

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 272-13

### **AN ORDINANCE**

vacating public rights-of-way located north of Chapel Hill Road, between Face Rock Court and Madison Park Drive; directing the City Clerk to have a copy of this ordinance recorded; 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 Council finds and determines that certain public rights-of-way located north of Chapel Hill Road, between Face Rock Court and Madison Park Drive, more particularly described as follows:

#### **RIGHT-OF-WAY SEGMENT #1**

A TRACT OF LAND LOCATED IN THE SOUTHEAST PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED AS THE RIGHT-OF-WAY BY COURT ORDER RECORDED IN BOOK 316, PAGE 218 OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 22 THENCE FOLLOWING THE ¼ SECTION LINE N00°27'45"E, 279.07 FEET TO THE POINT OF BEGINNING THENCE N54°50'40"W, 30.41 FEET; THENCE N00°27'45"E, 547.12 FEET; THENCE N69°36'50"E, 26.75 FEET; THENCE S00°27'45"W, 573.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.32 ACRES.

#### **RIGHT-OF-WAY SEGMENT #2**

##### **TRACT 1**

A TRACT OF LAND LOCATED IN THE SOUTHWEST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 324, PAGE 545 OF THE RECORDS OF BOONE COUNTY.

are in excess and surplus to the needs of the City and are hereby vacated.

SECTION 2. The City Clerk is hereby authorized and directed to cause a copy of this ordinance to be recorded in the office of the Recorder of Deeds of Boone County, Missouri.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor



Source: Community Development - Planning <sup>T</sup>

Agenda Item No:

To: City Council

From: City Manager and Staff *MM*

Council Meeting Date: Sep 16, 2013

Re: Right-of-way vacations - Rock Valley Plat 4 (Case #13-152)

#### **EXECUTIVE SUMMARY:**

A request by Central Missouri Land, LLC and C-Hill, LLC. (owners) to vacate Hillcrest Road and two additional right-of-way segments located on property north of Chapel Hill Road between Face Rock Court and Madison Park Drive. The vacation of the rights-of-way are in conjunction with a one-lot final plat to be known as "Rock Valley Plat 4". (Case # 13-152)

#### **DISCUSSION:**

The applicants are seeking authorization to vacate three segments of public right-of-way. The vacation request has been prompted by the proposed redevelopment of the 12 acres surrounding the rights-of-way into an assisted living/continuing care retirement community (CCRC).

Two of the three right-of-way segments do not provide access to any existing structures and are of no practical use to the applicant nor adjacent properties. The third, Hillcrest Road, currently provides the sole access to two occupied rental properties (1800 and 1804 Hillcrest Road) under the applicants ownership and has public utilities located within it. A request to demolish the two rental structures has been submitted and is pending issuance subject to the tenants vacating the property. Once the structures are removed, this right-of-way will also serve no useful purpose to the applicants or the public.

The request to vacate the three right-of-way segments has been reviewed by internal and external departments and agencies and is supported. However, due to the necessity to maintain legal access to 1800 and 1804 Hillcrest Road the Law Department requests that the vacation of Hillcrest Road be approved contingent on demolition and relocation of utilities. The Community Development Director will notify the City Clerk in writing when such conditions have been met. The ordinance would be signed once the occupied dwellings and utilities have been removed and relocated.

A delayed effective date for the vacation of the Hillcrest Road right-of-way ensures that public access for city services and utilities is maintained as long as the structures are occupied. Proceeding forward with the other vacation requests is not believed premature since those rights-of-way are non-essential.

A locator map, vacation exhibits, and legal descriptions are attached.

#### **FISCAL IMPACT:**

This action will reduce future fiscal impacts by the removal of a segment of public right-of-way. Redevelopment of the property will install privately maintain improvements.

#### **VISION IMPACT:**

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

None

**SUGGESTED COUNCIL ACTIONS:**

Approval of the vacation requests provided that:

1 - The ordinance vacating that portion of Hillcrest Road providing access to 1800 and 1804 Hillcrest Road be delayed until the structures are removed.

