

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 305-13

AN ORDINANCE

approving the Final Plat of West Lawn Plat 4, a major subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; 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 hereby approves the Final Plat of West Lawn Plat 4, dated October 9, 2013, a major subdivision located at the termini of Leland Ridge Road and Tiernan Drive, containing approximately 5.24 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with West Lawn Properties, LLC in connection with the approval of the Final Plat of West Lawn Plat 4. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. 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

PERFORMANCE CONTRACT

This contract is entered into on this _____ day of _____, 20 13 between the City of Columbia, MO ("City") and WEST LAWN PROPERTIES, LLC ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of WEST LAWN PLAT 4, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.

2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.

3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until all utilities and improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.

4. No occupancy permit shall be issued to Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.

5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by City in collecting amounts owed by Subdivider under this paragraph.

6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.

7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.

8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.

9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHEREOF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: _____
Mike Matthes, City Manager

ATTEST:

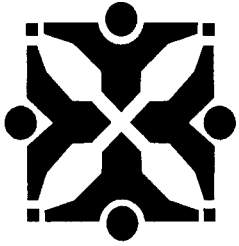
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Subdivider

BY: *F. Garland Russell Jr.*
F. GARLAND RUSSELL JR.



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Oct 21, 2013

Re: West Lawn Plat 4 - final plat (Case 13-175)

EXECUTIVE SUMMARY:

A request by F. Garland Russell Jr. (owner) for a 6-lot final major subdivision on R-1 (One-Family Dwelling District) zoned land. The 5.2-acre subject site is located to the south of the existing termini of Leland Ridge Road and Tiernan Drive. (Case 13-175)

DISCUSSION:

The applicant is requesting approval of a 5.2-acre subdivision plat to create six R-1 (One-Family Dwelling District) zoned lots for single-family residential development. The proposed plat substantially conforms to the preliminary plat of West Lawn Phase II, which was approved by Council Resolution R 213-06 in October, 2006.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat, and performance contracts are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed final major plat

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



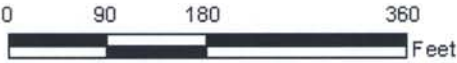
Boone County Assessors Office, Sanborn Map Company



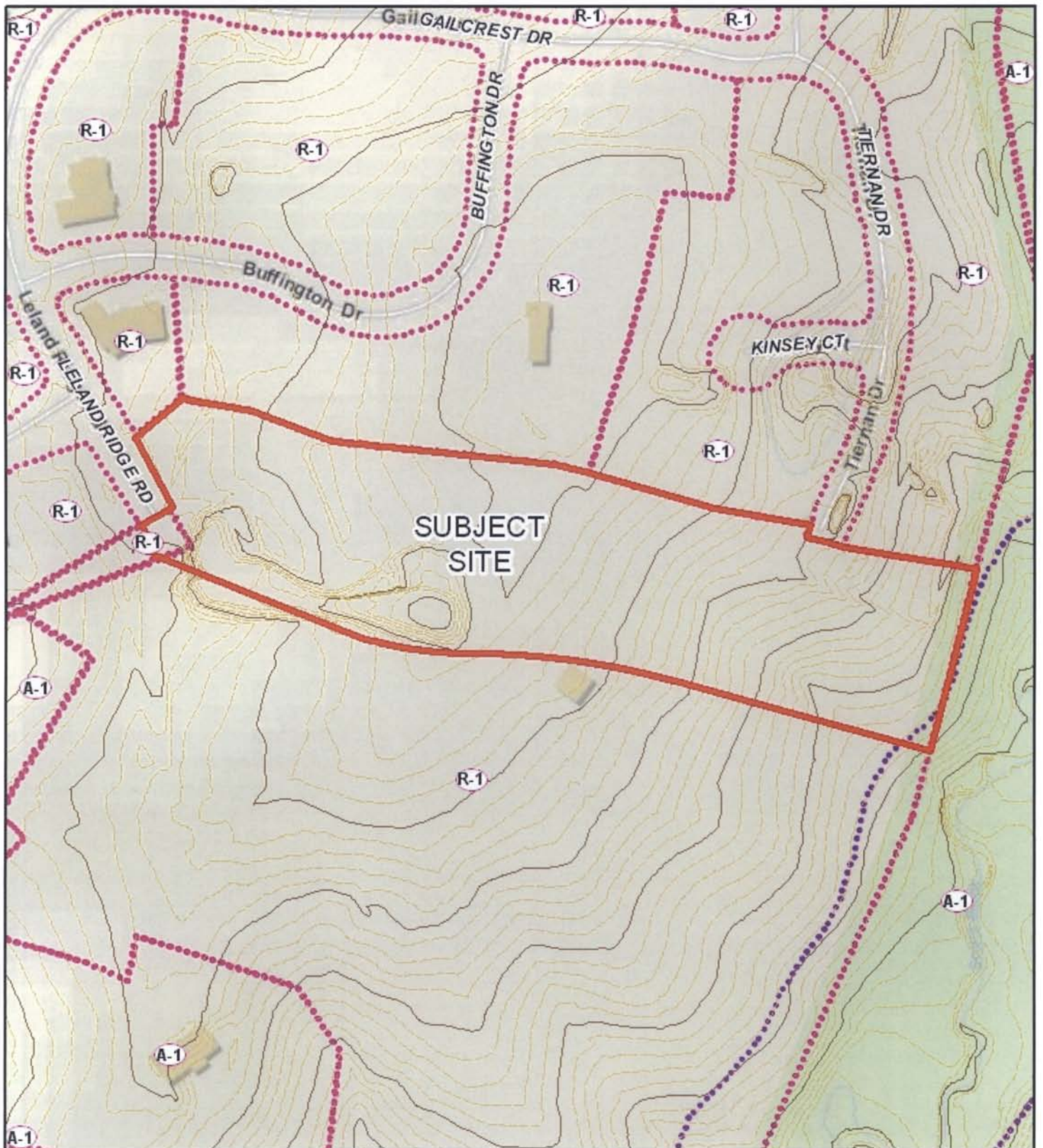
13-175: West Lawn Plat 4 Final Major Plat



