVE PLAT OF LOT 1, T AND T SUBDIVISION.

THE LINKS AT COLUMBIA
PERMANENT TRAIL EASEMENT
PARCEL 36 – EAST END
HOMINY TRAIL

A STRIP OF LAND ACROSS THE SOUTHWEST PART OF LOT 2, THE LINKS AT COLUMBIA PLAT 1, RECORDED IN PLAT BOOK 40, PAGE 70 OF THE BOONE COUNTY, MISSOURI RECORDS, BEING ACROSS PART OF THE TRACTS DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 2778, PAGE 147, 148 AND 152 AND BEING MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE WITH THE SOUTH LINE THEREOF, S86°56'25"E, 110.30 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE, N2°33'10"W, 25.12 FEET; THENCE S85°56'10"E, 285.23 FEET; THENCE S3°21'55"E, 20.13 FEET TO THE SOUTH LINE OF SAID LOT 2, THENCE WITH SAID SOUTH LINE, N86°56'25"W, 284.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 6,410 SQUARE FEET, INCLUSIVE OF 5,805 SQUARE FEET WITHIN THE UTILITY, SEWER AND TRAIL EASEMENTS SHOWN ON SAID THE LINKS AT COLUMBIA PLAT 1.

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 _____, 2011.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

Source:

John Glascock

Agenda Item No. _____



FISCAL and VISION NOTES:

TO: City Council

FROM: City Manager and Staff 

DATE: December 22, 2010

RE: Easement Acquisition - Phase II of Hominy Branch Outfall Relief Sewer and Phase II of Hominy Creek Trail; and Bid Call - Phase II of the Hominy Creek Trail

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration two ordinances. The first ordinance authorizes the acquisition of easements for Phase II of the Hominy Branch Outfall Relief Sewer and Phase II of the Hominy Creek Trail. The second ordinance authorizes bidding Phase II of the Hominy Creek Trail through the Purchasing department.

Phase II of the Hominy Creek Trail begins near Woodridge Park and extends northward along Hominy Creek passing underneath Interstate 70 to connect with the Hominy Trail constructed by the Links development. Phase II of the Hominy Branch Outfall Relief Sewer follows along most of this same alignment. Diagrams of the sewer and trail location for Phase II of the Sewer and Trail are attached. Also attached are easement diagrams showing the proposed easements.

Public hearings for Hominy Branch Outfall Relief Sewer and Hominy Creek Trail were held September 7, 2010. The trail and sewer projects have been divided into two phases. The Ordinance to Acquire Easements for Phase I of both the Sewer and Hominy Creek Trail were approved on September 7, 2010 to allow Phase I easement acquisition to meet critical timelines associated with the Federal Enhancement grant funding being used on the Phase I portion of the trail project.

DISCUSSION:

The easements needed in order to construct Phase II of the Hominy Branch Outfall Relief Sewer and Phase II of the Hominy Creek Trail include ten (10) permanent sanitary sewer easements, fifteen (15) permanent trail easements and eleven (11) temporary construction easements. Easements for both the sewer and trail will impact thirteen (13) property owners. All 13 property owners that will be affected by the easement acquisitions for the Phase II sewer

and Trail have been recently contacted.

The Hominy Branch Trail is an important link for the north east portion of the city. The design of both Phase I and Phase II portions of the Trail are being designed by HDR Engineering. The typical cross section for the trail includes a ten foot wide concrete trail that meets ADA requirements which provides a durable hard-surface for year round use which will also minimize annual maintenance costs. The trail includes an adjacent five foot wide gravel side path for runners and joggers. This typical section can be altered at selected locations as needed to minimize width such as when the trail is adjacent to the road.

City Fiscal Impact Enter all that apply:	
\$11,690-Sew \$148,000-NM	City's current net FY cost.
\$200,000-Sew \$285,640-NM	Amount of Funds Already appropriated
Unknown until bid	Amount of budget amendment needed
	Estimated 2 yr net costs:
\$0	One-time
\$0	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)
Vision Implementation Impact Enter Below All That Applies: Refer to Website:	
Y	Vision Impact? (Y/N or if N, go no further)
12	Primary Vision, Strategy and/or Goal Item#
12.4.1 12.4.2	Secondary Vision, Strategy and/or Goal Item#
Task #	FY10/FY11 Implementation Task#

Phase II of the Hominy Creek Trail begins near Woodridge Park and extends northward along Hominy Creek passing underneath Interstate 70 to connect with the Hominy Trail constructed by the Links development. The Phase II portion of the trail is 6,144 foot in length, The Phase I section of trail is 6,072 feet in length bringing the total length of trail to 2.3 miles.

Public hearings for Hominy Branch Outfall Relief Sewer and Hominy Creek Trail were held September 7, 2010. The trail and sewer projects have been divided into two phases. The Ordinance to acquire easements for Phase I of both the Sewer and Hominy Creek Trail were approved on September 7, 2010 to allow Phase I easement acquisition to meet critical timelines associated with the Federal Enhancement grant funding being used on the Phase I portion of the trail project. The Phase I project also includes coordination with a water transmission main project.

The Hominy Branch Outfall Relief Sewer project was identified as a need in the 2004 Sewer Utility Master Plan in order to provide additional sewer capacity in Hominy Branch watershed. The existing 15-inch diameter gravity sewer line does not have adequate capacity.

Public Works and Park and Recreation departments have been working with neighbors on the Hominy Creek Trail Project. Several suggestions were received and addressed. In one instance the trail was re-routed from the stream to the street side of a parcel to minimize interference with a professional dog training area. At the September 7, 2010 public hearing, two individuals addressed the council, both expressing concerns. City staff has since met again with both individuals to resolve their concerns as much as practical. All 12 property owners that will be affected by the easement acquisitions for the Phase II Sewer and Trail have been recently contacted by city staff.

FISCAL IMPACT:

The estimated total cost for Phase II of the sewer project is \$1,289,197 (\$52,597 for design, \$61,500 for easements and \$1,175,100 for construction) with \$200,000 appropriated to date. The project is part of the revenue bond package approved by the voters in April 2008.

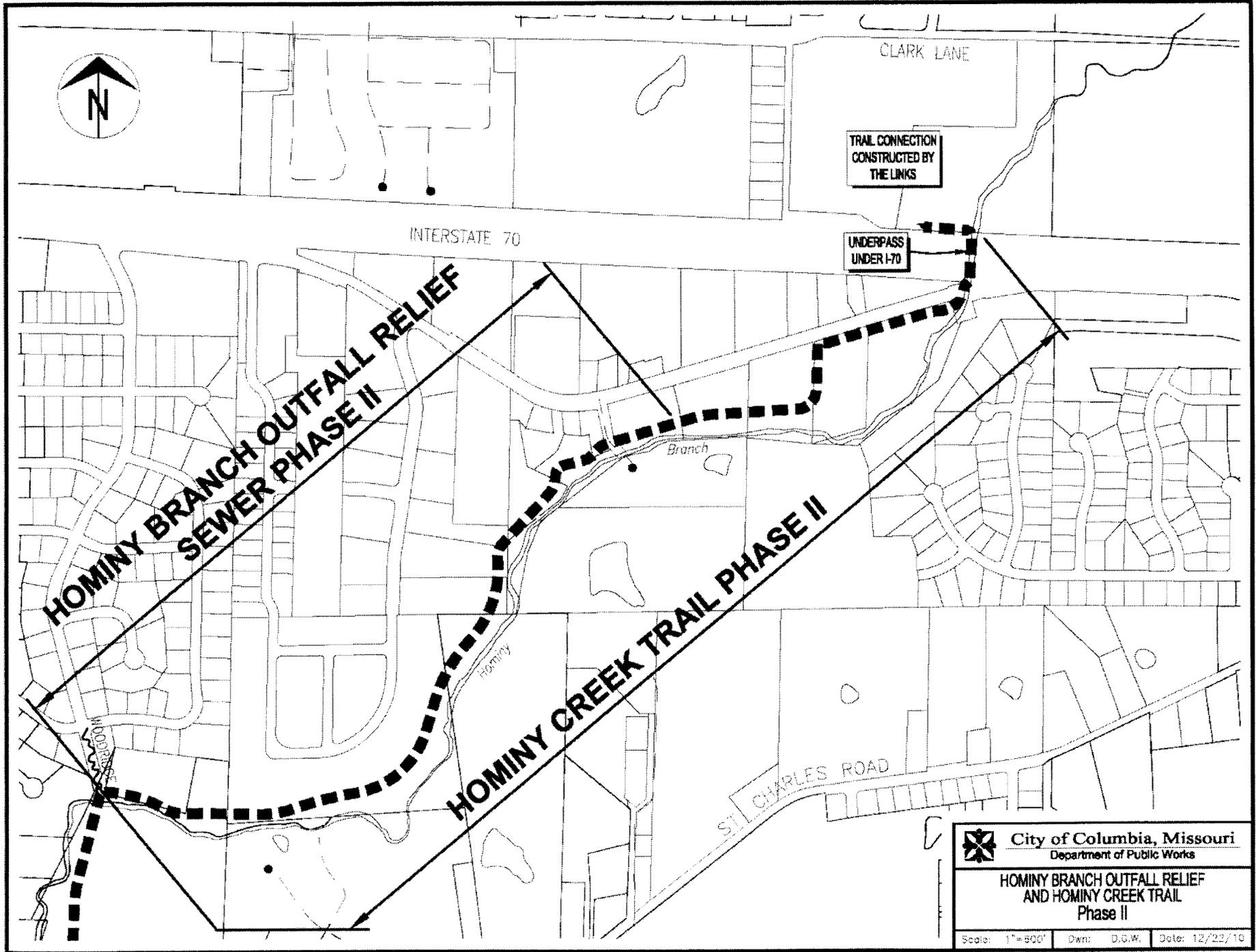
The estimated total cost for Phase II of the trail project is \$1,151,544 (\$115,098 for design, \$148,000 for easements and \$886,857 for construction) with \$285,640 appropriated to date. The project will be paid from the GetAbout Non-Motorized Transportation Pilot Program.

