

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 273-13

AN ORDINANCE

vacating drainage easements and a sanitary sewer easement within Magnolia Falls Subdivision Plat 2 located southeast of the intersection of Old Mill Creek Road and State Route KK; 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 drainage easements and a sanitary sewer easement within Magnolia Falls Subdivision Plat 2 located southeast of the intersection of Old Mill Creek Road and State Route KK, more particularly described as follows:

FIVE TRACTS OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF MAGNOLIA FALLS AS RECORDED IN PLAT BOOK 41, PAGE 64 OF THE BOONE COUNTY RECORDS, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

COMMENCING FROM THE SOUTHERNMOST POINT OF LOT 31 OF MAGNOLIA FALLS, THENCE N63°22'15"W, 31.11 FEET TO THE POINT OF BEGINNING; THENCE N63°22'15"W, 47.79 FEET; THENCE N18°38'40"E, 196.32 FEET; THENCE ALONG A 325.00-FOOT RADIUS CURVE TO THE LEFT, 10.00 FEET, SAID CURVE HAVING A CHORD S71°21'20"E, 10.00 FEET; THENCE S18°38'40"W, 154.34 FEET; THENCE S51°06'50"E, 77.16 FEET; THENCE S76°37'30"W, 41.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,040 SQUARE FEET.

TRACT 2

COMMENCING FROM THE NORTHWEST CORNER OF LOT 30 OF MAGNOLIA FALLS, THENCE ALONG A 325.00-FOOT RADIUS CURVE TO THE LEFT, 112.10 FEET, SAID CURVE HAVING A CHORD N82°19'05"E,

111.54 FEET TO THE POINT OF BEGINNING; THENCE ALONG A 325.00-FOOT RADIUS CURVE TO THE LEFT, 16.28 FEET, SAID CURVE HAVING A CHORD N71°00'05"E, 16.28 FEET; THENCE S8°19'40"E, 147.67 FEET; THENCE S75°09'25"W, 16.10 FEET; THENCE N8°19'40"W, 146.48 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,355 SQUARE FEET.

TRACT 3

BEGINNING AT THE NORTHEAST CORNER OF LOT 14 OF MAGNOLIA FALLS, THENCE S7°00'45"W, 93.00 FEET; THENCE S82°59'15"E, 50.76 FEET; THENCE S36°33'50"E, 78.68 FEET; THENCE N82°59'15"W, 119.00 FEET; THENCE N7°00'45"E, 20.00 FEET; THENCE N27°24'50"W, 107.90 FEET; THENCE N36°35'25"W, 56.62 FEET; THENCE S82°59'15"E, 114.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 12,555 SQUARE FEET.

TRACT 4

COMMENCING FROM THE SOUTHWEST CORNER OF LOT 26 OF MAGNOLIA FALLS, THENCE ALONG A 175.00-FOOT RADIUS CURVE TO THE RIGHT, 64.27 FEET, SAID CURVE HAVING A CHORD N22°28'05"W, 63.91 FEET TO THE POINT OF BEGINNING; THENCE ALONG A 175.00-FOOT RADIUS CURVE TO THE RIGHT, 21.66 FEET, SAID CURVE HAVING A CHORD N8°24'10"W, 21.64 FEET; THENCE S75°55'35"E, 81.55 FEET; THENCE S14°04'25"W, 20.00 FEET; THENCE N75°55'35"W, 73.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,555 SQUARE FEET.