Parcel Data
Source: Boone County Assessor



Produced By the City of Columbia - Community Development Department



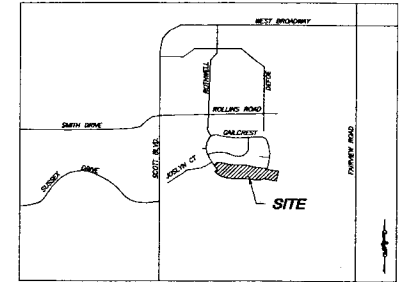
13-175: West Lawn Plat 4 Final Major Plat



Parcel Data
Source: Boone County Assessor

Produced By the City of Columbia - Community Development Department

FINAL PLAT
WEST LAWN PLAT 4
MAJOR SUBDIVISION
OCTOBER 9, 2013



LOCATION MAP
NOT TO SCALE

KNOW ALL MEN BY THESE PRESENTS

WEST LAWN PROPERTIES LLC, BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.
IN WITNESS WHEREOF, WEST LAWN PROPERTIES LLC HAS CAUSED THESE PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE, FOREVER.
TERMAN DRIVE AND LELAND RIDGE ROAD ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE, FOREVER.

Garland Russell Jr.
F. GARLAND RUSSELL JR. (MEMBER)

STATE OF MISSOURI }
COUNTY OF BOONE } SS

ON THIS _____ DAY OF _____ IN THE YEAR 2013, BEFORE ME, SPENCER HASKAMP, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED F. GARLAND RUSSELL JR., KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

Spencer Haskamp
SPENCER HASKAMP
NOTARY PUBLIC
MY COMMISSION EXPIRES
JULY 11, 2015.