VISION IMPACT:

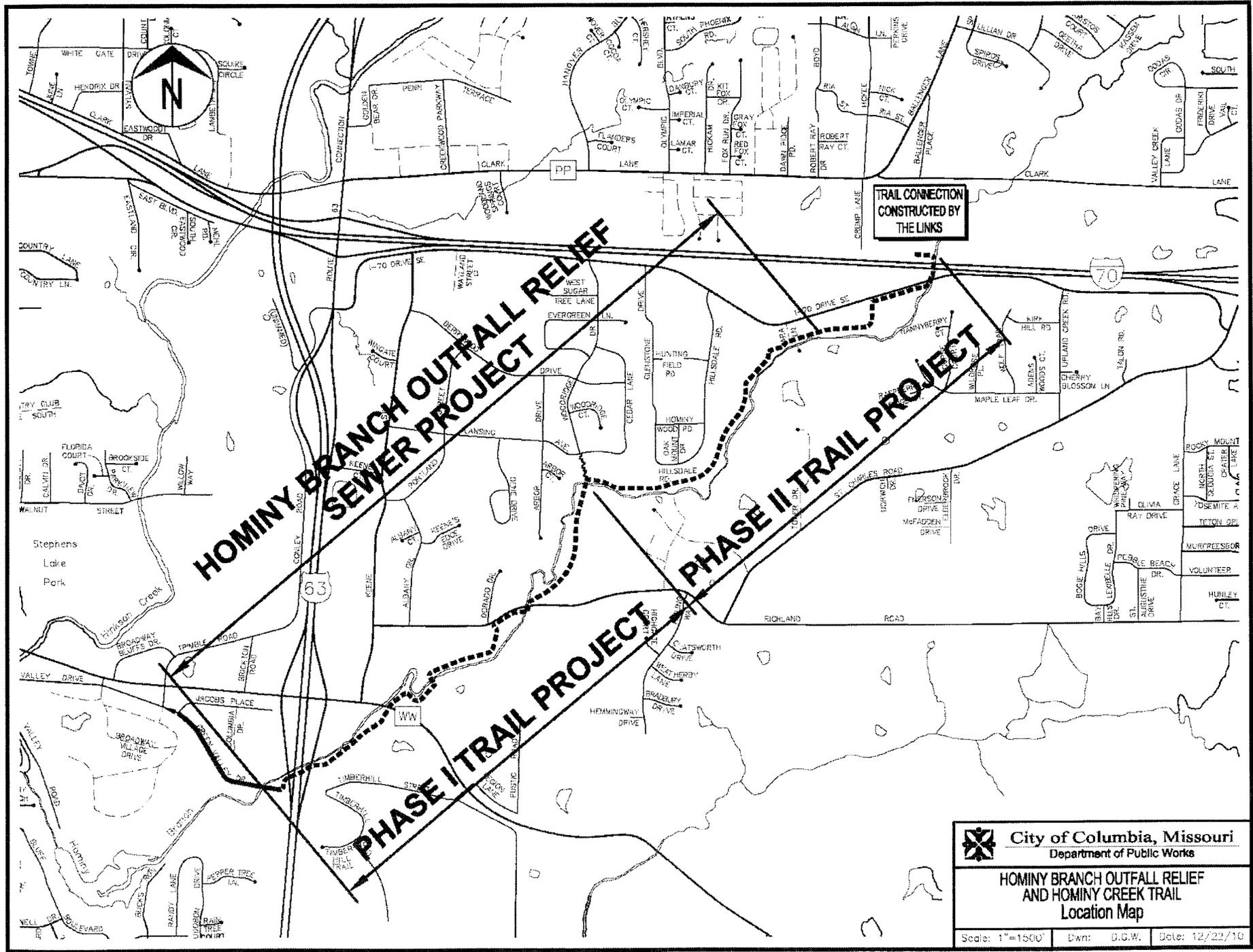
Supports 12.4 – An extensive, safe network of trails and 13.1 – a safe, interconnected, non motorized transportation network.

SUGGESTED COUNCIL ACTIONS:

Staff is recommending Council approval of the easement acquisition and bid call ordinances.



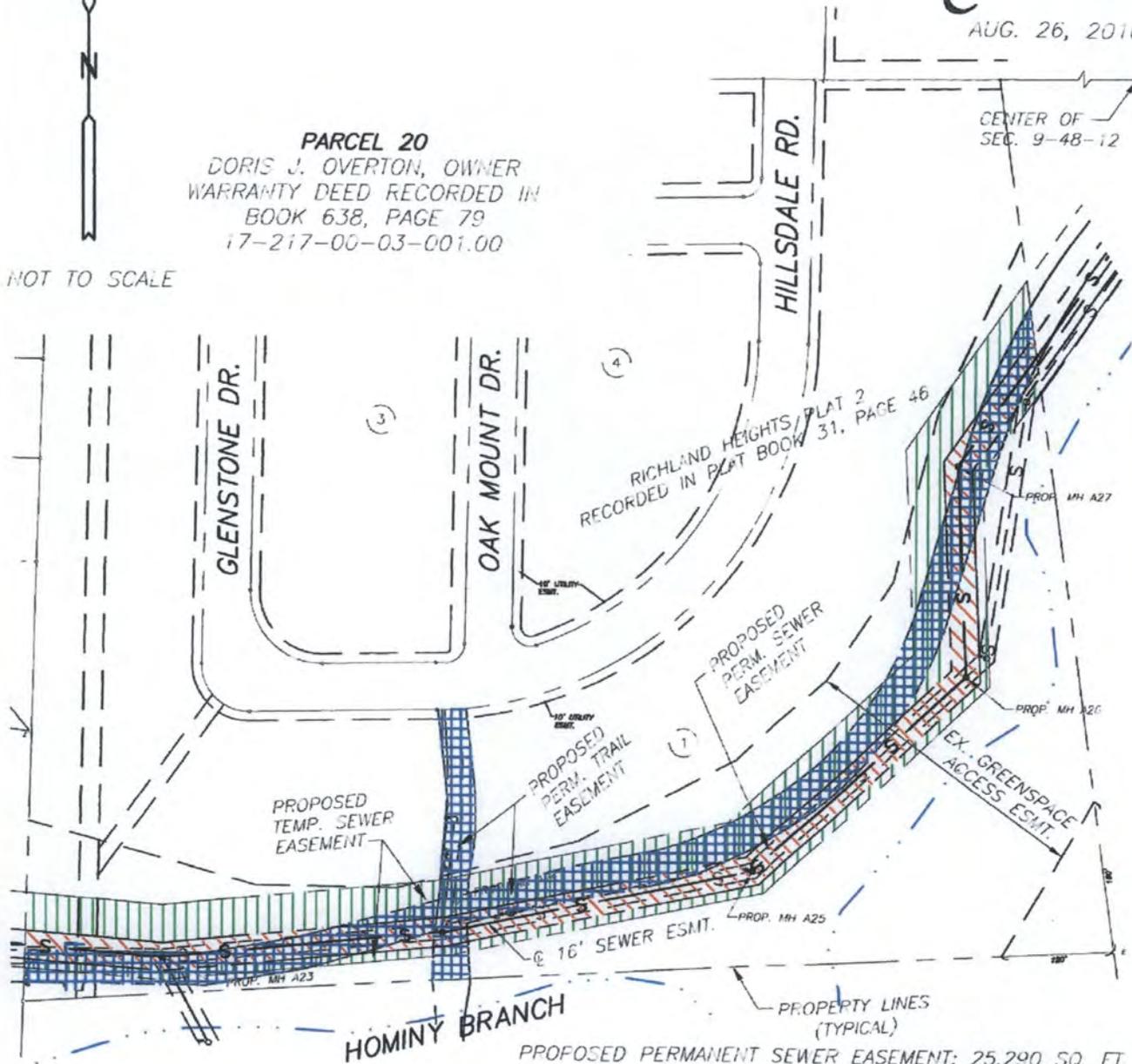
	City of Columbia, Missouri Department of Public Works		
	HOMINY BRANCH OUTFALL RELIEF AND HOMINY CREEK TRAIL Phase II		
Scale: 1"=500'	Dwn: D.G.W.	Date: 12/23/10	



AUG. 26, 2010

PARCEL 20
DORIS J. OVERTON, OWNER
WARRANTY DEED RECORDED IN
BOOK 638, PAGE 79
17-217-00-03-001.00

NOT TO SCALE

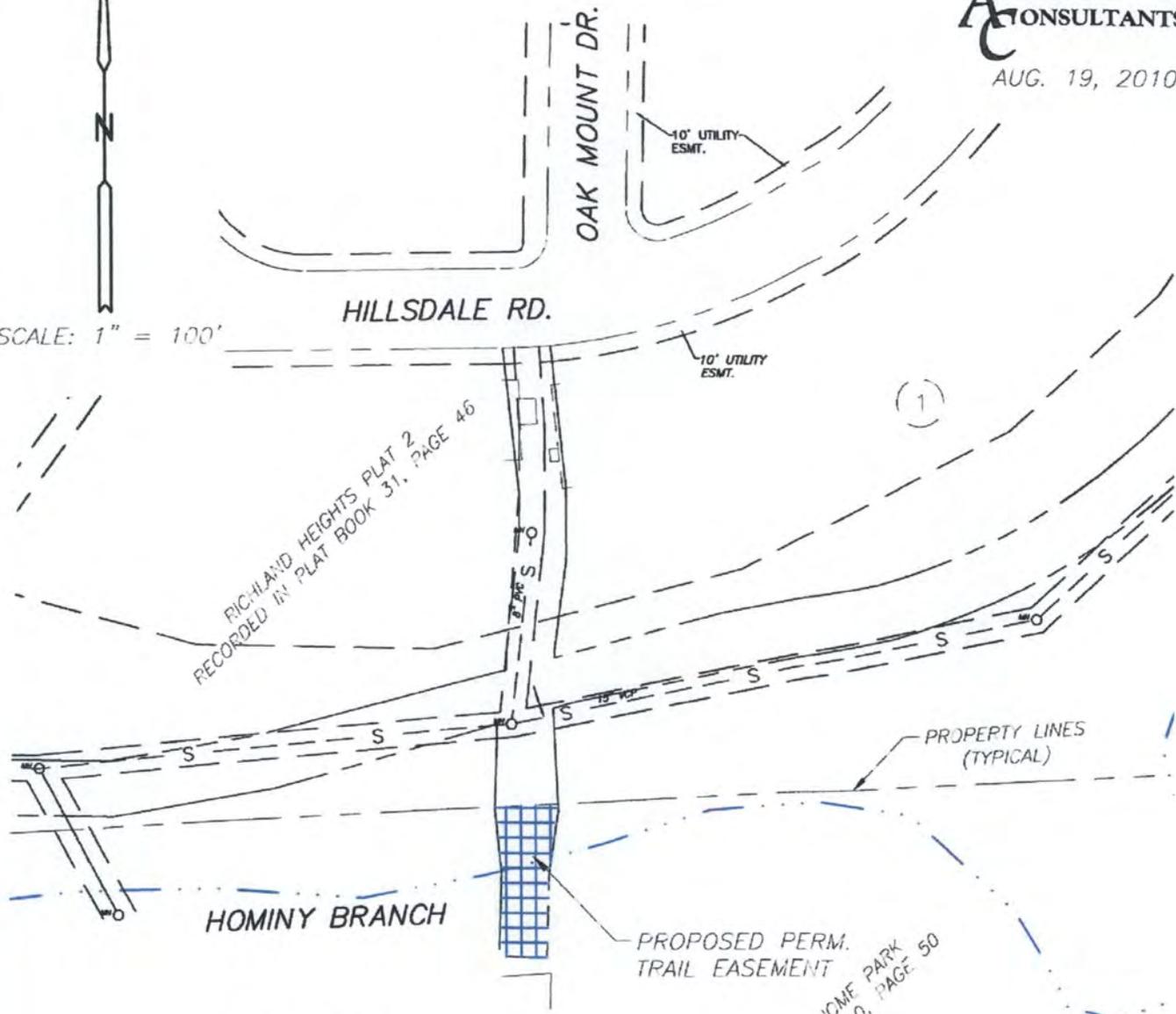


PROPOSED PERMANENT SEWER EASEMENT: 25,290 SQ. FT.
(ALL WITHIN THE GREENSPACE ACCESS EASEMENT)
PROPOSED TEMPORARY SEWER EASEMENT: 1.61 ACRES
(1,785 SQ. FT. OUTSIDE GREENSPACE ACCESS ESMT.)
PROPOSED PERMANENT TRAIL EASEMENT: 1.32 ACRES
(ALL WITHIN THE GREENSPACE ACCESS EASEMENT)
INCLUSIVE OF 13,410 SQ. FT. EXISTING EASEMENTS

