

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 374-13

AN ORDINANCE

vacating an access easement on Lot 519A within Thornbrook, Plat 15A located on the north side of Henwich Drive and west of Newbury Way; 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 a certain access easement, more particularly described as follows:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 5, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE BENEFICIARY WARRANTY DEED RECORDED IN BOOK 3946, PAGE 135, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTHERLY RIGHT-OF-WAY OF HENWICH DRIVE AT THE SOUTHEAST CORNER OF LOT 519A OF THORNBROOK, PLAT NO. 15A, RECORDED IN BOOK 3993, PAGE 156, THENCE 16.52 FEET ALONG A 375.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 68°02'55"W, 16.52 FEET TO THE POINT OF BEGINNING

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY LINE, SAID STRIP BEING 20 FEET WIDE AND LYING RIGHT OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE, N 1°15'30"E, 143.67 FEET TO THE END OF THIS DESCRIBED LINE.

is in excess and surplus to the needs of the City and is 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 _____, 2014.

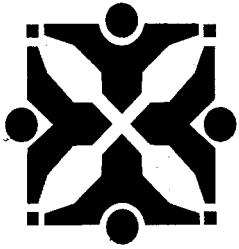
ATTEST:

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 *MM*

Council Meeting Date: Dec 16, 2013

Re: Thornbrook Plat 15A, Lot 519A - easement vacation request (Case #13-228)

EXECUTIVE SUMMARY:

A request by Hemme Construction, LLC (owner) to vacate an access easement on Lot 519A of Thornbrook Plat 15A. The subject site is located on the north side of Henwich Drive, west of Newbury Way. (Case #13-228)

DISCUSSION:

The request is to vacate an access easement that is not in use and is no longer needed.

A letter from the applicant's surveyor is attached, along with locator maps and a description of the easement to be vacated.

FISCAL IMPACT:

None.

VISION IMPACT:

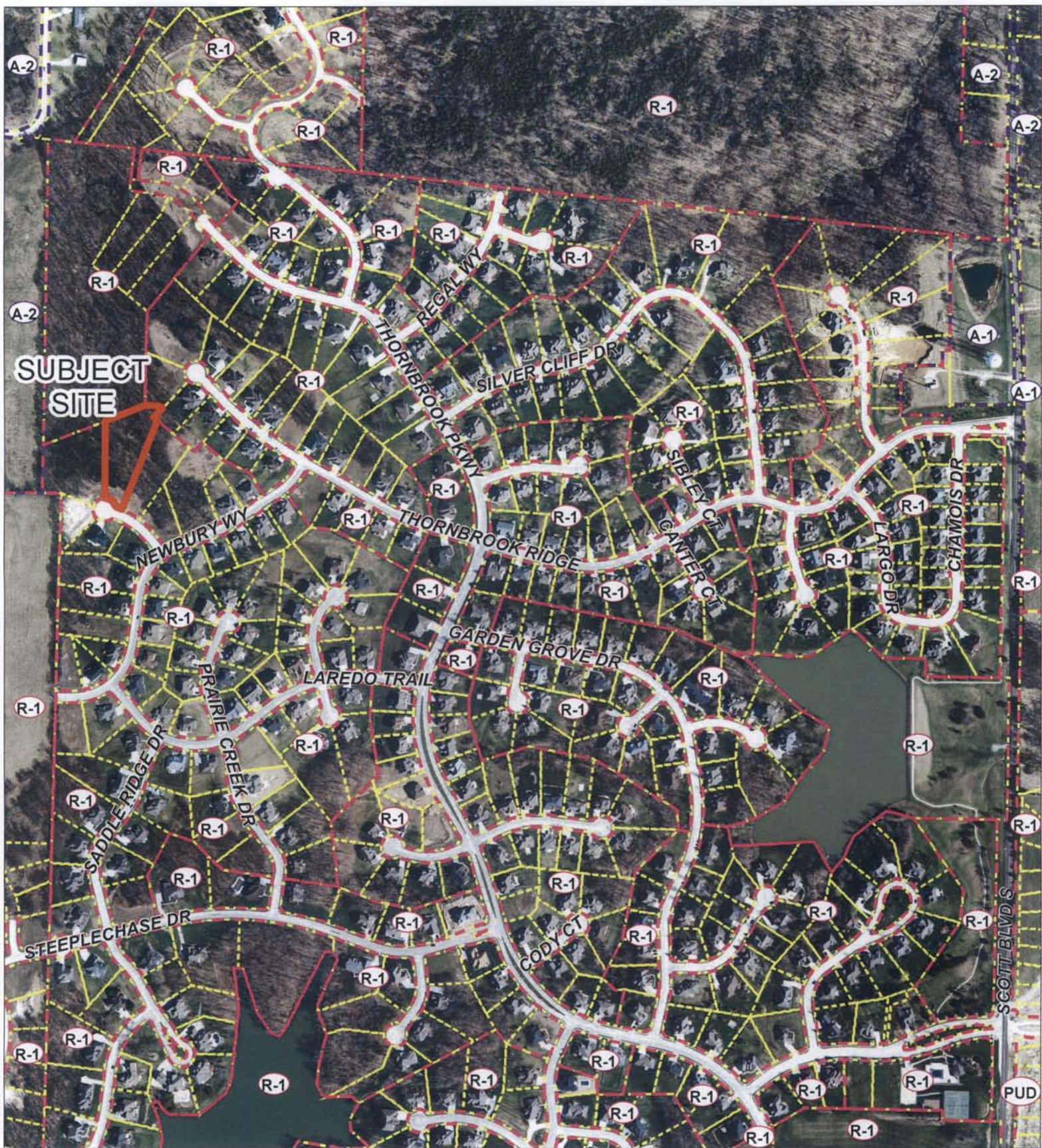
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Approval of the requested easement vacation