<b>FISCAL and VISION NOTES:</b>					
<b>City Fiscal Impact</b> Enter all that apply		<b>Program Impact</b>		<b>Mandates</b>	
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	<b>Vision Implementation impact</b>	
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:		<b>Resources Required</b>		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'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



**SUBJECT  
SITE**

## 13-152 Right of Way Vacations Rock Valley Plat 4



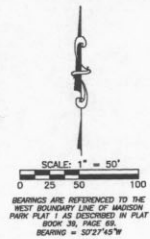
Parcel Data  
Source: Boone County Assessor

0 150 300 600  
Feet



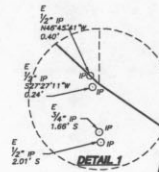
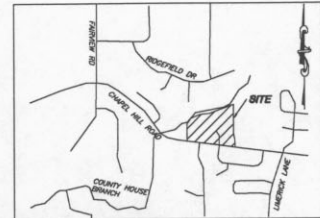


FILED FOR RECORD, BOONE COUNTY MISSOURI  
REBE JOHNSON, RECORDER OF DEEDS



# FINAL PLAT ROCK VALLEY PLAT 4

A MINOR SUBDIVISION  
AUGUST 7, 2007



## KNOW ALL MEN BY THESE PRESENTS

GREGORY L. & LINDA M. BARTELS, HUSBAND AND WIFE, BEING SOLE OWNERS OF THE BELOW  
DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.  
IN WITNESS WHEREOF, GREGORY L. & LINDA M. BARTELS HAVE CAUSED THESE PRESENTS TO BE  
SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO  
THE CITY OF COLUMBIA, FOREVER.  
ADDITIONAL RIGHT-OF-WAY FOR CHAPEL HILL ROAD IS HEREBY DEDICATED TO PUBLIC USE  
FOREVER.

GREGORY L. BARTELS

LINDA M. BARTELS

STATE OF MISSOURI  
COUNTY OF BOONE

ON THIS DAY OF

IN THE YEAR 2007, BEFORE ME, SPENCER M.

HASKAMP, A NOTARY PUBLIC IN AND FOR THE STATE OF MISSOURI, WHO BEING FULLY  
ADVISED OF THE CONTENTS AND EFFECTS OF THE FOREGOING INSTRUMENT, KNOWING THE  
IDENTITY OF THE PARTIES AND THE CONTENTS OF THE INSTRUMENT, HAVE CAUSED THE SAME  
TO BE SIGNED BY THEM IN MY PRESENCE.

SPENCER M. HASKAMP

NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 11, 2011.

## CERTIFICATION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH,  
RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF THE  
TRACTS 1 AND 2 OF THE SURVEY AS RECORDED IN BOOK 324, PAGE 462 DESCRIBED BY THE  
WARRANT DEED RECORDED IN BOOK 792, PAGE 234, ALSO BEING PART OF THE SURVEY  
RECORDED IN BOOK 1036, PAGE 89 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN  
BOOK 715, PAGE 462 OF THE BOONE COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

COMMENCING FROM THE CENTER OF SECTION 22; THENCE FOLLOWING THE CENTERLINE OF  
CHAPEL HILL ROAD N 82° 24' 40" W, 142.40 FEET TO THE POINT OF BEGINNING; THENCE  
N 82° 24' 40" W, 104.39 FEET; THENCE N 01° 16' 30" W, 33.31 FEET; THENCE N 82° 24' 40" W, 213.76  
FEET; THENCE N 82° 24' 40" W, 488.67 FEET; THENCE N 01° 16' 30" W, 264.51 FEET; THENCE  
N 02° 48' 10" E, 187.67 FEET; THENCE N 82° 24' 40" W, 181.80 FEET; THENCE N 01° 16' 30" W, 184.83  
FEET; THENCE N 82° 24' 40" W, 333.17 FEET; THENCE S 00° 27' 40" W, 573.84 FEET; THENCE  
N 04° 30' 40" W, 30.41 FEET; THENCE N 82° 24' 40" W, 120.30 FEET; THENCE S 00° 17' 30" W, 185.80  
FEET; THENCE S 00° 17' 30" W, 184.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.04  
ACRES.