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS



SCALE: 1" = 100'



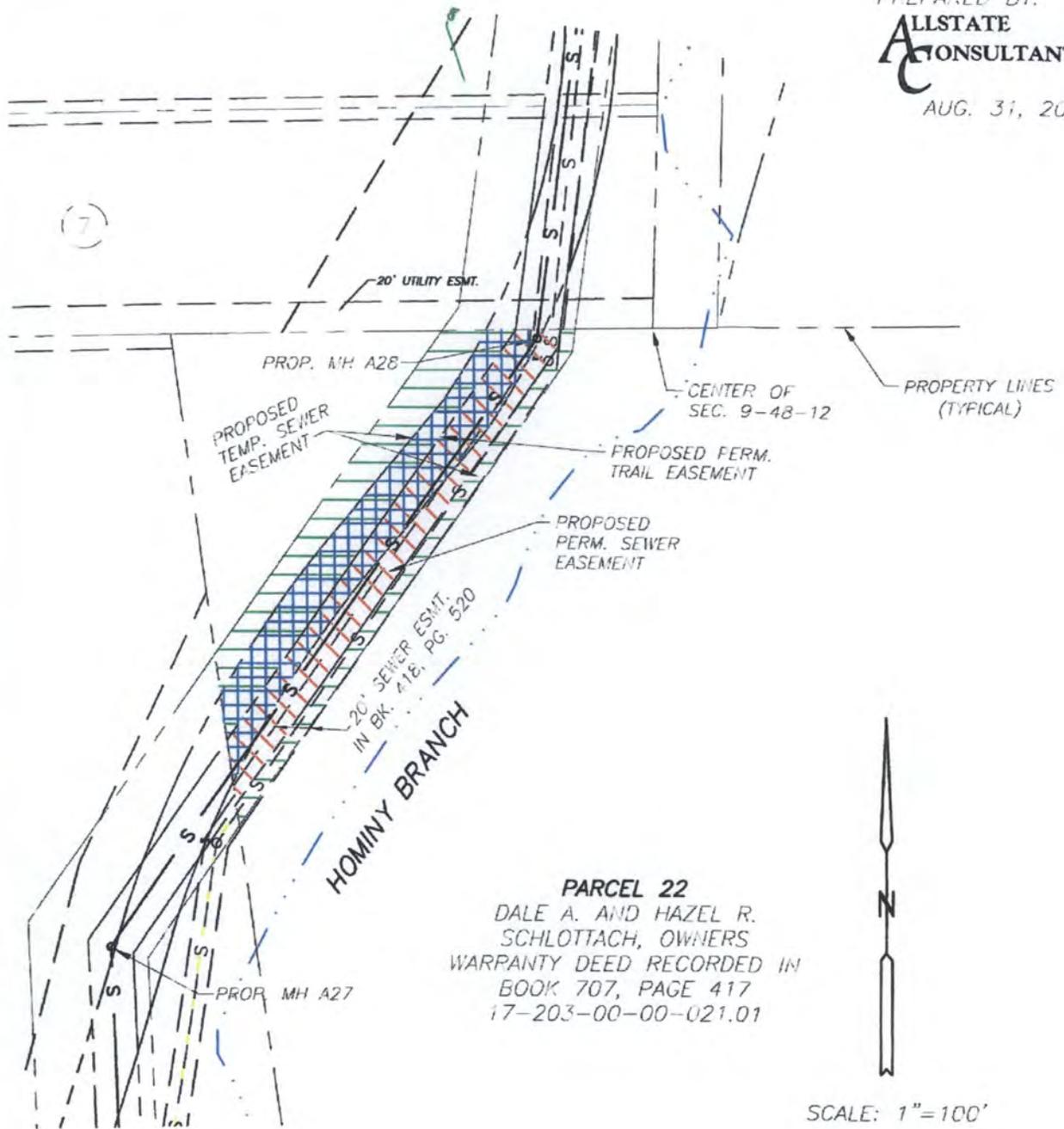
PARCEL 21
DORIS J. OVERTON, OWNER
WARRANTY DEED RECORDED IN
BOOK 638, PAGE 79
17-217-00-00-001.00

REBEL HILLS MOBILE HOME PARK
RECORDED IN PLAT BOOK 10, PAGE 50

PROPOSED PERMANENT TRAIL EASEMENT: 3,070 SQUARE FEET

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

PREPARED BY:
ALLSTATE
CONSULTANTS
 AUG. 31, 2010

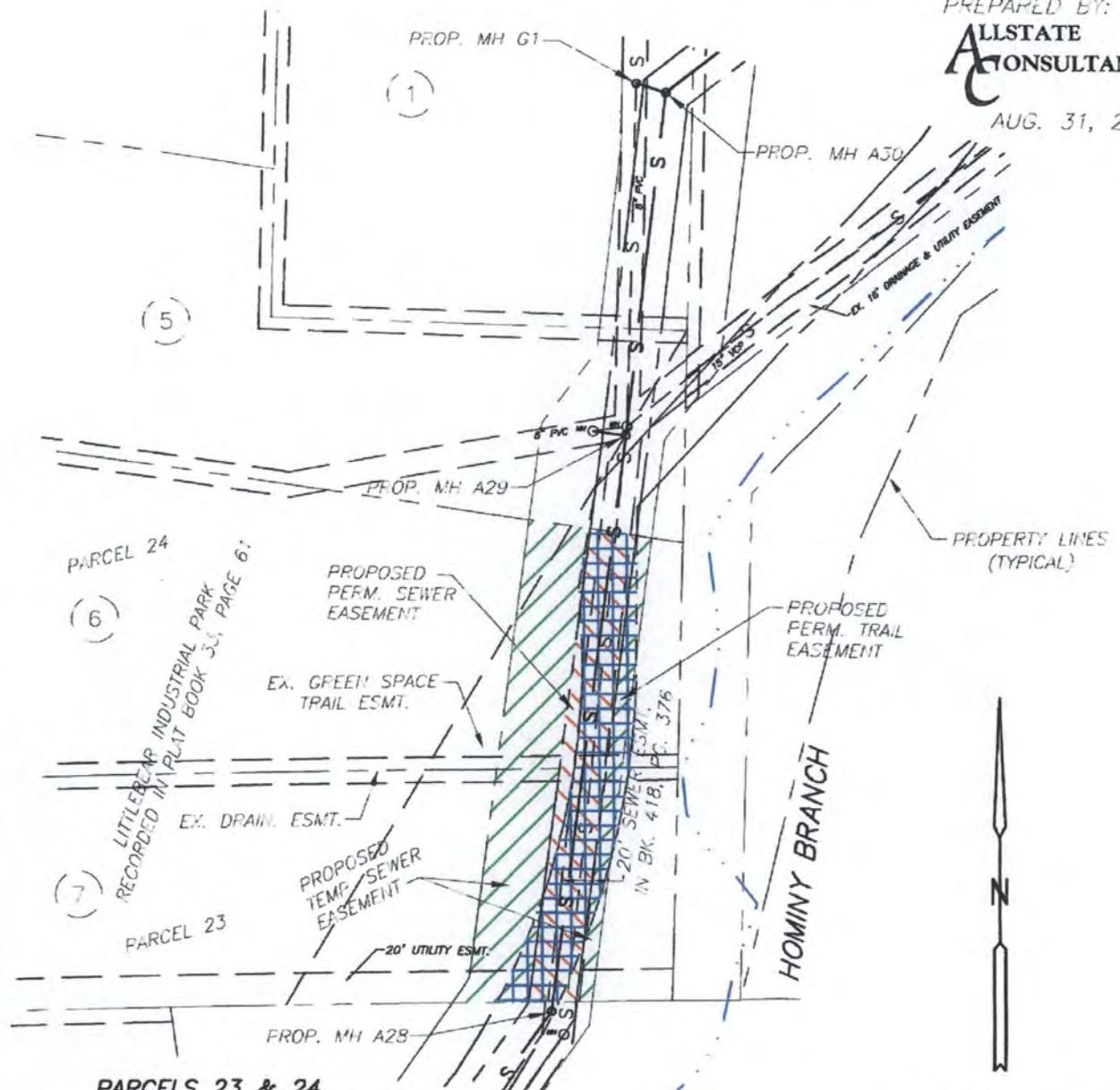


PARCEL 22
 DALE A. AND HAZEL R.
 SCHLOTTACH, OWNERS
 WARRANTY DEED RECORDED IN
 BOOK 707, PAGE 417
 17-203-00-00-021.01

PROPOSED PERMANENT SEWER EASEMENT: 6,925 SQ. FT.
 PROPOSED TEMPORARY SEWER EASEMENT: 12,445 SQ. FT.
 PROPOSED PERMANENT TRAIL EASEMENT: 11,305 SQ. FT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS

PREPARED BY:
ALLSTATE
CONSULTANTS
 AUG. 31, 2010

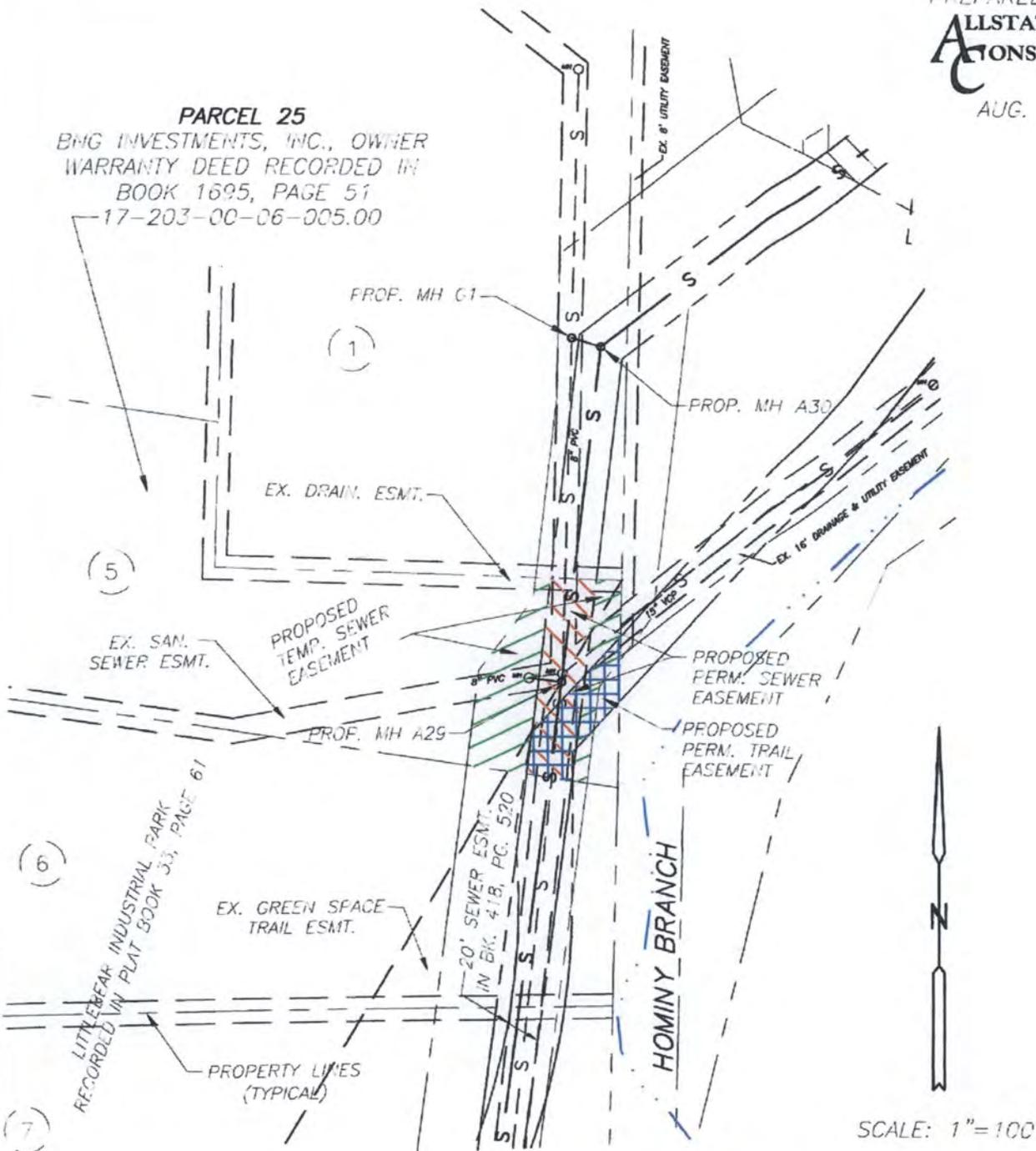


PARCELS 23 & 24
 EMANUEL AND SHEILA
 BURKHOLDER, OWNERS
 WARRANTY DEED RECORDED IN
 BOOK 1673, PAGE 597
 17-203-00-06-006.00 &
 17-203-00-06-007.00

PROPOSED PERMANENT SEWER EASEMENT: 2,770 SQ. FT.
 PROPOSED TEMPORARY SEWER EASEMENT: 13,545 SQ. FT.
 PROPOSED PERMANENT TRAIL EASEMENT: 10,920 SQ. FT.
 (ALL WITHIN THE GREENSPACE TRAIL EASEMENT)
 INCLUSIVE OF 5,800 SQ. FT. EXISTING SEWER ESMT.
 AND 245 SQ. FT. EXISTING DRAINAGE ESMT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS

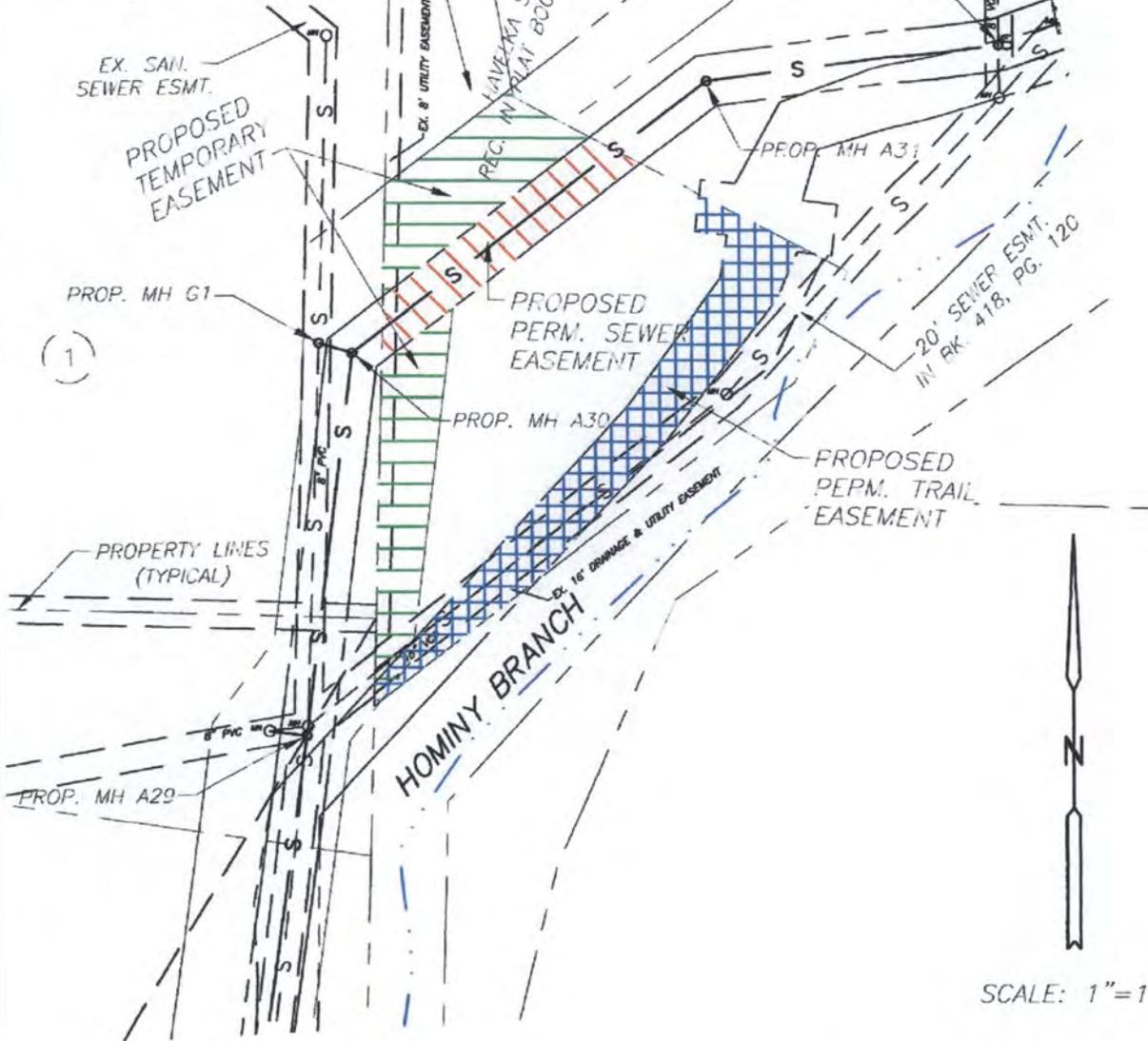
PARCEL 25
 BNG INVESTMENTS, INC., OWNER
 WARRANTY DEED RECORDED IN
 BOOK 1695, PAGE 51
 17-203-00-06-005.00



PROPOSED PERMANENT SEWER EASEMENT: 1,160 SQ. FT.
 PROPOSED TEMPORARY SEWER EASEMENT: 3,205 SQ. FT.
 PROPOSED PERMANENT TRAIL EASEMENT: 2,575 SQ. FT.
 (ALL WITHIN THE GREENSPACE TRAIL EASEMENT)
 INCLUSIVE OF 1,085 SQ. FT. EXISTING SEWER ESMT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS

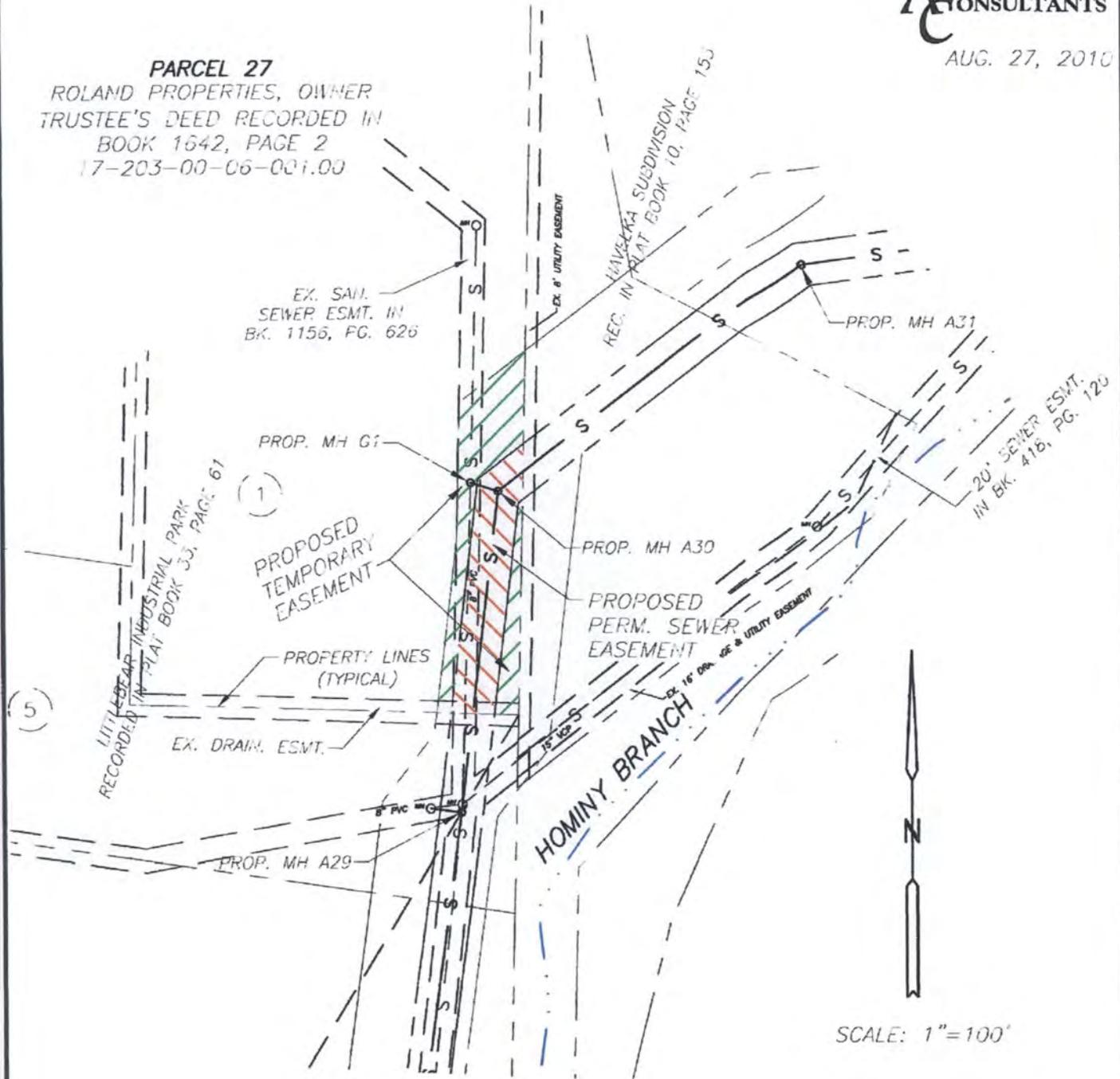
PARCEL 26
 W.L.-MARILYN STONE TRUST,
 OWNER
 WARRANTY DEED RECORDED IN
 BOOK 3058, PAGE 72
 17-203-00-03-001.01



PROPOSED PERMANENT SEWER EASEMENT: 4,840 SQ. FT.
 PROPOSED TEMPORARY EASEMENT: 9,510 SQ. FT.
 PROPOSED PERMANENT TRAIL EASEMENT: 10,380 SQ. FT.
 INCLUSIVE OF 4,420 SQ. FT. WITHIN EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS

PARCEL 27
 ROLAND PROPERTIES, OWNER
 TRUSTEE'S DEED RECORDED IN
 BOOK 1542, PAGE 2
 17-203-00-06-001.00



PROPOSED PERMANENT EASEMENT: 3,640 SQ. FT.
 PROPOSED TEMPORARY EASEMENT: 3,785 SQ. FT.