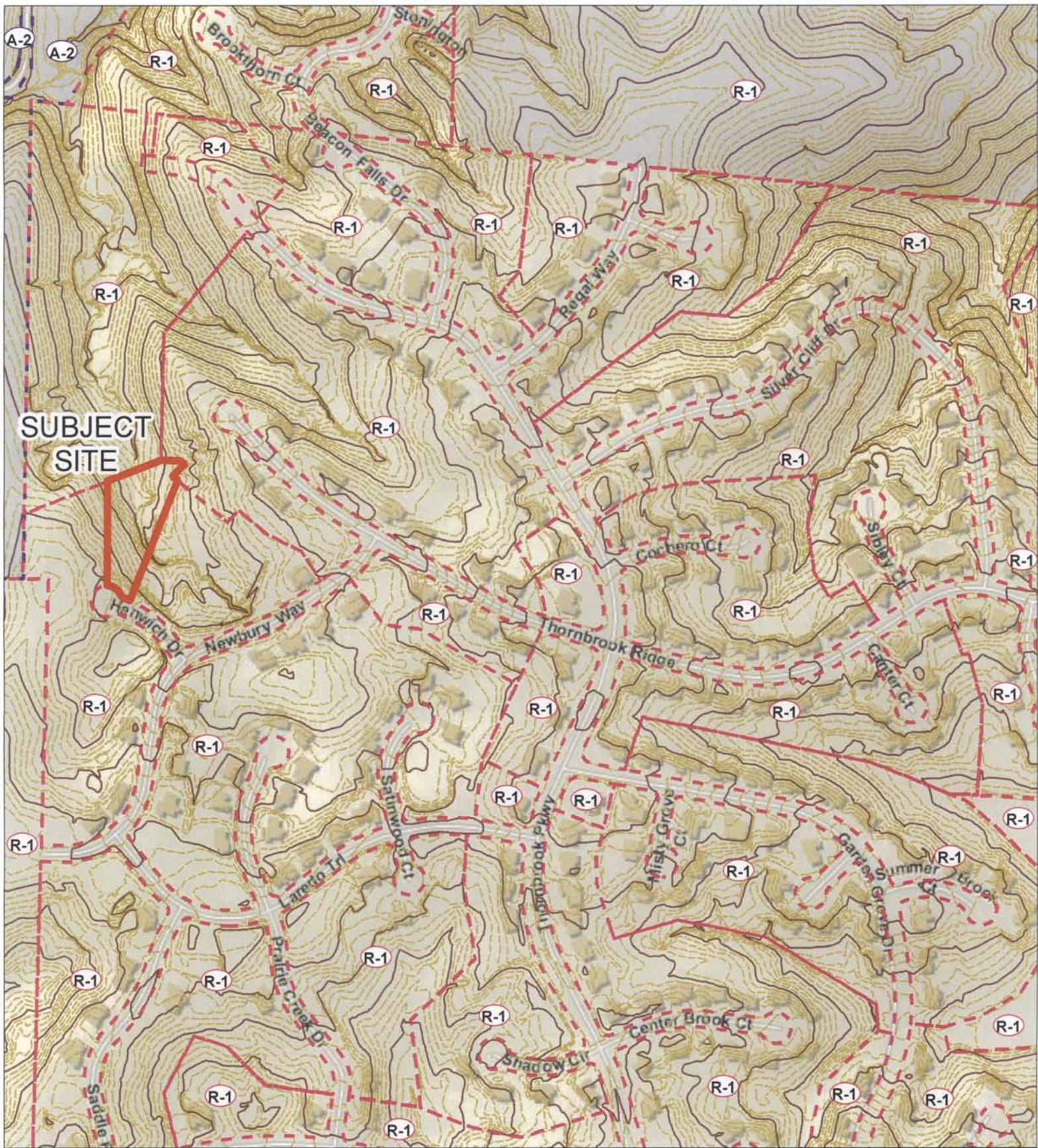
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
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