TRACT 5

COMMENCING FROM THE NORTHERNMOST CORNER OF LOT 4 OF MAGNOLIA FALLS, THENCE ALONG THE WEST BOUNDARY OF SAID LOT 4, S58°57'20"W, 95.71 FEET, TO THE POINT OF BEGINNING THENCE S78°53'00"E, 111.32 FEET TO THE EAST BOUNDARY OF SAID LOT 4; THENCE WITH THE EAST BOUNDARY OF SAID LOT 4, N30°27'10"E, 12.10 FEET; THENCE 62.28 FEET ALONG A 145.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING S71°44'25"E, 61.80 FEET; THENCE S84°02'40"E, 43.30 FEET; THENCE 249.42 FEET ALONG A 545.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING N82°50'40"E, 247.25 FEET, TO THE EAST BOUNDARY OF LOT 8 OF MAGNOLIA FALLS; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 8, S7°00'45"W, 22.40 FEET; THENCE 248.31 FEET ALONG A 565.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD BEARING S83°21'55"W, 246.31 FEET; THENCE N84°02'40"W, 33.45 FEET; THENCE N88°29'00"W, 88.74 FEET; THENCE N78°50'20"W, 133.89 FEET TO THE WEST BOUNDARY OF SAID LOT 4; THENCE ALONG THE WEST

BOUNDARY OF SAID LOT 4, N58°57'20"E, 44.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 11,540 SQUARE FEET.

SANITARY SEWER EASEMENT

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF MAGNOLIA FALLS AS RECORDED IN PLAT BOOK 41, PAGE 64 OF THE BOONE COUNTY RECORDS, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERNMOST POINT OF LOT 27 OF SAID MAGNOLIA FALLS, THENCE WITH THE NORTH LINE OF SAID LOT 27, N40°33'50"E, 24.64 FEET TO THE POINT OF BEGINNING; THENCE 9.47 FEET ALONG A NON-TANGENT 205-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING N17°05'25"W, 9.47 FEET; THENCE N40°33'50"E, 129.25 FEET; THENCE S49°26'10"E, 16.00 FEET; THENCE S40°33'50"W, 139.93 FEET; THENCE 9.77 FEET ALONG A NON-TANGENT 205-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING N14°24'05"W, 9.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,150 SQUARE FEET

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.

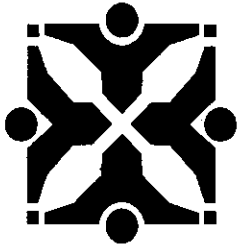
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

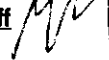
City Counselor



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Sep 16, 2013

Re: Magnolia Falls, Plat 2 easement vacation request (Case #13-126)

EXECUTIVE SUMMARY:

A request by A Civil Group, on behalf of Beacon Street Properties, LLC, (owner), to vacate and dedicate several drainage easements and vacate an existing sewer easement within the boundaries of Plat 2 of the Magnolia Falls subdivision. The site is located at the southeast corner of Old Mill Creek Road and east of State Route KK. (Case #13-126)

DISCUSSION:

The applicant seeks to vacate five and dedicate two new drainage easements within the boundaries of Plat 2 of the Magnolia Falls subdivision. This request also proposes to vacate the sewer easement between lots 27 and 28 within subdivision. The requested drainage easement vacations are the result of a revised lot layout. The sanitary sewer easement to be vacated was never used during the construction of the homes on lots 27 and 28.

The two new drainage easements to be dedicated will appear on a revised final plat scheduled for Council consideration during its October 7 meeting. Final approval of the proposed easement vacations (drainage and sewer) would occur at the same meeting. This request has been reviewed by applicable internal and external departments and agencies and is supported.

Locator maps, copies of the vacation exhibits, and legal descriptions are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

Staff recommends approval of the easement vacations.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



Boone County Assessors Office, Sanborn Map Company



Parcel Data and Aerial Photo
Source: Boone County Assessor

Case 13-126: Magnolia Falls Plat 2 - Easement Vacation

0 175 350 700
Feet

1 inch = 350 feet



BEACON STREET CONSTRUCTION\|MAGNOLIA FALLS\|DRAWINGS\|BEAC13-04 Magnolia Falls Replat.dwg EXHIBITS

$\Delta = 1^{\circ}45'45''$
 $R = 325.00'$
 $L = 10.00'$
 $CH = S 71^{\circ}21'20''E$
 $10.00'$