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN  
ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MANUAL STANDARDS FOR PROPERTY  
BOUNDARY SURVEYS.

SURVEY AND PLAT BY  
A CIVIL GROUP

JAY CERNIAK L.S. 200101009

DATE

STATE OF MISSOURI

COUNTY OF BOONE

SUBSCRIBED AND AFFIRMED BEFORE ME THIS DAY

2007.

SPENCER M. HASKAMP

MY COMMISSION EXPIRES JULY 11, 2011.

## LEGEND

- IRON PIPE CAP #2001000115
- EXISTING
- SET
- PERMANENT MONUMENT
- MEASURED
- RECORD
- DI, DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10,000 SQUARE FEET
- 1.36 ACRES
- EXISTING FENCE
- EXISTING STONE
- IRON PIPE
- REBAR
- CURVE NUMBER



A CIVIL GROUP  
CIVIL ENGINEERING, PLANNING, SURVEYING  
188 WILSON BLVD., SUITE 400  
COLUMBIA, MO 65201  
PHONE: (314) 731-1550 FAX: (314) 731-1551

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY  
COUNCIL THIS DAY OF 2007.

DARREN FERGUSON, MAYOR

SHEILA AMM, CITY CLERK

Plotted by: cody, Jul 29 2013 - 4:40pm

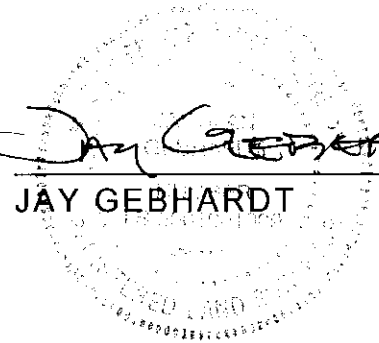
## **PROPERTY DESCRIPTIONS FOR VACATION OF HILLCREST ROAD**

### **TRACT 1**

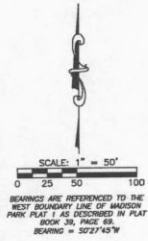
A TRACT OF LAND LOCATED IN THE SOUTHWEST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 324, PAGE 545 OF THE RECORDS OF BOONE COUNTY

### **TRACT 2**

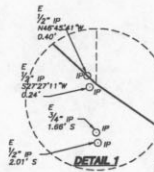
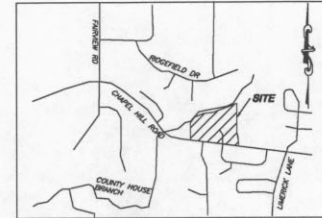
A TRACT OF LAND LOCATED IN THE SOUTHEAST PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING ALL OF THE TRACT DESCRIBED BY THE ROAD DEDICATION DEED RECORDED IN BOOK 320, PAGE 173 OF THE RECORDS OF BOONE COUNTY

  
  
JAY GEBHARDT      LS-2001001909

FILED FOR RECORD, BOONE COUNTY, MISSOURI  
BETTY JOHNSON, RECORDER OF DEEDS



FINAL PLAT  
**ROCK VALLEY PLAT 4**  
A MINOR SUBDIVISION  
AUGUST 7, 2007



**KNOW ALL MEN BY THESE PRESENTS**

GREGORY L. & LINDA M. BARTLE, HUSBAND AND WIFE, BEING SOLE OWNERS OF THE BELOW DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT. IN WITNESS WHEREOF, GREGORY L. & LINDA M. BARTLE HAVE CAUSED THESE PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA, MISSOURI.

RIGHT-OF-WAY FOR CHAPEL HILL ROAD IS HEREBY DEDICATED TO PUBLIC USE.

GREGORY L. BARTLE LINDA M. BARTLE  
COUNTY OF BOONE MOORE S 33

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR 2007, BEFORE ME, SPENCER M. HASKAMP, A NOTARY PUBLIC IN AND FOR THE STATE OF MISSOURI, HUSBAND AND WIFE, GREGORY L. & LINDA M. BARTLE, HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

SPENCER M. HASKAMP NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 11, 2011.