13-228: Thornbrooke Plat 15A Easement Vacation

0 295 590 1,180
Feet





13-228: Thornbrook Plat 15A Easement Vacation

0 220 440 880
Feet



CROCKETT
ENGINEERING CONSULTANTS
2608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292

November 4, 2013

Tim Teddy, Director
Development Services
City of Columbia
PO Box 6015
Columbia, MO 65205

Mr. Teddy,

I am writing you on behalf of our client Hemme Construction, LLC., that you and your staff will process and review the attached request to vacate an access easement show on the attached sketches. This easement was shown on the west side of lot 486 on Thornbrook Plat No. 13. This easement was granted to allow for the sub divider to have access to the unplatted portions to the north. That plat granted ALL easements shown to the public. While this easement was intended to be used by the original subdivider, it was granted to the City by the plat. This has been replatted and is not needed for access nor is it needed by the city. This easement is in the building area for a future home, so we need to vacate to allow for improvement.

Thank you for your attention in this matter. If you have any questions or need anything further, please feel free to let me know. Hope all is well.

Sincerely,
Crockett Engineering Consultants, LLC



David T. Butcher, PLS

Boone County Internet Parcel Map

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



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.

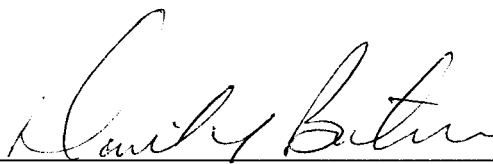
DESCRIPTION OF ACCESS EASEMENT TO BE VACATED FOR THORNBROOK, PLAT 15
FOR HEMME CONSTRUCTION, LLC
JOB #97973

OCTOBER 31, 2013

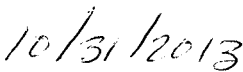
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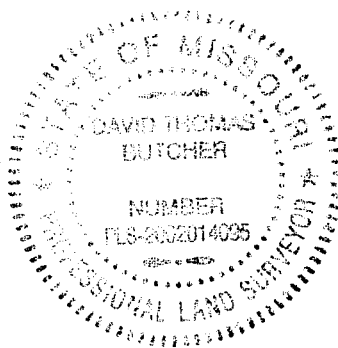
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DAVID T. BUTCHER, PLS-2002014095