$\Delta = 2^{\circ}52'15''$
 $R = 325.00'$
 $L = 16.28'$
 $CH = N 71^{\circ}00'05''E$
 $16.28'$

P.O.B.
 TRACT 2

FORSYTHIA FALLS LOOP

$\Delta = 19^{\circ}45'45''$
 $R = 325.00'$
 $L = 112.10'$
 $CH = N 82^{\circ}19'05''E$
 $111.54'$

228
 20,380

32

196.32'
 $N 18^{\circ}38'40''E$
 $S 18^{\circ}38'40''W$
 154.34'

227
 17,515

31

$S 51^{\circ}06'50''E$
 77.16'

226
 15,265

30

$S 75^{\circ}09'25''W$
 16.10'

225
 13,455

$N 8^{\circ}19'40''W$
 $S 8^{\circ}19'40''E$
 146.48'
 147.67'

$N 63^{\circ}22'15''W$
 47.79'

P.O.B.
 TRACT 1

31.11'

$S 76^{\circ}37'30''W$
 41.35'

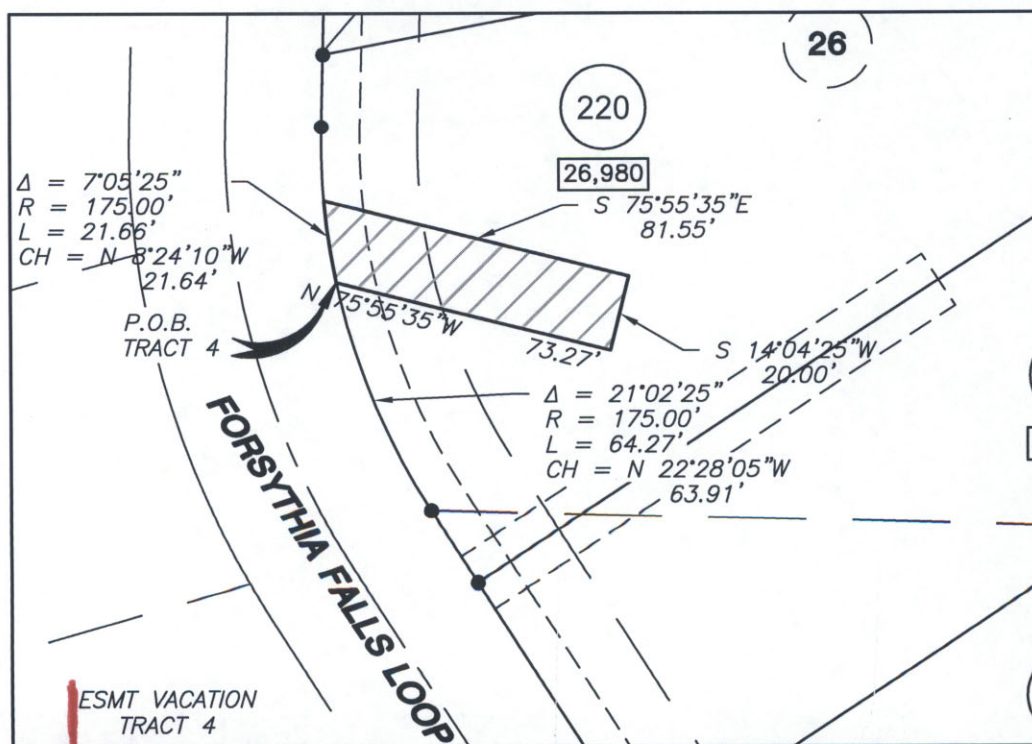
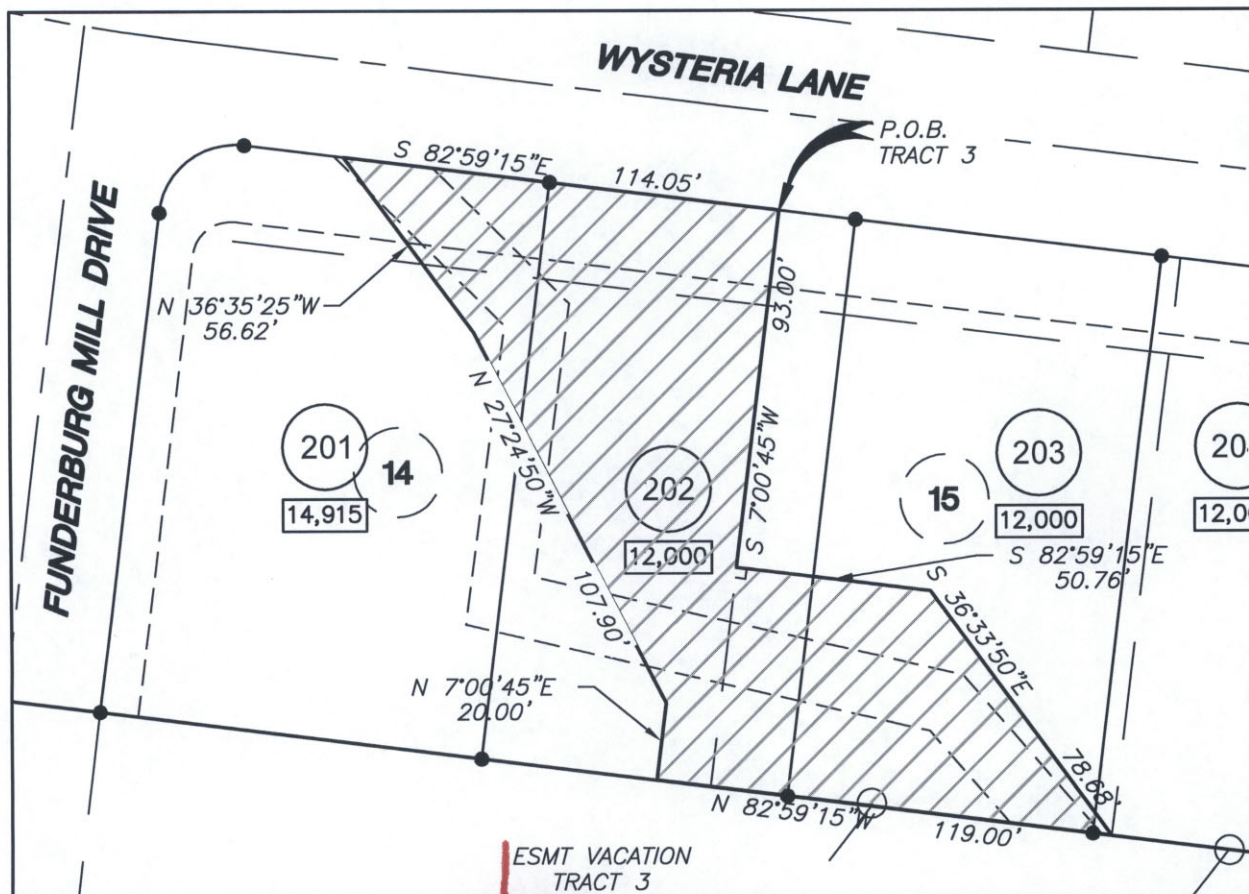
35

ESMT VACATION
 TRACT 1

ESMT VACATION
 TRACT 2

SCALE: 1" = 50'