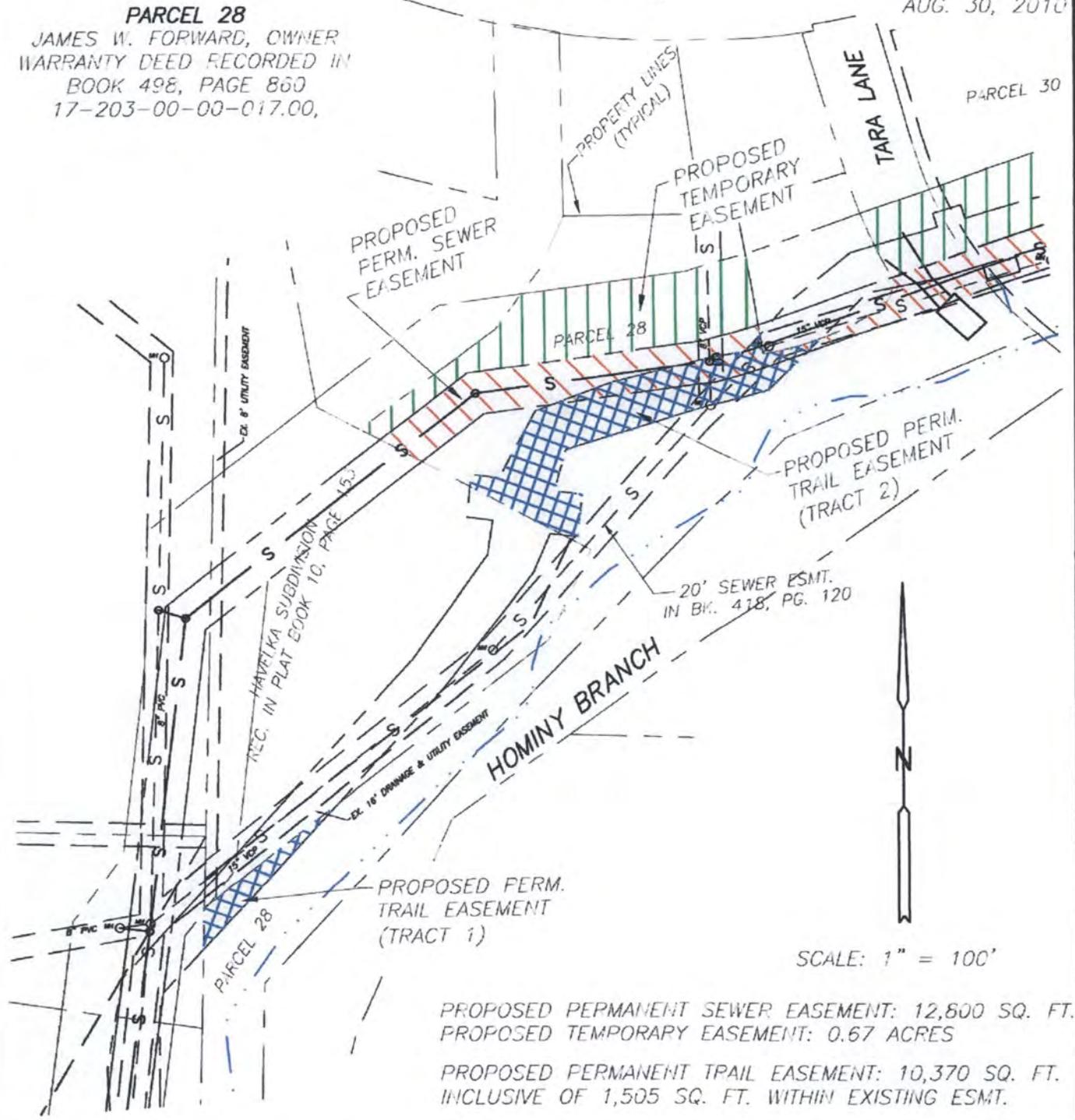
DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER EASEMENTS

PARCEL 28
 JAMES W. FOPWARD, OWNER
 WARRANTY DEED RECORDED IN
 BOOK 498, PAGE 860
 17-203-00-00-017.00,

I-70 DR. S.E.

PARCEL 30

TARA LANE



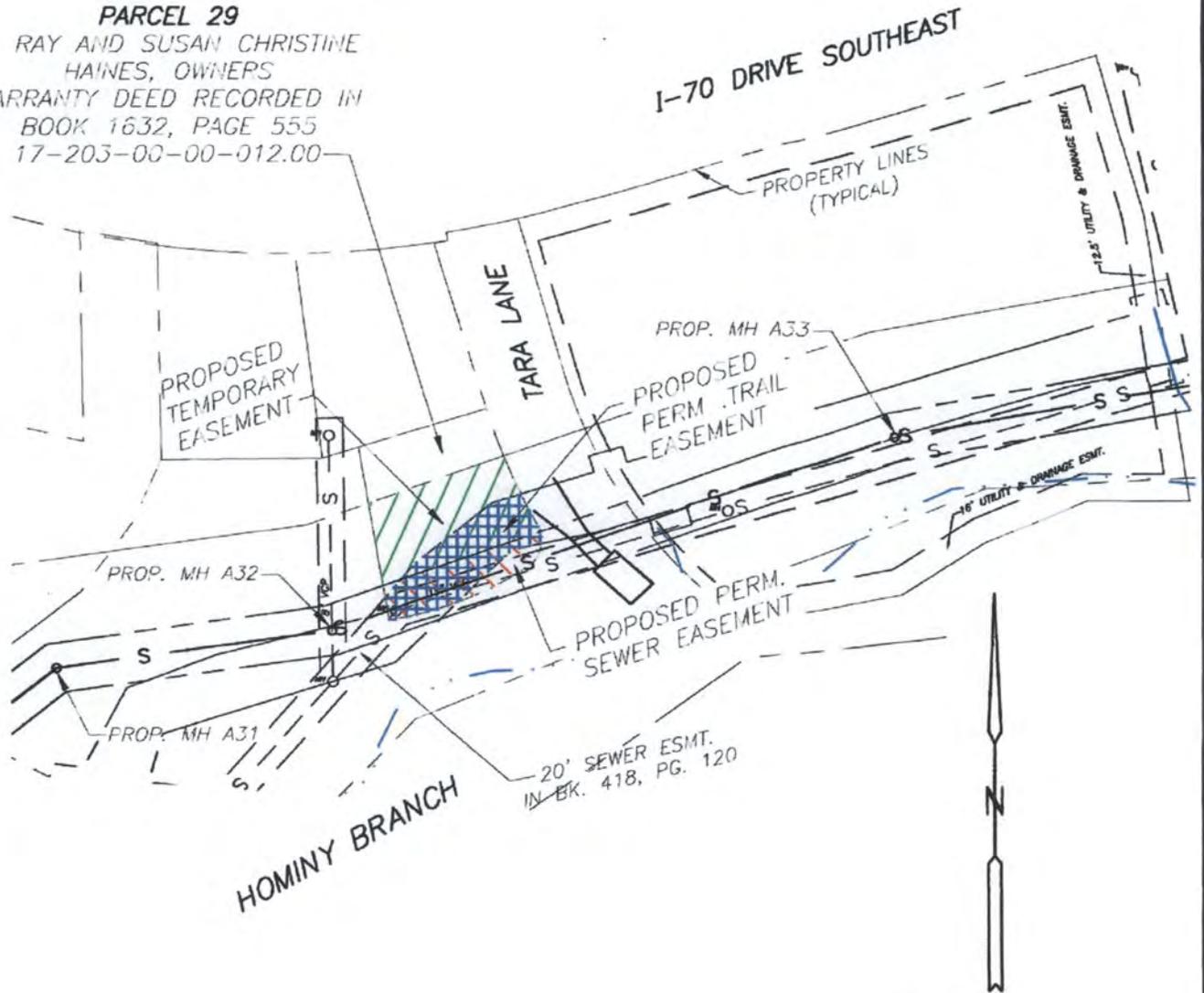
PROPOSED PERMANENT SEWER EASEMENT: 12,800 SQ. FT.
 PROPOSED TEMPORARY EASEMENT: 0.67 ACRES
 PROPOSED PERMANENT TRAIL EASEMENT: 10,370 SQ. FT.
 INCLUSIVE OF 1,505 SQ. FT. WITHIN EXISTING ESMT.

**DISPLAY OF PROPOSED
 HOMINY BRANCH SANITARY
 SEWER & TRAIL EASEMENTS**

AUG. 13, 2010

PARCEL 29

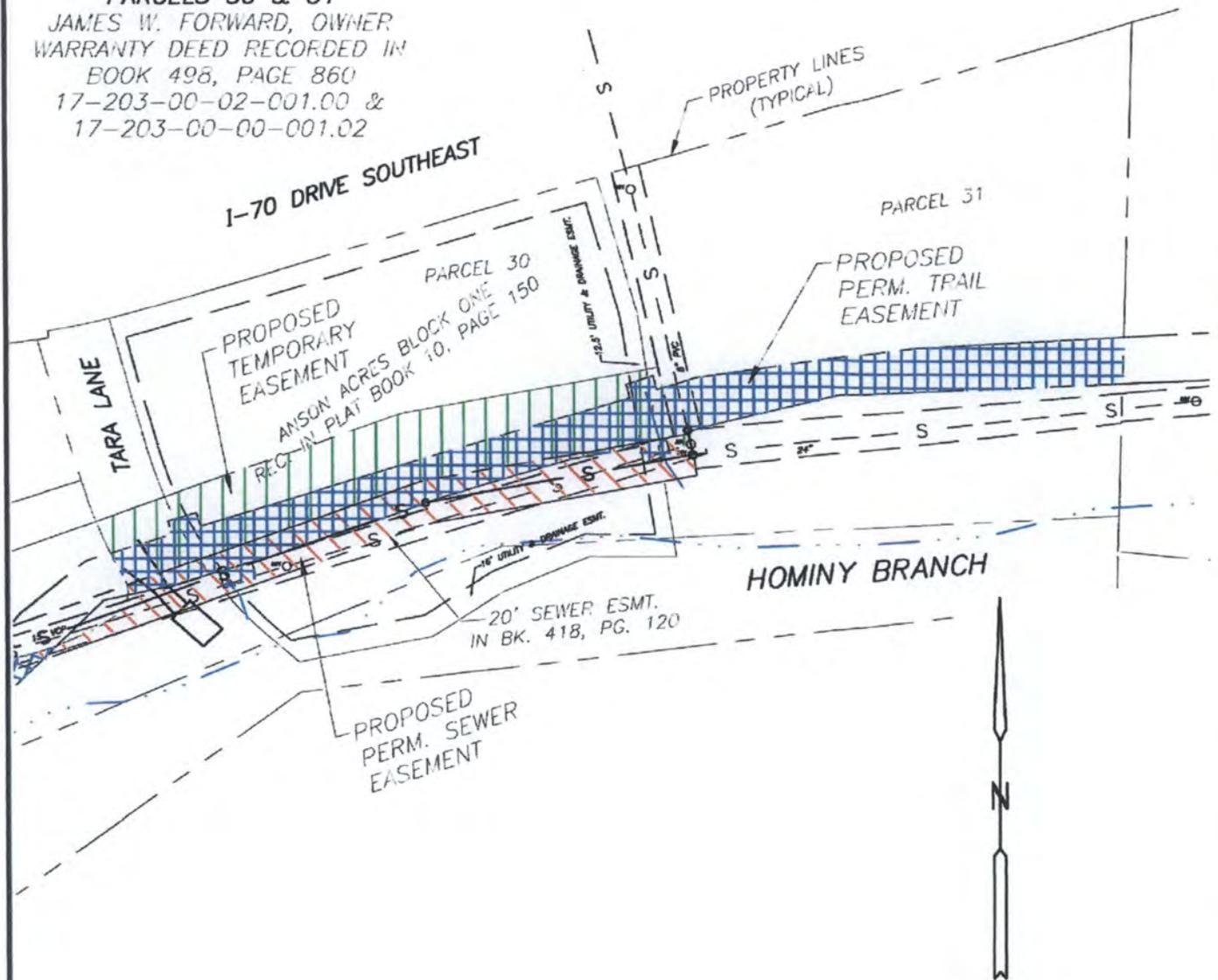
O. RAY AND SUSAN CHRISTINE
HAINES, OWNERS
WARRANTY DEED RECORDED IN
BOOK 1632, PAGE 555
17-203-00-00-012.00