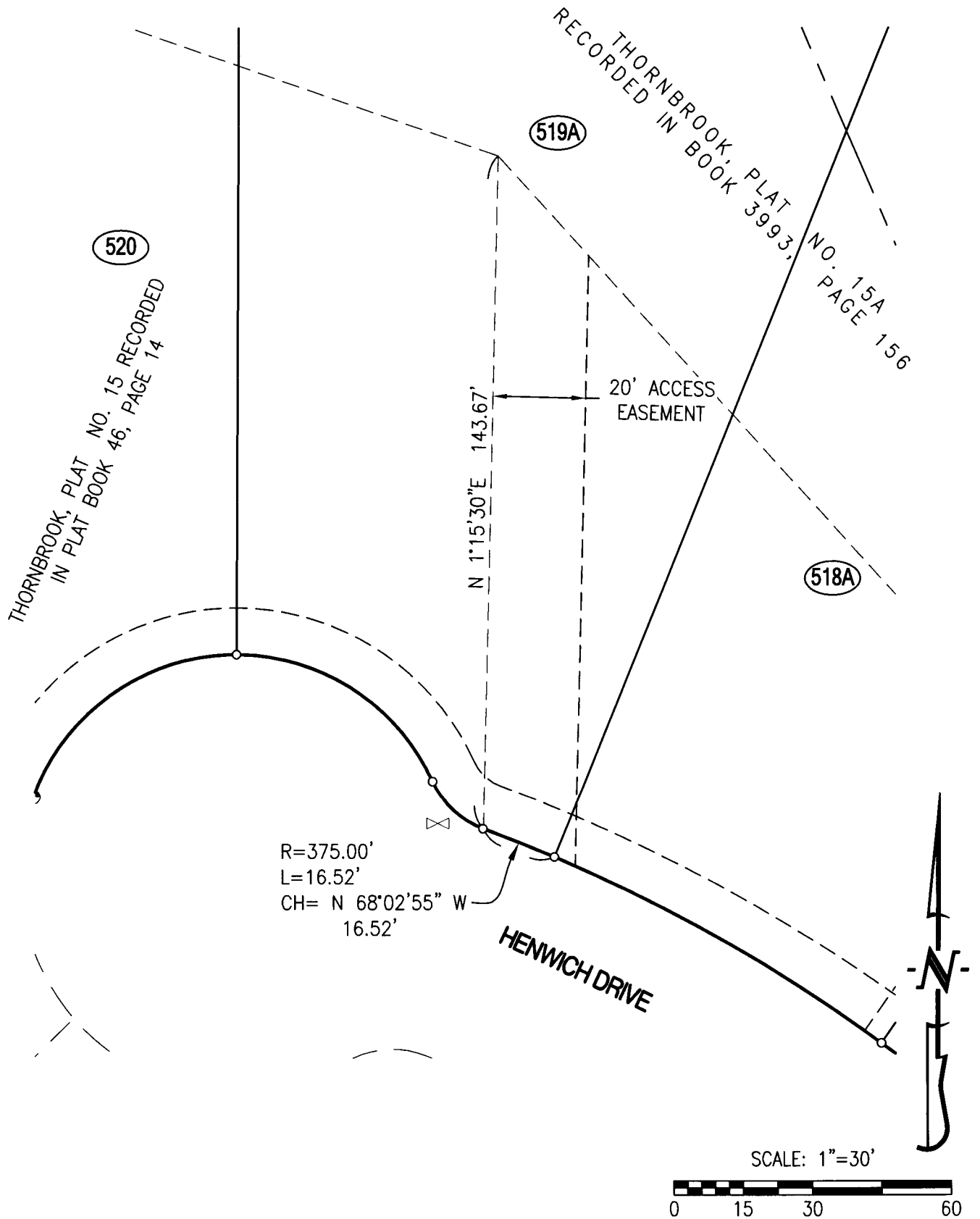
DATE



THORNBROOK, PLAT 15A

ACCESS EASEMENT VACATION EXHIBIT

OCTOBER 31, 2013



David T. Butcher
 DAVID T. BUTCHER, PLS-2002014095

7/10/2012
 DATE

OF MISSOURI } SS
 TY OF BOONE }

CRIBED AND AFFIRMED BEFORE ME THIS 10th DAY OF July, 2012.