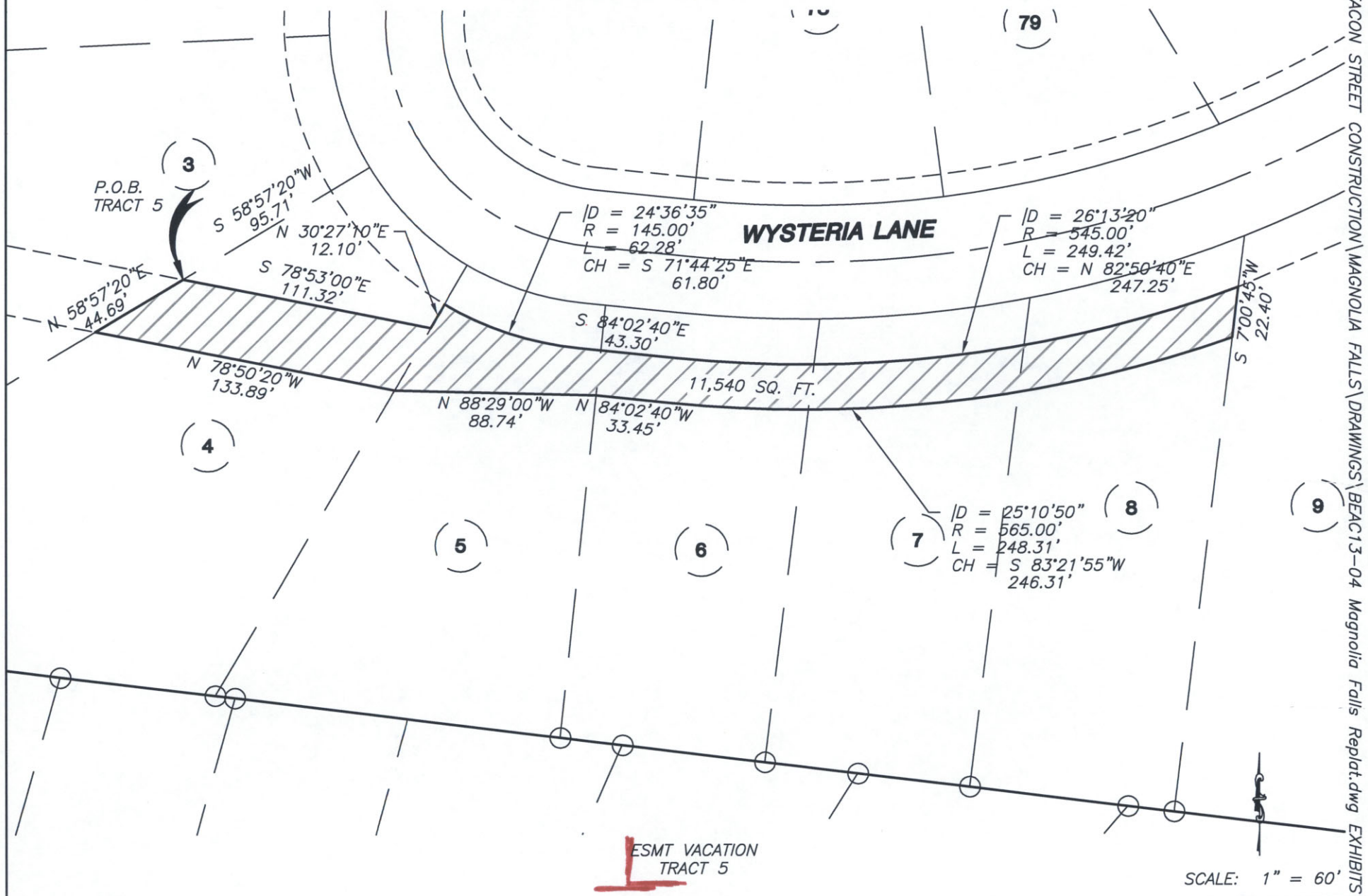
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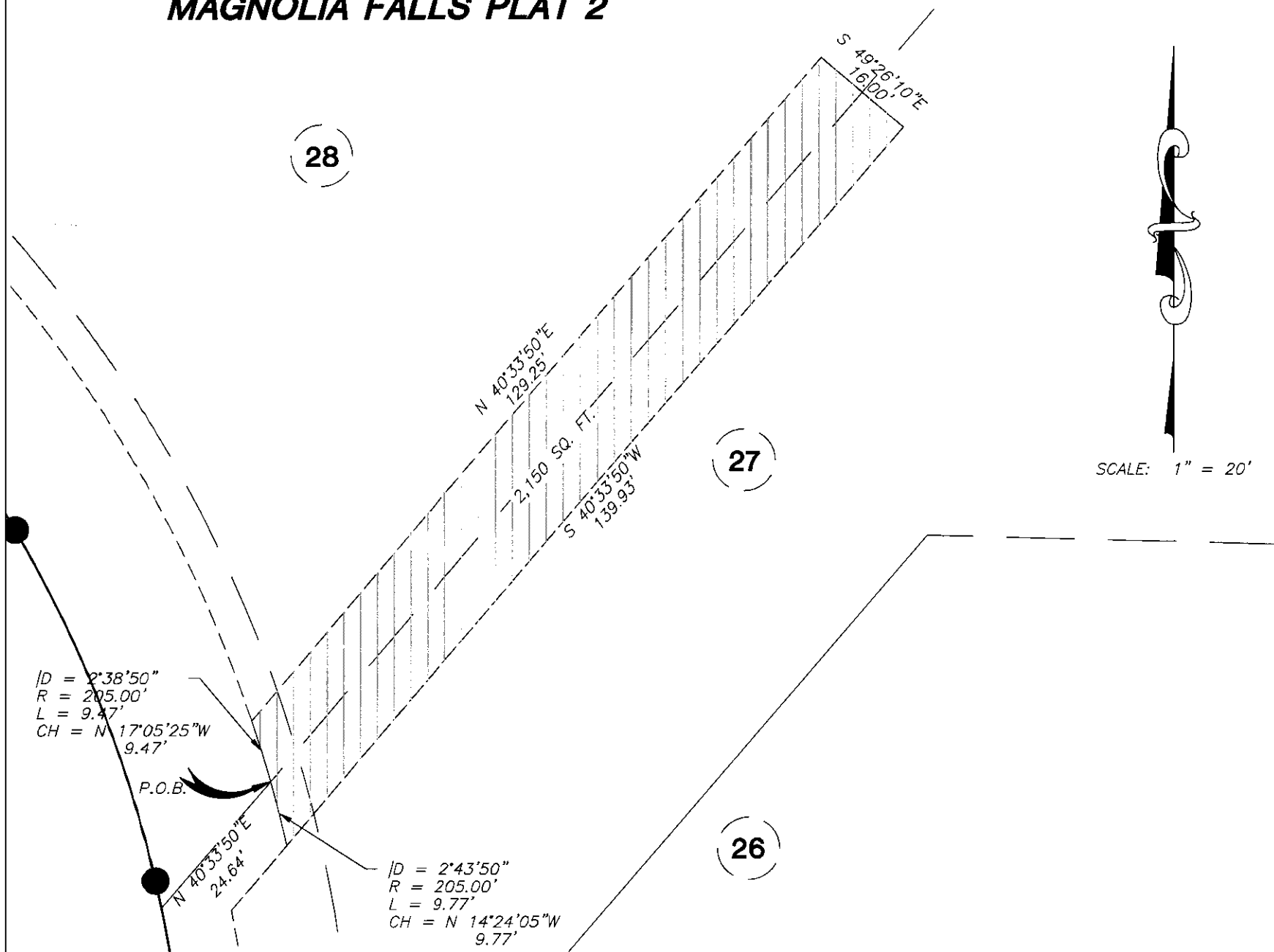
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DRAINAGE EASEMENT VACATIONS

MAGNOLIA FALLS PLAT 2



SANITARY SEWER EASEMENT VACATION
MAGNOLIA FALLS PLAT 2



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