**CERTIFICATION**

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF THE TRACTS 1 AND 2 OF THE SURVEY AS RECORDED IN BOOK 324, PAGE 462 DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 782, PAGE 234, ALSO BEING PART OF THE SURVEY RECORDED IN BOOK 1038, PAGE 89 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 710, PAGE 48, ALL OF THE BOONE COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CENTER OF SECTION 22; THENCE FOLLOWING THE CENTERLINE OF CHAPEL HILL ROAD N87°24'40\"/>

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY  
A CIVIL GROUP

JAY GEBHART L.S. 2001001809

DATE

STATE OF MISSOURI S 33  
COUNTY OF BOONE MOORE S 33

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

SPENCER M. HASKAMP MY COMMISSION EXPIRES JULY 11, 2011.

**LEGEND**

- IRON PIPE CAP #2001008115
- EXISTING
- S SET
- PM PERMANENT MONUMENT
- (M) MEASURED
- (R) RECORD
- X CH. DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10000 SQUARE FEET
- 1.38 AC
- EXISTING FENCE
- EXISTING STONE
- RP IRON PIPE
- RC REBAR
- C(100) CURVE NUMBER



**A CIVIL GROUP**  
CIVIL ENGINEERING, PLANNING, SURVEYING  
188 WILSON BLVD., SUITE 100  
COLUMBIA, MO 65201  
PHONE: (573) 411-1555 FAX: (573) 411-1557

**ROW TO BE VACATED**

**FLOOD PLAIN STATEMENT**

PART OF THIS TRACT IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN AS SHOWN BY THE FIRM MAP F000000100C DATED AUGUST 5, 1985 AND FIRM MAP F000000101C DATED AUGUST 5, 1985.

**STREAM BUFFER STATEMENT**

THIS TRACT IS REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER ORDINANCE AS DETERMINED BY THE 1985 MAP FOR COLUMBIA QUAD, BOONE COUNTY, MISSOURI. A 100' BUFFER HAS BEEN PROVIDED FOR THE TYPE-1 STREAM, COLUMBIA HOUSE BRANCH, WITH ADJACENT SLOPES GREATER THAN 1:5H GRADE.

**NOTES**

1. THIS IS AN URBAN CLASS SURVEY.
2. PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
3. ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
4. ALL CURVE DIMENSIONS ARE AS MEASURED UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
5. RECORD TITLE INFORMATION FOR THIS PLAT WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, FILE NUMBER 0718820, DATED MAY 30, 2007.
6. SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

DARREN HENDRICK, MAYOR

SHEELA AMIN, CITY CLERK

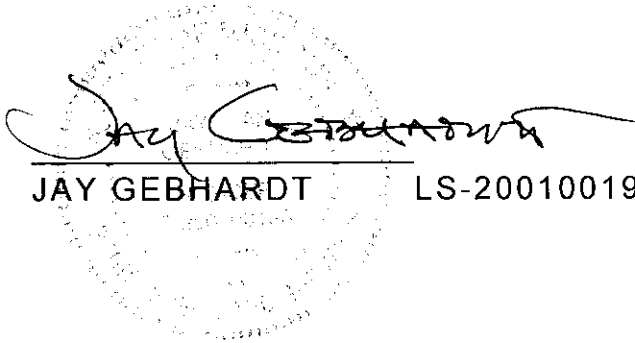
Plotted by: cody Jul 29 2013 - 4:40pm



**PROPERTY DESCRIPTIONS FOR  
RIGHT-OF-WAY BY COURT ORDER BK. 316, PG. 218  
TO BE VACATED**

A TRACT OF LAND LOCATED IN THE SOUTHEAST PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48, RANGE 13, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED AS THE RIGHT-OF-WAY BY COURT ORDER RECORDED IN BOOK 316, PAGE 218 OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 22 THENCE FOLLOWING THE  $\frac{1}{4}$  SECTION LINE N00°27'45"E, 279.07 FEET TO THE POINT OF BEGINNING THENCE N54°50'40"W, 30.41 FEET; THENCE N00°27'45"E, 547.12 FEET; THENCE N69°36'50"E, 26.75 FEET; THENCE S00°27'45"W, 573.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.32 ACRES.



JAY GEBHARDT

LS-2001001909