Timothy Crockett
 TIMOTHY CROCKETT

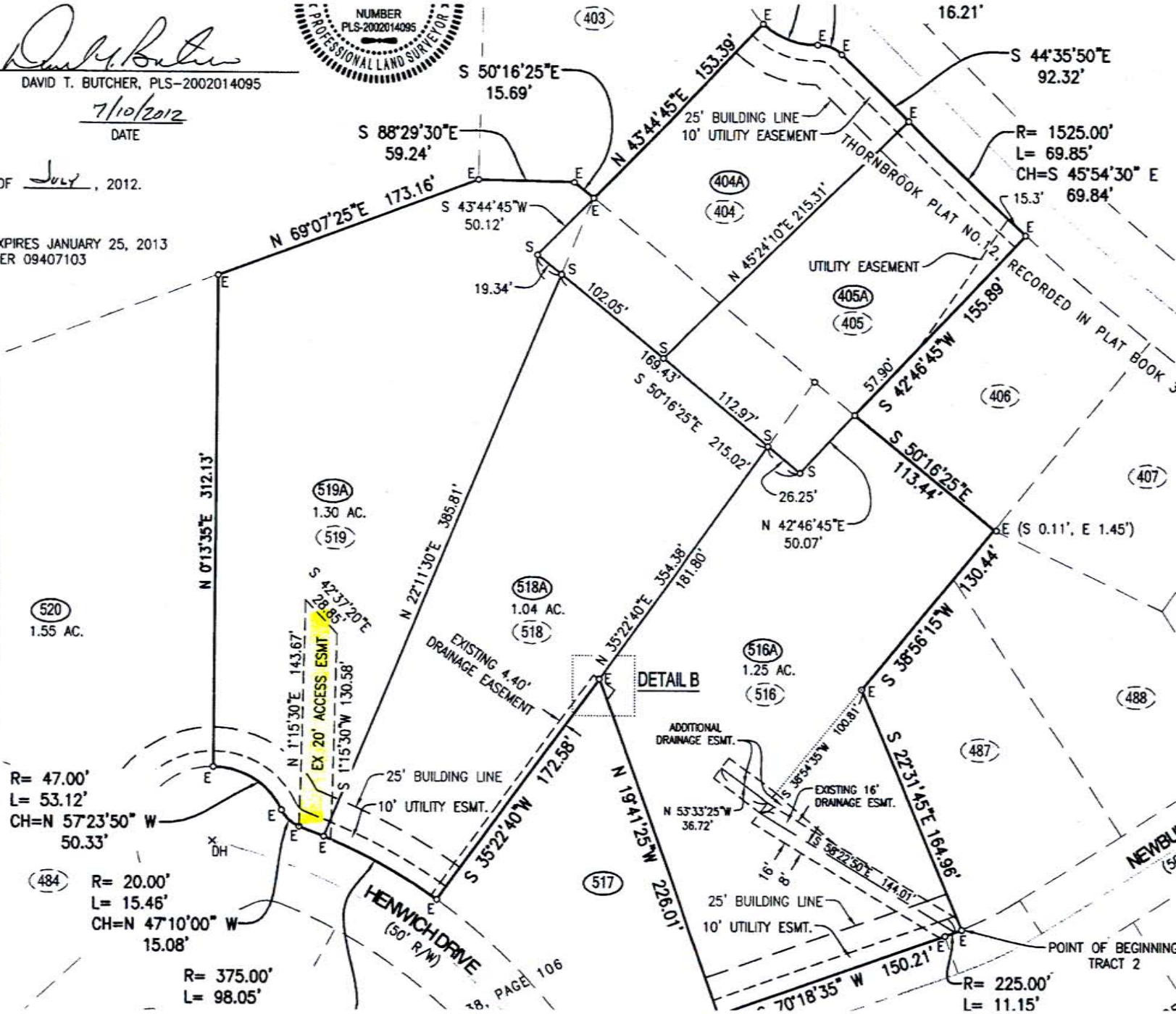
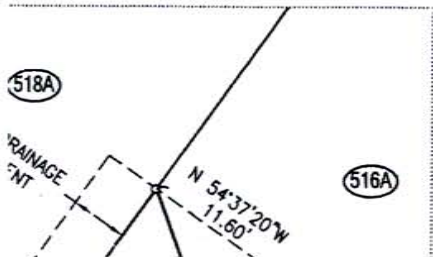
NOTARY PUBLIC
 MY COMMISSION EXPIRES JANUARY 25, 2013
 COMMISSION NUMBER 09407103

TIMOTHY CROCKETT
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Boone County
 My Commission Expires: 1/25/2013
 Commission #09407103



DETAIL A

SCALE: 1" = 10'



FINAL PLAT THORNBROOK, PLAT No. 13

LOCATED IN THE NORTH FRACTIONAL HALF OF SECTION 5,
TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI
AUGUST, 2004

OWNER / DEVELOPER

THORNBROOK DEVELOPMENT, INC.
2608 NORTH STADIUM BOULEVARD
COLUMBIA, MISSOURI 65202

THORNBROOK
PLAT No. 12

SCALE: 1"=80'

LEGEND:
● ROAD IRON PIPE
○ SET 1/2" IRON PIPE WITH CAP
● PERMANENT MONUMENT
(-)- RADIAL LINE

POINT OF BEGINNING
SOUTH MOST CORNER LOT 413
THORNBROOK PLAT No. 12
S 89°45'15" W
2465.55'
S 0°16'45" W
1337.82'
E 1/4 CORNER
SECTION 5
T47N, R13W

THORNBROOK
PLAT No. 4

THORNBROOK
PLAT No. 10

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS
15th DAY OF November, 2004.