PROPOSED PERMANENT SEWER EASEMENT: 835 SQ. FT.
PROPOSED TEMPORARY EASEMENT: 4,675 SQ. FT.
PROPOSED PERMANENT TRAIL EASEMENT: 3,085 SQ. FT.
INCLUSIVE OF 915 SQ. FT. WITHIN EXISTING ESMT.

**DISPLAY OF PROPOSED
HOMINY BRANCH SANITARY
SEWER & TRAIL EASEMENTS**

PARCELS 30 & 31
JAMES W. FORWARD, OWNER
WARRANTY DEED RECORDED IN
BOOK 498, PAGE 860
17-203-00-02-001.00 &
17-203-00-00-001.02

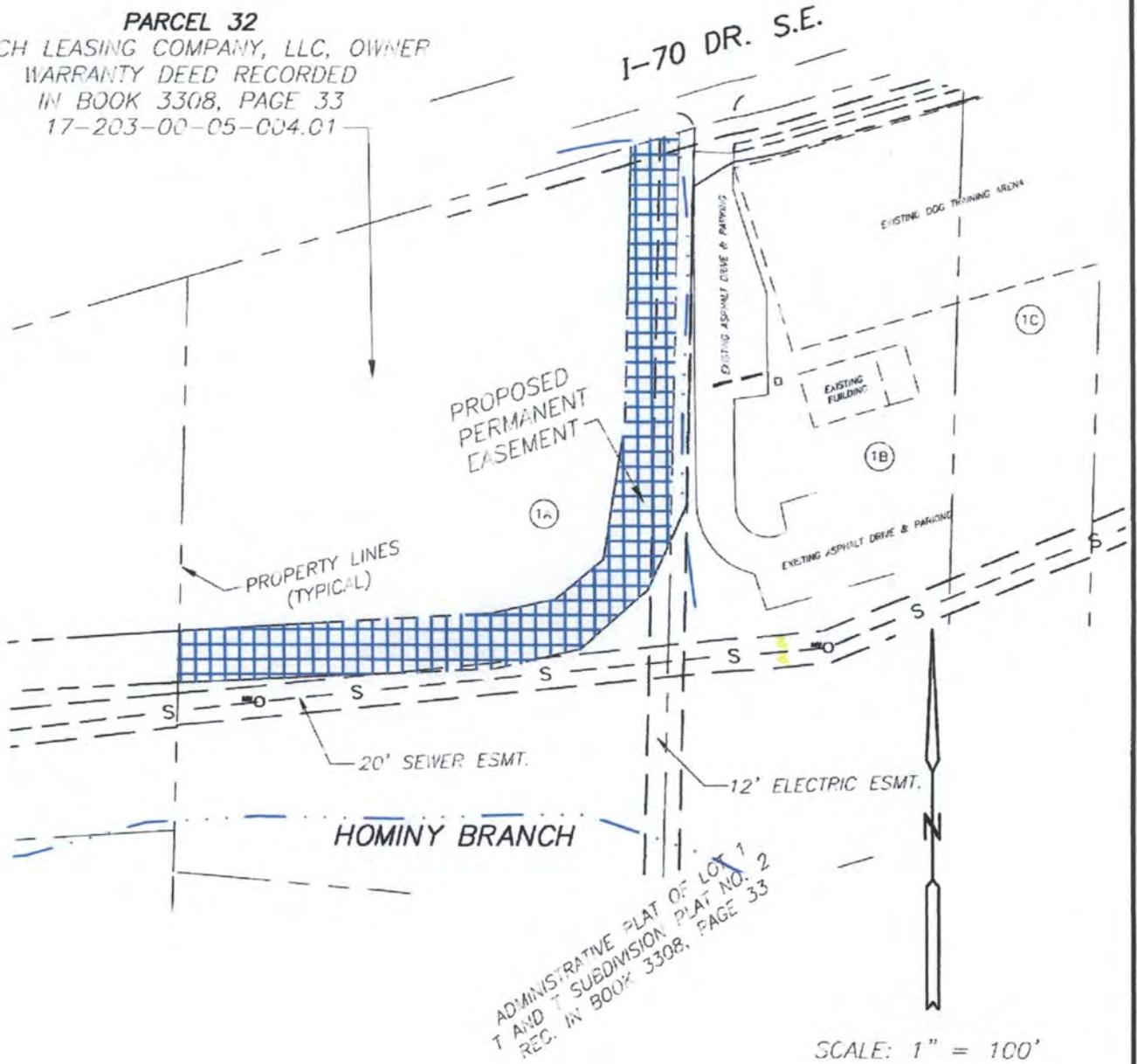


NOT TO SCALE

PROPOSED PERMANENT SEWER EASEMENT: 12,800 SQ. FT.
PROPOSED TEMPORARY EASEMENT: 0.67 ACRES
PROPOSED PERMANENT TRAIL EASEMENT: 24,315 SQ. FT.
INCLUSIVE OF 2,200 SQ. FT. WITHIN EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER & TRAIL EASEMENTS

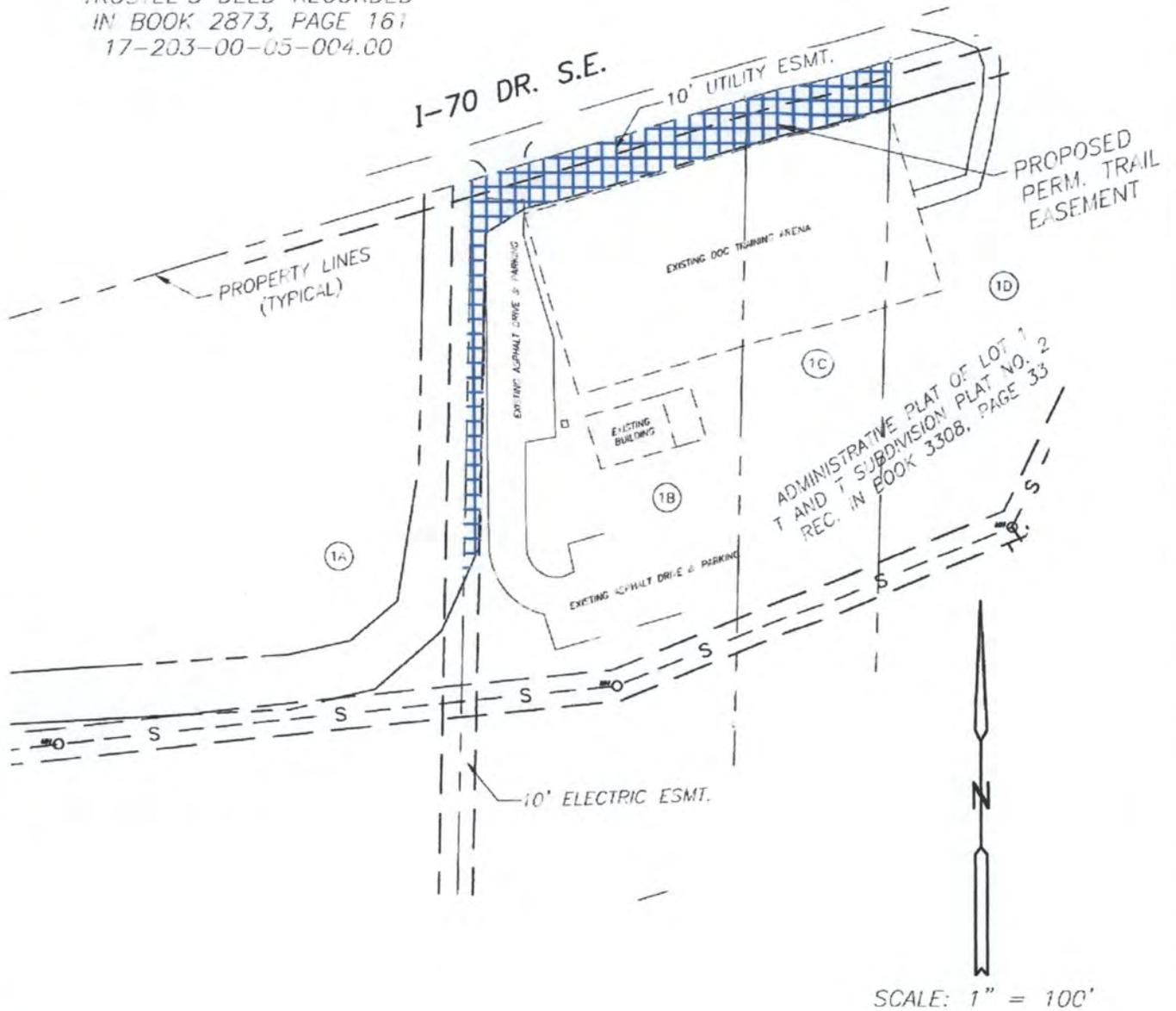
PARCEL 32
FRECH LEASING COMPANY, LLC, OWNER
WARRANTY DEED RECORDED
IN BOOK 3308, PAGE 33
17-203-00-05-004.01



PROPOSED PERMANENT EASEMENT: 18,870 SQ. FT.
INCLUSIVE OF 3,610 SQ. FT. OF EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

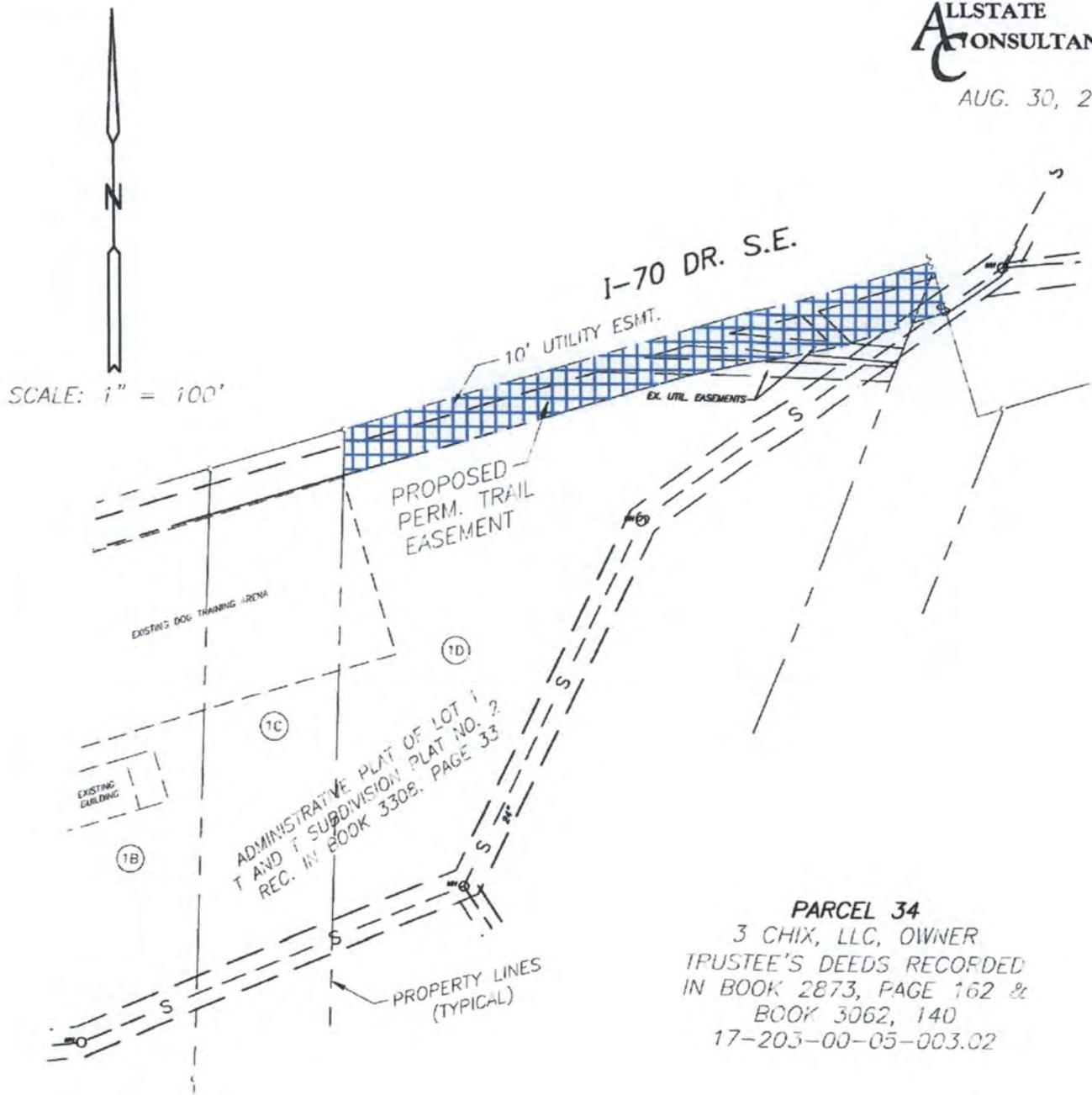
PARCEL 33
K-9 VENTURE ASSOCIATES, LLC, OWNER
TRUSTEE'S DEED RECORDED
IN BOOK 2873, PAGE 161
17-203-00-05-004.00



PROPOSED PERMANENT TRAIL EASEMENT: 10,090 SQ. FT.
INCLUSIVE OF 5,090 SQ. FT. OF EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

AUG. 30, 2010

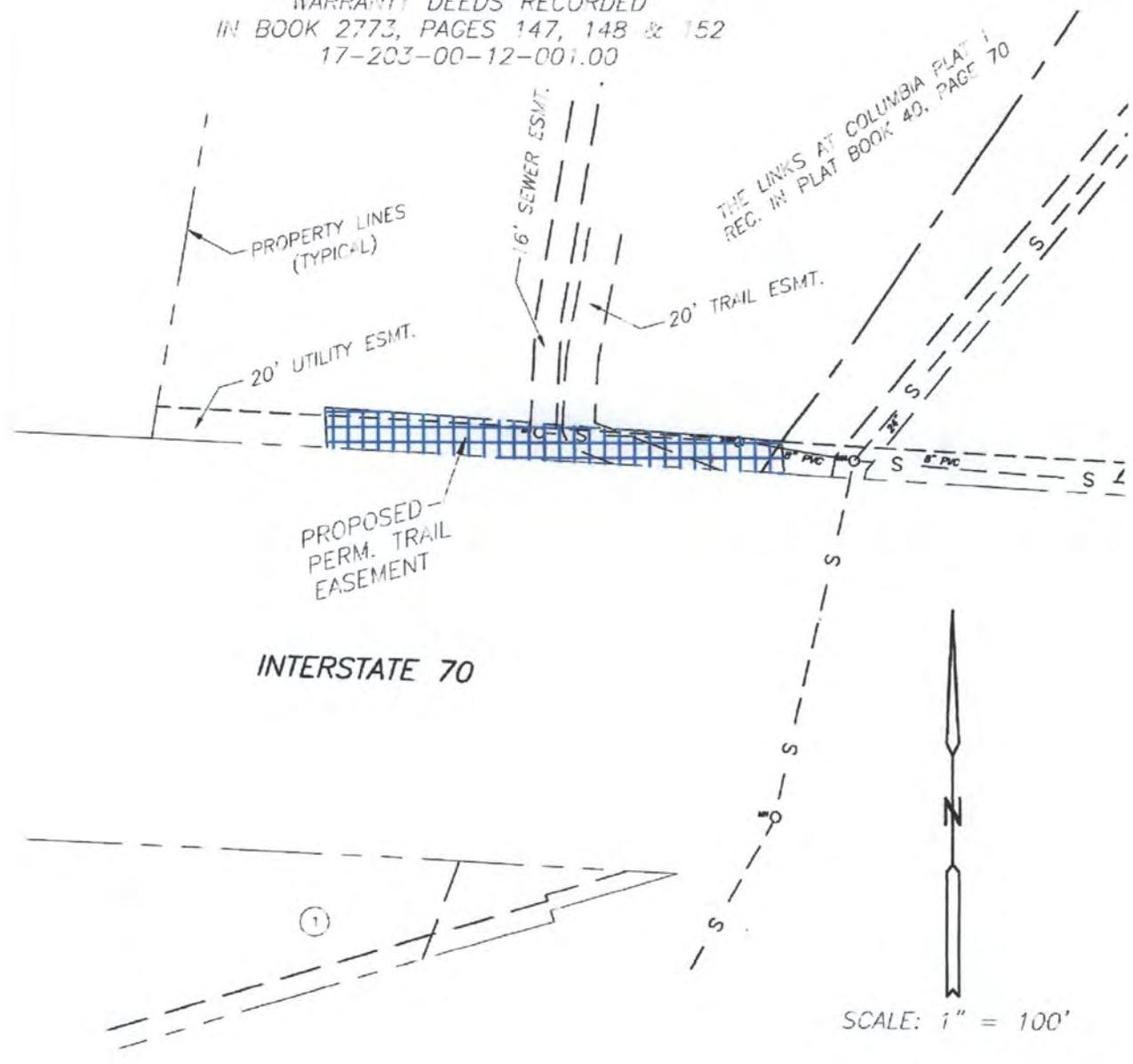


PARCEL 34
3 CHIX, LLC, OWNER
TRUSTEE'S DEEDS RECORDED
IN BOOK 2873, PAGE 162 &
BOOK 3062, 140
17-203-00-05-003.02

PROPOSED PERMANENT TRAIL EASEMENT: 12,535 SQ. FT.
INCLUSIVE OF 6,040 SQ. FT. OF EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

PARCEL 36
THE LINKS AT COLUMBIA, OWNER
WARRANTY DEEDS RECORDED
IN BOOK 2773, PAGES 147, 148 & 152
17-203-00-12-001.00

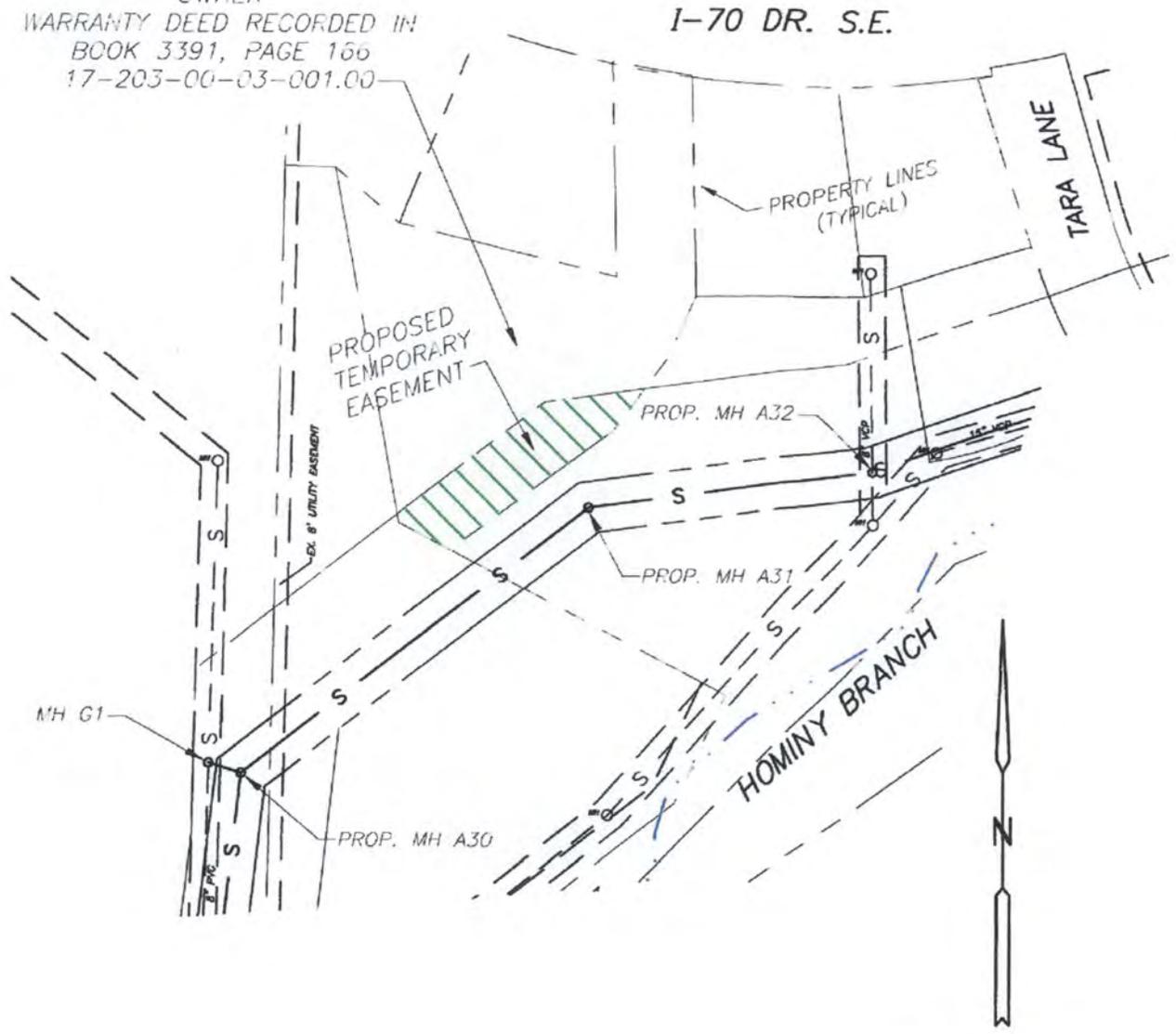


PROPOSED PERMANENT TRAIL EASEMENT: 6,410 SQ. FT.
INCLUSIVE OF 5,805 SQ. FT. OF EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

AUG. 13, 2010

PARCEL 41
4206, 4208 I-70 DR. SE, LLC,
OWNER
WARRANTY DEED RECORDED IN:
BOOK 3391, PAGE 166
17-203-00-03-001.00



SCALE: 1" = 100'

PROPOSED TEMPORARY EASEMENT: 4,925 SQ. FT.

DISPLAY OF PROPOSED HOMINY BRANCH SANITARY SEWER EASEMENTS

**PUBLIC WORKS DEPARTMENT
PHONE LOG CONTACT SHEET**

Project Name Hominy Trail Sewer Phase II

Staff Name Ted Curtis

Contact Name/Parcel #	Owner/Tenant	Date of Contact	Time	Notes
Earl Roland – Parcel 27 217-789-7711/814-0083	Owner	11/17/2010	4:25pm	Heavy equipment dealer, seemed ok, will call back if questions. Contact: Matt Roland 816 N Dickerson Pkwy, Springfield, MO 62702
James Forward – Parcels 28, 30, 31 443-2091	Owner	11/17/2010	4:30pm	Contacted – not in favor
Roy and Susan Haines – Parcel 29 449-8380	Owner	11/17/2010		No answer
(Haines continued)		11/18/2010		7800 Rock Bridge Ln., 65203 Seem ok, Send DWG, has parcel for duplex it goes through, Sent DWG 11/22/2010 Sheet 9
Louis and Betty Frech – Parcel 32 474-7566; 219-2483 Betty	Owner	11/17/2010		No answer

(Frech continued)		11/18/2010	8:30am & 3:40pm	No answer
(Frech continued)		11/22/2010		Left message; but mailed on 11/23/2010 – Tom said she was not in favor of trail
(Frech continued)		11/23/2010	3:00pm	She called back – not happy about trail but will go over drawing, Come in later – will try to address concerns during final design
Jack & Doris Overton – Parcel 20, 21 445-3402	Owner	11/17/2010	4:00pm	No answer
(Overton continued)		11/18/2010	8:30am	No answer
(Overton continued)		11/22/2010	12:00pm	No answer; talked to resident Maureen, used to be manager (Hillsdale) contact would be Steve Welling – she called Mrs. Overton, took letter and DWG and will pass info on to Steve and Mrs. Overton and have them call me if needed.
Hazel Schlottach – St Charles – Parcel 22 –	Owner	11/17/2010		Contact, gave info, she expected it to go to Council (did earlier walk down with her)

808-2600				
Emanuel & Sheila Burkholder – Parcel 23, 24, 25 474-7870	Owner	11/17/2010		Left message – 11681 E I-70 Drive NE, 65202
(Burkholder continued)		11/18/2010	3:40pm	Sheila called back; sent drawing; Sheet 9
Marilyn Stone Trust Parcel 26 687-9141 – Sturgeon, MO	Owner	11/17/2010		Busy, numerous calls
(Stone continued)		11/18/2010	8:30am	Busy, numerous calls
(Stone continued)		11/22/2010		Left message – Tom contacted
Andrea Meinhart Parcels 33, 34	Owner	11/17/2010		Left message; design team met with her recently; was at IP-PH – left message with Receptionist
The Links Parcel 36 Property Manager Shawna Local – 474-4399 Corporate – 479-521-6686	Owner	11/17/2010	4:50pm	Gave her info on process – she is property manager – local will have to go through corporate office in Fayetteville, AR

Mark Stevenson

Owner

11/18/2010

OK – 11/18/2010 at Rotary

Parcel 41

443-4663; cell 999-0671

Source:
Mike Hood *MH*

FISCAL and VISION NOTES:

Agenda Item No. *B145-10*

TO: City Council
FROM: City Manager and Staff
DATE: July 22, 2010
RE: Hominy Creek Trail Public Hearing

COPIES

City Fiscal Impact Enter all that apply:	
\$0	City's current net FY cost.
\$3,176,000	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$3,176,000	Estimated 2 yr net costs:
\$0	One-time
	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)
Vision Implementation Impact Enter Below All That Applies: Refer to Website:	
Y	Vision Impact? (Y/N or if N, go no further)
12	Primary Vision, Strategy and/or Goal Item#
12.4.1 12.4.2	Secondary Vision, Strategy and/or Goal Item#
Task #	FY10/FY11 Implementation Task#

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration a resolution setting a public hearing for Sept 7, 2010, concerning the completion of the two mile Hominy Creek Trail Project. The proposed concrete trail will include two phases: Phase I will extend from Stephens Lake Park to Woodridge Park and Phase II extends from Woodridge subdivision to The Links subdivision. The project will require the acquisition of ten permanent and one temporary construction easements for Phase 1 (see attached maps). Total project cost for both phases is estimated at \$3,176,000. The project will be funded with \$1,320,000 from the Park Sales Tax; \$500,000 from STP Enhancement Grant for Phase I and \$1,356,000 for Phase 2 from the SAFETEA-LU Section 1807, Nonmotorized Transportation Pilot Program as administered by GetAbout Columbia.

DISCUSSION:

The Hominy Creek Trail project from Stephens Lake Park to The Links Golf/Apartment complex also includes the construction of both sewer and water utilities. The coordination between the utilities, Missouri Department of Transportation and the various grant agencies has made a simple trail project much more complicated. However, this coordination is critical as there must be a logical progression for the acquisition of water, sewer, recreational trail easements, construction easements, utility work and then finally, trail construction. The project is moving forward, but must meet critical dates as established by the grant agencies.

The trail is being funded by several sources. The west section (Phase 1 – from Broadway to Woodridge) is funded through a combination of Parks Sales Tax and a Federal Enhancement grant. The east section (Phase 2 – from Woodridge to The Links subdivision) will be paid for grant funds from SAFETEA-LU Section 1807, Nonmotorized Transportation Pilot Program as administered by GetAbout Columbia. Total estimated acquisition and construction costs for the project are \$1,820,000 for Phase 1 and \$1,356,000 for Phase 2.

The trail construction will include a ten foot wide concrete trail that meets ADA requirements, provides a durable hard-surface for year round use and substantially reduces annual maintenance costs. The trail design also includes an adjacent five foot wide gravel side path

for runners/joggers. The project will also include three low-water style bridges designed for pedestrian and maintenance vehicle use.

An Interested Party meeting was held on May 7, 2009 for both Phase 1 (west) and Phase 2 (east). Thirty seven attended with 14 writing supportive comments and one adjacent landowner expressing concerns. Several suggestions were received and addressed. The trail was slightly realigned to mitigate the concerns expressed by one adjacent landowner. Following a public hearing on Sept 7, the Council is requested to authorize the acquisition of permanent trail easements over ten properties for the construction of the Hominy Trail Phase 1. One temporary construction easements will also be needed for the project. The total easements to be acquired for phase 1 will include ten permanent and one temporary construction easements. Most of the property owners from which the easements are required have indicated a willingness to work with the City on the acquisition of those easements for the trail project.

Once the public hearing is scheduled for September 7, 2010, staff will return to Council at their August 16, 2010 Council meeting to request an ordinance be introduced authorizing the acquisition and construction of the project. The three Council meeting timetable for this project is necessary to meet the 21 day Federal requirement for public notification.

The trail through The Links subdivision/golf course has already been constructed by the developers so the Phase II section of this trail ties into that completed project.

FISCAL IMPACT:

The total budget for the project is \$3,176,000 and is funded by the Park Sales Tax, Federal Enhancement grant, and the Nonmotorized Transportation Pilot Program as administered by GetAbout Columbia.

It is anticipated that the trail will be constructed with concrete, thus reducing the annual maintenance costs. It is anticipated that there will be periodic maintenance activities, such as: occasional trash pickup, graffiti removal, tree pruning and occasional mowing. These maintenance activities are all labor related with very few, if any materials/supplies required. Staff believes that these tasks will be able to be absorbed in the current operating budget. At this time, the department is not requesting any permanent or temporary employees based on the addition of this trail, but as other trails are added or developed, the addition of permanent employees or the conversion of temporary salaries to permanent may be requested.

VISION IMPACT:

12 Vision Statement: A network of attractive and safe parks and recreational amenities are connected by trails and greenways that provide area residents with access to nature, recreation, and facilities for active play, both indoors and out.

12.4 Goal: An extensive, safe network of trails will accommodate a variety of users ranging from recreational to nonmotorized travelers. This network may include roadway and public transportation infrastructure to connect parks, neighborhoods, schools, and businesses.

12.4.1 Strategy: Coordinate efforts of different interest groups to develop and fund a multi-use trail network, using sidewalks where trails are not feasible.

12.4.2 Strategy: Achieve trail connectivity in new and existing developments.

SUGGESTED COUNCIL ACTIONS:

Approve the resolution setting the public hearing.

COPY
Parliament Minutes
Filed in Council Office

Introduced by McDavid Council Bill No. R 145-10

A RESOLUTION

declaring the necessity for construction of the Hominy Trail Phase I (from Broadway to Woodridge Drive) and Phase II (Woodridge Drive to Clark Lane) project; stating the nature of and the estimate of the cost of the improvement; providing for payment for the improvement; providing for compliance with the prevailing wage law; and setting a public hearing.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council deems the construction of the Hominy Trail Phase I (from Broadway to Woodridge Drive) and Phase II (Woodridge Drive to Clark Lane) project, necessary to the welfare and improvement of the City.

SECTION 2. The nature and scope of the improvement shall consist of furnishing all labor, materials, transportation, insurance and all other items, accessories and incidentals thereto necessary for the complete construction of the improvements.

SECTION 3. The estimated cost of this improvement is \$3,176,000.00.

SECTION 4. Payment for this improvement shall be made from Park Sales Tax Funds, Surface Transportation Program Enhancement Funds, Non-Motorized Transportation Funds and such other funds as may be lawfully appropriated.

SECTION 5. Any work done in connection with the construction of the improvement specified above shall be in compliance with the provisions of the prevailing wage laws of the State of Missouri. The City shall also cause to be inserted into the contract a stipulation that all laborers and mechanics employed by the contractor or subcontractors in the performance of work under the contract shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

SECTION 6. A public hearing in respect to this improvement will be held in the Council Chamber of the City Hall Building, 701 E. Broadway, Columbia, Missouri, at 7:00 p.m. on September 7, 2010. The City Clerk shall cause notice of this hearing to be published in a newspaper published in the City.

ADOPTED this 2nd day of August, 2010.