CERTIFICATION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF TRACT 1-A OF THE SURVEY RECORDED IN BOOK 1681, PAGE 774 OF THE BOONE COUNTY RECORDS AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WEST LAWN PLAT 3 AS RECORDED IN PLAT BOOK 41, PAGE 36, SAID POINT ALSO BEING ON THE EAST LINE OF SAID TRACT 1-A; THENCE ALONG THE EAST LINE OF SAID TRACT, S14°02'20"W, 185.11 FEET; THENCE LEAVING SAID LINE, N75°57'40"W, 214.41 FEET; THENCE ALONG A NON-TANGENT 168.00-FOOT RADIUS CURVE TO THE RIGHT, 134.59 FEET; SAID CURVE HAVING A CHORD WHICH BEARS S81°05'55"W, 130.93 FEET; THENCE ALONG A 991.00-FOOT RADIUS CURVE TO THE LEFT, 263.31 FEET; SAID CURVE HAVING A CHORD WHICH BEARS N83°17'10"W, 262.54 FEET; THENCE ALONG A 541.00-FOOT RADIUS CURVE TO THE RIGHT, 116.28 FEET; SAID CURVE HAVING A CHORD WHICH BEARS N84°44'30"W, 116.05 FEET; THENCE N78°35'00"W, 159.49 FEET; THENCE ALONG A 225.00-FOOT RADIUS CURVE TO THE RIGHT, 171.16 FEET; SAID CURVE HAVING A CHORD WHICH BEARS N56°47'25"W, 187.07 FEET; THENCE N34°59'50"W, 26.84 FEET TO THE SOUTHEAST CORNER OF WEST LAWN PLAT 2 AS RECORDED IN PLAT BOOK 39, PAGE 18; THENCE ALONG THE LINES OF SAID PLAT, N07°19'00"E, 50.04 FEET; THENCE N34°59'50"W, 80.51 FEET TO A POINT ON THE SOUTH LINES OF WEST LAWN PLAT 1 AS RECORDED IN PLAT BOOK 36, PAGE 30; THENCE FOLLOWING SAID LINES ALONG A 265.00-FOOT RADIUS CURVE TO THE RIGHT, 11.02 FEET; SAID CURVE HAVING A CHORD WHICH BEARS N33°48'20"W, 11.02 FEET TO THE SOUTHWEST CORNER OF SAID WEST LAWN PLAT 3; THENCE ALONG THE SOUTH LINES OF SAID PLAT, S81°26'20"E, 92.00 FEET; THENCE S70°38'30"E, 109.00 FEET; THENCE S85°42'05"E, 287.00 FEET; THENCE S75°42'25"E, 210.00 FEET; THENCE S81°40'05"E, 125.00 FEET; THENCE ALONG A NON-TANGENT 125.00-FOOT RADIUS CURVE TO THE LEFT, 15.87 FEET; SAID CURVE HAVING A CHORD OF S14°20'50"W, 15.87 FEET; THENCE S77°03'05"E, 50.00 FEET; THENCE S81°55'45"E, 171.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.24 ACRES.

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

Christopher M. Sander
CHRISTOPHER M. SANDER L.S. 2003013078
DATE 10-9-2013

STATE OF MISSOURI }
COUNTY OF BOONE } SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 9th DAY OF OCTOBER, 2013.

Spencer Haskamp
SPENCER HASKAMP
NOTARY PUBLIC, MY
COMMISSION EXPIRES
JULY 11, 2015.



A CIVIL GROUP
CIVIL ENGINEERING - PLANNING - SURVEYING
3401 BROADWAY BUSINESS PARK COURT
SUITE 105
COLUMBIA, MO 65203
PH: (573) 817-5750, FAX: (573) 817-1677
MISSOURI CERTIFICATE OF AUTHORITY: 2001006115

NOTES

- THIS IS AN URBAN CLASS SURVEY.
- PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
- ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
- SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.
- TITLE WORK WAS NOT PROVIDED FOR THIS PLAT.

LEGEND

- IRON PIPE CAP #2001006115
- EXISTING
- S SET
- PERMANENT MONUMENT
- (R) RADIAL LINE
- REC. RECORD
- X DH, DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10,000 SQUARE FEET
- 1.50 AC ACRES
- EXISTING STONE
- ⊕ IF, IRON PIPE
- ⊕ RB, REBAR
- (C100) CURVE NUMBER
- - - - - EXISTING FENCE
- ||||| 100 YEAR FLOODPLAIN

CURVE DATA TABLE - CENTERLINES

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH
C1	300.00	8.02	1°31'54"	S 12°10'55" W	8.02
C2	141.00	228.64	92°54'32"	S 57°52'15" W	204.40
C3	1016.00	269.95	15°13'25"	N 83°17'10" W	269.16
C4	516.00	110.91	12°18'53"	N 84°44'30" W	110.69
C5	200.00	152.15	4°33'12"	N 56°47'25" W	148.50

STREAM BUFFER STATEMENT

THIS TRACT IS NOT REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER ORDINANCE AS DETERMINED BY THE USGS MAP FOR COLUMBIA QUADRANGLE, BOONE COUNTY, MISSOURI AND ARTICLE 4 OF CHAPTER 124 OF THE CITY OF COLUMBIA CODE OF ORDINANCES, AND SINCE THIS TRACT WAS SHOWN ON A PRELIMINARY PLAT APPROVED PRIOR TO JANUARY 2, 2007.

FLOOD PLAIN STATEMENT

THIS TRACT IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAIN AS SHOWN BY FIRM MAP 29019C02600 DATED MARCH 17, 2011.

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS _____ DAY OF _____, 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK