

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 277-11

AN ORDINANCE

authorizing the City Manager to accept a donation of land located between Godas Circle and Kassem Drive; providing that the land shall be used for parks, trails and greenbelt purposes; directing the City Clerk to have a copy of the deed recorded; and fixing the time when this ordinance shall become effective.

SECTION 1. The City Manager is authorized to accept a donation of land from Maverick Excavating, Inc. located between Godas Circle and Kassem Drive, more particularly described as follows:

Two (2) parcels of land located in the Southwest quarter (1/4) of Section 3, Township 48 North, Range 12 West in the City of Columbia, Boone County, Missouri; said parcels being part of Tract 1-B of the tract split survey as recorded in Book 1281 at Page 740 of the Boone County Records; said parcels being further described as follows:

Starting, for the first parcel, at the center of said Section 3, said center also being the northeast corner of said Tract 1-B; thence along the east line of said Tract 1-B, said line also being the north-south quarter (1/4) line, S.0°08'00"E., 837.95 feet to the southeast corner of said Tract; thence along the southeasterly line of said Tract S.59°51'25"W., 743.71 feet to the south corner of Thessalia Subdivision - Plat 5 as recorded in Plat Book 34 at Page 105 of said Boone County Records, the POINT OF BEGINNING; thence with the lines of said Plat 5 N.38°59'00"W., 394.28 feet; along a non-tangent curve to the left having a radius of 190.00 feet a distance of 49.47 feet (the chord of said curve having bearing and distance of N.43°33'30"E., 49.33 feet); N.55°54'10"W., 738.66 feet; N.66°14'40"W., 179.32 feet to the southwest corner of said Plat 5 on the east line of Thessalia Subdivision - Plat 3 as recorded in Plat Book 32 at Page 19 of said Boone County Records; thence along the lines of said Plat 3 S.2°06'25"E., 211.73 feet; S.6°32'55"W., 90.10 feet; S.15°02'25"W., 188.60 feet; S.29°37'50"W., 141.70 feet to the south corner of said Plat 3 on the northeasterly line of Thessalia Subdivision - Plat 1 as recorded in Plat Book 31 at Page 21 of said Boone County Records; thence along said line and the northeasterly line of Thessalia Subdivision - Plat 4 as recorded in Plat Book 34 at Page 39 of said Boone County Records S.48°44'00"E., 356.92 feet; thence continuing along

the lines of said Plat 4 and Tract 1-B S.41°16'00"W., 30.00 feet; S.48°44'00"E., 315.26 feet; N.50°06'00"E., 213.34 feet; S.33°38'00"E., 202.00 feet; S.75°48'00"E., 45.00 feet; thence N.44°55'00"E., 185.00 feet; thence N.31°50'00"E., 97.00 feet; N.59°45'30"E., 88.27 feet; N.59°51'25"E., 56.23 feet to the POINT OF BEGINNING.

AND

BEGINNING, for the second parcel, at the center of said Section 3, said center also being the northeast corner of said Tract 1-B and Thessalia Subdivision - Plat 7 as recorded in Plat Book 39 at Page 2 of said Boone County Records; thence along the east line of said Tract 1-B, said line also being the north-south quarter (1/4) line and the east line of said Plat 7, S.0°08'00"E., 837.95 feet to the southeast corner of said Tract; thence along the southeasterly line of said Tract S.59°51'25"W., 476.94 feet to the east corner of Thessalia Subdivision - Plat 5 as recorded in Plat Book 34 at Page 105; thence along the lines of said Plat 5 and Plat 7 N.28°52'00"W., 275.95 feet; N.36°35'00"W., 250.00 feet; N.48°33'30"W., 508.37 feet; N.7°43'20"W., 260.27 feet to the northeast corner of said Plat 5 and the northwest corner of said Plat 7 on the east-west quarter (1/4) section line; thence along said line, said line also being the north line of said Plat 7 N.87°54'00"E., 1,109.51 feet to the POINT OF BEGINNING.

SECTION 2. This land shall be used for parks, trails and greenbelt purposes.

SECTION 3. The City Clerk is authorized and directed to have a copy of the deed recorded in the office of the Boone County Recorder of Deeds.

SECTION 4. 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

*Boone-Central Title Company
File No. 1103991*

Missouri Corporation Warranty Deed

This Indenture, Made on _____ day of _____, 20____, by and between

Maverick Excavating, Inc., a Missouri corporation,
as GRANTOR, and

City of Columbia, Missouri, a municipal corporation,

as GRANTEE, whose mailing address is:

Property Address: **2.7 acre and 2.81 acre remainder tracts in Thessalia Subdivision, Columbia, MO 65202
Ballenger Lane, Columbia, MO 65203**

WITNESSETH: THAT THE GRANTOR, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby Grant, Bargain, Sell, Convey and Confirm unto GRANTEE, GRANTEE'S heirs and assigns, the following described lots, tracts and parcels of land situated in the County of **Boone** and State of **Missouri**, to wit:

Two (2) parcels of land located in the Southwest quarter (1/4) of Section 3, Township 48 North, Range 12 West in the City of Columbia, Boone County, Missouri; said parcels being part of Tract 1-B of the tract split survey as recorded in Book 1281 at Page 740 of the Boone County Records; said parcels being further described as follows:

Starting, for the first parcel, at the center of said Section 3, said center also being the northeast corner of said Tract 1-B; thence along the east line of said Tract 1-B, said line also being the north-south quarter (1/4) line, S.0°08'00"E., 837.95 feet to the southeast corner of said Tract; thence along the southeasterly line of said Tract S.59°51'25"W., 743.71 feet to the south corner of Thessalia Subdivision - Plat 5 as

recorded in Plat Book 34 at Page 105 of said Boone County Records, the POINT OF BEGINNING; thence with the lines of said Plat 5 N.38°59'00"W., 394.28 feet; along a non-tangent curve to the left having a radius of 190.00 feet a distance of 49.47 feet (the chord of said curve having bearing and distance of N.43°33'30"E., 49.33 feet); N.55°54'10"W., 738.66 feet; N.66°14'40"W., 179.32 feet to the southwest corner of said Plat 5 on the east line of Thessalia Subdivision - Plat 3 as recorded in Plat Book 32 at Page 19 of said Boone County Records; thence along the lines of said Plat 3 S.2°06'25"E., 211.73 feet; S.6°32'55"W., 90.10 feet; S.15°02'25"W., 188.60 feet; S.29°37'50"W., 141.70 feet to the south corner of said Plat 3 on the northeasterly line of Thessalia Subdivision - Plat 1 as recorded in Plat Book 31 at Page 21 of said Boone County Records; thence along said line and the northeasterly line of Thessalia Subdivision - Plat 4 as recorded in Plat Book 34 at Page 39 of said Boone County Records S.48°44'00"E., 356.92 feet; thence continuing along the lines of said Plat 4 and Tract 1-B S.41°16'00"W., 30.00 feet; S.48°44'00"E., 315.26 feet; N.50°06'00"E., 213.34 feet; S.33°38'00"E., 202.00 feet; S.75°48'00"E., 45.00 feet; thence N.44°55'00"E., 185.00 feet; thence N.31°50'00"E., 97.00 feet; N.59°45'30"E., 88.27 feet; N.59°51'25"E., 56.23 feet to the POINT OF BEGINNING.

AND

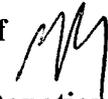
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EXCEPTING THEREFROM, all of the real property as depicted on the following described plats: Thessalia Subdivision - Plat 6 as recorded in Plat Book 37 at Page 9 and Thessalia Subdivision - Plat 7 as recorded in Plat Book 39 at Page 2, all of the Boone County Records.

Source: M. Hood
FISCAL and VISION NOTES:

Agenda Item No. _____

TO: City Council
FROM: City Manager and Staff
DATE: September 22, 2011
RE: Maverick Excavating Donation: 2 Lots



City Fiscal Impact Enter all that apply:	
\$0	City's current net FY cost.
\$0	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs: One-time (FY12 CIP)
\$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)
12.4	Primary Vision, Strategy and/or Goal Item#
12.4.2	Secondary Vision, Strategy and/or Goal Item#
	FY10/FY11 Implementation Task#

EXECUTIVE SUMMARY:

The Department of Parks and Recreation is requesting authorization to accept the donation of two lots from Maverick Excavating Inc. These two lots are located in the Thessalia subdivision between Godas Circle and Kassem Drive (see attached map). These lots will allow the Department to eventually extend the Hominy Creek Trail from its' current terminus at Clark Lane to Waterfront Drive.

DISCUSSION:

The City of Columbia currently owns a 1.78 acre lot located in the Thessalia subdivision. This lot, managed by the Parks and Recreation Department, has a stem access to Kassem Drive providing neighborhood connection to the future extension of the Hominy Creek Trail. Maverick Excavating Inc, is proposing to donate the two lots located on either side of the lot owned by the City. These two lots, 2.81 and 2.70 acres in size will create a continuous 7.29 acre tract allowing the Department to eventually extend the Hominy Creek Trail from The Links apartment/golf complex to Waterfront Drive. The extension of the Hominy Creek Trail is unfunded at this time.

The Boone County Regional Sewer District is requesting a 16-foot sewer easement along the eastern edge of the 2.70 acre donated lot. A separate ordinance has been submitted for Council consideration authorizing the City Manager to execute an agreement with the sewer district for this easement.

FISCAL IMPACT:

The acceptance of this donation has minimal fiscal impact as the two lots will be simply maintained as open space, natural area until the trail is extended at some point in the future.

VISION IMPACT:

12.4 Goal: An extensive, safe network of trails will accommodate a variety of users ranging from recreational to non-motorized travelers. This network may include roadway and public transportation

infrastructure to connect parks, neighborhoods, schools, and businesses.

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

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance accepting the donation.

Boone County Internet Parcel Map

Prepared by the Boone County Assessor's Office, (573) 886-4262



Owner: MAVERICK EXCAVATING INC
Address: 403 PARKWOOD CT
Parcel Number: 172020000010501

Boone County Assessor's Office

ATTENTION!!

DISCLAIMER; READ CAREFULLY: These maps were prepared for the inventory of real property based on the utilization of deeds, plans, and/or supportive data. In addition, map files are frequently changed to reflect changes in boundaries, lot lines and other geographic features resulting from changes in ownership, development and other causes. The existence, dimension, and location of features, as well as other information, should not be relied upon for any purpose without actual field verification. The County of Boone makes no warranty of any kind concerning the completeness or accuracy of information contained on these maps and assumes no liability or responsibility for the use or reuse of these maps by persons not affiliated with Boone County. Use of these maps by any person not affiliated with Boone County constitutes agreement by the user to assume full liability and responsibility for the verification of the accuracy of information shown on these maps.

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*Boone-Central Title Company
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