Darin Hindman
DARIN A. HINDMAN - MAYOR

Sheela Amin
SHEELA AMIN - CITY CLERK

CERTIFICATION:
I HEREBY CERTIFY THAT THIS TRACT HAS BEEN SURVEYED AND SUBDIVIDED AS SHOWN BY
THIS PLAT UNDER MY DIRECT SUPERVISION. I FURTHER STATE THAT TO THE BEST OF MY
KNOWLEDGE AND BELIEF THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE
CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:
CROCKETT ENGINEERING CONSULTANTS, LLC
2608 NORTH STADIUM BLVD.
COLUMBIA, MO 65202

NUMBER: 2000151304

SUBSCRIBED AND SWORN BEFORE ME A NOTARY PUBLIC THIS 14th DAY OF
SEPTEMBER, 2004.
MY COMMISSION EXPIRES: JAN 23, 2005

Timothy Cabott
NOTARY PUBLIC - Timothy Cabott

Recorded in Boone County, Missouri
Date and Time: 11/02/2004 - 02:44:49 PM
Instrument #: 2004032519 Book:00038 Page:0106

Greater THORNBROOK DEVELOPMENT INC.
Greater THORNBROOK PLAT No. 13

Notary Public Type PLAT
Recording Fee \$89.00
No. of Pages 1
Beatrice Johnson
Beatrice Johnson, Recorder of Deeds

KNOW ALL MEN BY THESE PRESENTS:

THAT THORNBROOK DEVELOPMENT, INC. IS THE SOLE OWNER OF THE HEREON DESCRIBED
TRACT AND THAT SAID CORPORATION HAS CAUSED SAID TRACT TO BE SURVEYED,
SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET
RIGHTS-OF-WAY SHOWN BY THE ABOVE DRAWING ARE HEREBY DEDICATED TO THE PUBLIC
USE FOREVER. THE EASEMENTS AS SHOWN ARE HEREBY DEDICATED TO THE PUBLIC USE
FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREINAFTER BE KNOWN AS
"THORNBROOK, PLAT 13".

IN WITNESS WHEREOF, THORNBROOK DEVELOPMENT, INC. HAS CAUSED THESE PRESENTS TO
BE SIGNED BY ITS PRESIDENT AND SECRETARY THIS 14th DAY OF
September, 2004.

THORNBROOK DEVELOPMENT, LLC

Marvin E. Sapp
MARVIN E. SAPP - SECRETARY

Elvin E. Sapp
ELVIN E. SAPP - PRESIDENT

ON THIS 14th DAY OF September, 2004, BEFORE ME PERSONALLY
APPEARED MARVIN E. SAPP AND ELVIN E. SAPP, TO ME KNOWN, WHO BY ME DULY SWORN,
DID SAY THAT THEY ARE THE SECRETARY AND PRESIDENT OF SAID CORPORATION AND THAT
THEY FURTHER ACKNOWLEDGE THIS INSTRUMENT TO BE THEIR FREE ACT AND THE FREE
ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE DAY AND YEAR
AFORESAID. MY COMMISSION EXPIRES: 4-15-08

Nancy L. Schmidt
NOTARY PUBLIC - Nancy L. Schmidt

WANCY L. SCHMIDT
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
BOONE COUNTY
MY COMMISSION EXPIRES APRIL 15, 2008



NOTE

SURVEY CLASSIFICATION IS URBAN

BASIS OF BEARING: THE EAST LINE OF SECTION 5, T47N, R13W, AS SHOWN BEING
N 0°16'45" W.

NO PART OF THIS PLAT LIES WITHIN THE 100 YEAR FLOOD PLAIN AS ADOPTED BY
THE CITY OF COLUMBIA.

THE OUT-BOUNDARY CORNERS OF THIS PLAT ARE TO BE SET PRIOR TO THE
RECORDING OF THE PLAT. ALL OTHER CORNERS ARE TO BE SET AFTER STREET AND
UTILITY CONSTRUCTION.

ROBERT & MARTIN SAPP
UNPLATTED

20' ACCESS
EASMT

GEORGE WILKS IN TRUST
UNPLATTED

DESCRIPTION:

A TRACT OF LAND, LOCATED IN THE NORTH FRACTIONAL HALF OF SECTION 5, TOWNSHIP 47 NORTH, RANGE 13 WEST, IN COLUMBIA, BOONE COUNTY, MISSOURI, BEING A
PORTION OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 1145 AT PAGE 644 OF SAID COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

STARTING AT THE EAST QUARTER CORNER OF SAID SECTION 5, THENCE WITH THE SECTION LINE N 0°16'45" W, 3137.63 FEET; THENCE S 89°45'15" W, 2465.55 FEET TO
A POINT ON THE WESTERLY SIDE OF THORNBROOK PLAT No. 4, THE POINT ALSO BEING THE SOUTHERLY MOST CORNER OF LOT 413 OF THORNBROOK PLAT No. 12 AND THE
POINT OF BEGINNING; THENCE WITH THE WEST SIDE OF SAID PLAT No. 4, S 2°50'20" W, 247.47 FEET TO THE NORTH CORNER OF LOT 351 OF THORNBROOK PLAT
No. 10; THENCE WITH THE WESTERLY SIDE OF SAID PLAT No. 10, S 5°28'00" W, 191.27 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 674.39 FEET
FOR AN ARC LENGTH OF 21.61 FEET TO A POINT; SAID POINT LIES N 85°25'00" W, 21.57 FEET FROM THE PREVIOUS POINT; THENCE S 2°29'50" W, 192.57 FEET;
THENCE S 94°45'15" E, 233.95 FEET; THENCE S 48°01'10" W, 286.88 FEET; THENCE S 74°52'20" E, 248.77 FEET TO A POINT ON THE NORTHERLY SIDE OF LOT 214 OF
THORNBROOK PLAT No. 7; THENCE WITH THE NORTHERLY SIDE OF SAID PLAT No. 7, N 70°41'40" W, 193.90 FEET; THENCE S 12°02'50" E, 173.66 FEET; THENCE S 74°52'10" W,
163.97 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20 FEET FOR AN ARC LENGTH OF 31.42 FEET; SAID POINT LIES N 80°02'50" W, 28.28 FEET
FROM THE PREVIOUS POINT; THENCE S 74°52'10" W, 50.00 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20 FEET FOR AN ARC LENGTH OF 31.42
FEET; SAID POINT LIES S 29°52'10" W, 28.28 FEET FROM PREVIOUS POINT; THENCE S 74°52'10" W, 106.36 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A
RADIUS OF 20 FEET FOR AN ARC LENGTH OF 16.66 FEET TO A POINT; SAID POINT LIES N 81°08'40" W, 16.21 FEET FROM THE PREVIOUS POINT; THENCE ALONG A
CURVE TO THE LEFT HAVING A RADIUS OF 47 FEET FOR AN ARC LENGTH OF 86.68 FEET; SAID POINT LIES S 59°52'20" W, 74.91 FEET FROM THE PREVIOUS POINT; THENCE ALONG A
CURVE TO THE RIGHT HAVING A RADIUS OF 20 FEET FOR AN ARC LENGTH OF 31.42 FEET; THENCE S 74°52'10" W, 7.33 FEET TO THE NORTHWEST CORNER OF LOT 7; THENCE N 0°13'40" E, 162.41 FEET; THENCE S 89°19'00" W, 82.10 FEET;
THENCE N 30°13'00" E, 192.82 FEET; THENCE S 72°19'20" E, 329.32 FEET; THENCE S 44°11'40" E, 309.91 FEET; THENCE N 37°33'20" E, 354.52 FEET TO THE
SOUTHWEST CORNER OF LOT 407 OF THORNBROOK PLAT No. 12; THENCE WITH THE SOUTHERLY SIDE OF SAID PLAT No. 12, S 65°31'10" E, 117.00 FEET; THENCE S
34°25'10" E, 154.92 FEET; THENCE N 55°35'20" E, 61.32 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 275 FEET FOR AN ARC LENGTH OF 17.74
FEET TO A POINT; SAID POINT LIES N 53°41'30" E, 17.74 FEET FROM THE PREVIOUS POINT; THENCE S 37°58'40" E, 165.73 FEET; THENCE S 84°35'50" E, 108.41 FEET;
THENCE S 61°56'50" E, 339.37 FEET TO THE BEGINNING AND CONTAINING 46.97 ACRES. TRACT IS SUBJECT TO RESTRICTIONS OF RECORD.