

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 190-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 7, 2014

Re: Oak Park Plat 4 - Right of way and easement vacation request (**Case # 14-91**)

Documents Included With This Agenda Item

Council Memo, Resolution/Ordinance

Supporting documentation includes: Maps, Diagrams

Executive Summary

A request by A Civil Group (applicant) on behalf of Beacon Street Properties (owner) to vacate a portion of right-of-way dedicated for Nottoway Drive, located west of S. High Point Lane and east of Pemberton Drive, and utility easements located on Lots 401, 429, C401, and C402, dedicated with Oak Park Plat 4. (Case #14-91)

Discussion

The applicant is proposing to vacate a portion of existing right of way and adjacent easements within Oak Park Plat 4 in order to facilitate the relocation of the right of way (currently a portion of Nottoway Drive) to the north approximately 300 feet. The portion of the right of way to be vacated and relocated serves as an access point into the Oak Park Subdivision from High Point Lane, and the requested relocation is due to a conflict between the location of the platted right of way and a Boone Electric utility line that is located along High Point Lane. Relocation of the electric line is not possible due to cost, so relocation of the unimproved right of way will alleviate the conflict.

Review of a final plat for Oak Park Plat 5 (Case # 14-92) is to be considered by Council during its July 7 meeting. This plat shows the right of way that will replace the right of way sought to be vacated by this request. The right of way to be vacated will be platted as a lot within Oak Park Plat 5. As noted, no roadways have currently been constructed to date within the existing right of way affected by the request.

Staff has reviewed the request and finds that it meets all technical requirements.

Locator and topographic maps and graphic illustrations of the vacations are attached. No Planning and Zoning Commission review was required.

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Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

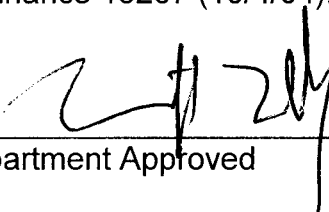
Suggested Council Action

Approval of the vacation of right of way and easements.

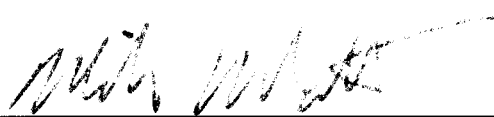
Legislative History

Ordinance 21442 (9/17/12): Approved final plat of Oak Park Plat 4

Ordinance 18257 (10/4/04): Approved annexation



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 190-14

AN ORDINANCE

vacating a portion of right-of-way along Nottoway Drive located west of High Point Lane and east of Pemberton Drive, and vacating utility easements on Lots 401, C402 and 429 within Oak Park Plat 4; 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 right-of-way along Nottoway Drive located west of High Point Lane and east of Pemberton Drive, and utility easements on Lots 401, C402 and 429 within Oak Park Plat 4, more particularly described as follows:

Right-of-way Vacation

A tract of land located in Section 10, Township 47 North, Range 13 West, Columbia, Boone County Missouri being a portion of the right-of-way for Nottoway Drive shown by Oak Park Plat 4 recorded in Plat Book 46 at page 38 of the Boone County Records and being further described as:

Starting at the west corner of Lot 403 of said Plat 4, said point lying on the right-of-way line of said Nottoway Drive; thence with the right-of-way line N72°59'20"E, 6.53 feet to the point of beginning; thence along a curve to the left having a radius of 125.00 feet for an arc distance of 46.31 feet; the long chord bears N62°22'30"E, 46.05 feet; thence along a curve to the right having a radius of 20.00 feet for an arc distance of 16.18 feet, the long chord bears N74°55'55"E, 15.74 feet; thence along a curve to the left having a radius of 47.00 feet for an arc distance of 95.15 feet, the long chord bears N40°06'15"E, 79.71 feet; thence along a non-tangent curve to the left having a radius of 20.00 feet for an arc distance of 7.04 feet, the long chord bears N83°04'40"E, 7.01 feet to the northerly right-of-way line of Nottoway Drive; thence with the lines of said Nottoway Drive N72°59'20"E, 129.50 feet; thence along a curve to the left having a radius of 30.00 feet for an arc distance of 38.28 feet, the long chord bears N36°26'10"E, 35.73 feet; thence S0°06'55"E, 114.96 feet; thence along a non-tangent curve to the left having

a radius of 30.00 feet for an arc distance of 55.97 feet, the long chord bears N53°33'50"W, 48.20 feet; thence S72°59'20"W, 230.92 feet to the point of beginning and containing 9030 square feet.

Utility Easement Vacation

Two tracts of land located in Section 10, Township 47 North, Range 13 West, Columbia, Boone County Missouri being a portion of Lot 401, Lot C402, and Lot 429 as shown by the Final Plat of Oak Park, Plat 4 as recorded in Plat Book 46 at page 38 of the Boone County Records and being further described as:

Tract 1

Starting at the west corner of Lot 401 of said Plat 4, said point lying on the right-of-way line of Nottoway Drive as shown by said Plat 4; thence with the right-of-way line N72°59'20"E, 8.86 feet to the point of beginning; thence continuing with said right-of-way line N72°59'20"E, 108.58 feet; thence along a curve to the right having a radius of 30.00 feet for an arc distance of 19.04 feet; the long chord bears S88°49'40"E, 18.72 feet; thence leaving said right-of-way line S0°06'55"E, 17.83 feet; thence with the southerly line of an existing utility easement along a non-tangent curve to the left having a radius of 10.00 feet for an arc distance of 18.66 feet, the long chord bears N53°33'50"W, 16.07 feet; thence S72°59'20"W, 112.94 feet; thence leaving said southerly line N9°28'25"W, 10.09 feet to the point of beginning and containing 1280 square feet.

Tract 2

Beginning at the south corner of Lot 429 of said Plat 4, being the easterly end of the corner truncation of the intersection of Nottoway Drive and Pemberton Drive, said point lying on the right-of-way line of Nottoway Drive as shown by said Plat 4; thence along a curve to the left having a radius of 57.00 feet for an arc distance of 10.04 feet, the long chord bears N21°33'05"W, 10.03 feet to a point on the northerly line of an existing utility easement; thence with said northerly line N72°59'20"E, 124.15 feet; thence along a curve to the left having a radius of 10.00 feet for an arc distance of 12.76 feet; the long chord bears N36°26'10"E, 11.91 feet; thence leaving said northerly line S0°06'55"E, 17.83 feet to the northerly right-of-way line of Nottoway Drive; thence with said right-of-way line along a non-tangent curve to the right having a radius of 30.00 feet for an arc distance of 1.35 feet, the long chord bears S71°42'05"W, 1.35 feet; thence S72°59'20"W, 126.40 feet to the point of beginning and containing 1300 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 _____, 2014.

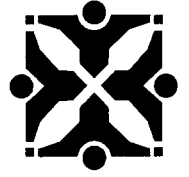
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Diagrams



14-91: Oak Park Plat 4 ROW, Easement Vacation



Hillshade Data: Boone County GIS Office
 Parcel Data Source: Boone County Assessor
 Imagery: Boone County Assessor's Office, Sanborn Map Company
 Created by The City of Columbia - Community Development Department





14-91: Oak Park Plat 4 ROW, Easement Vacation

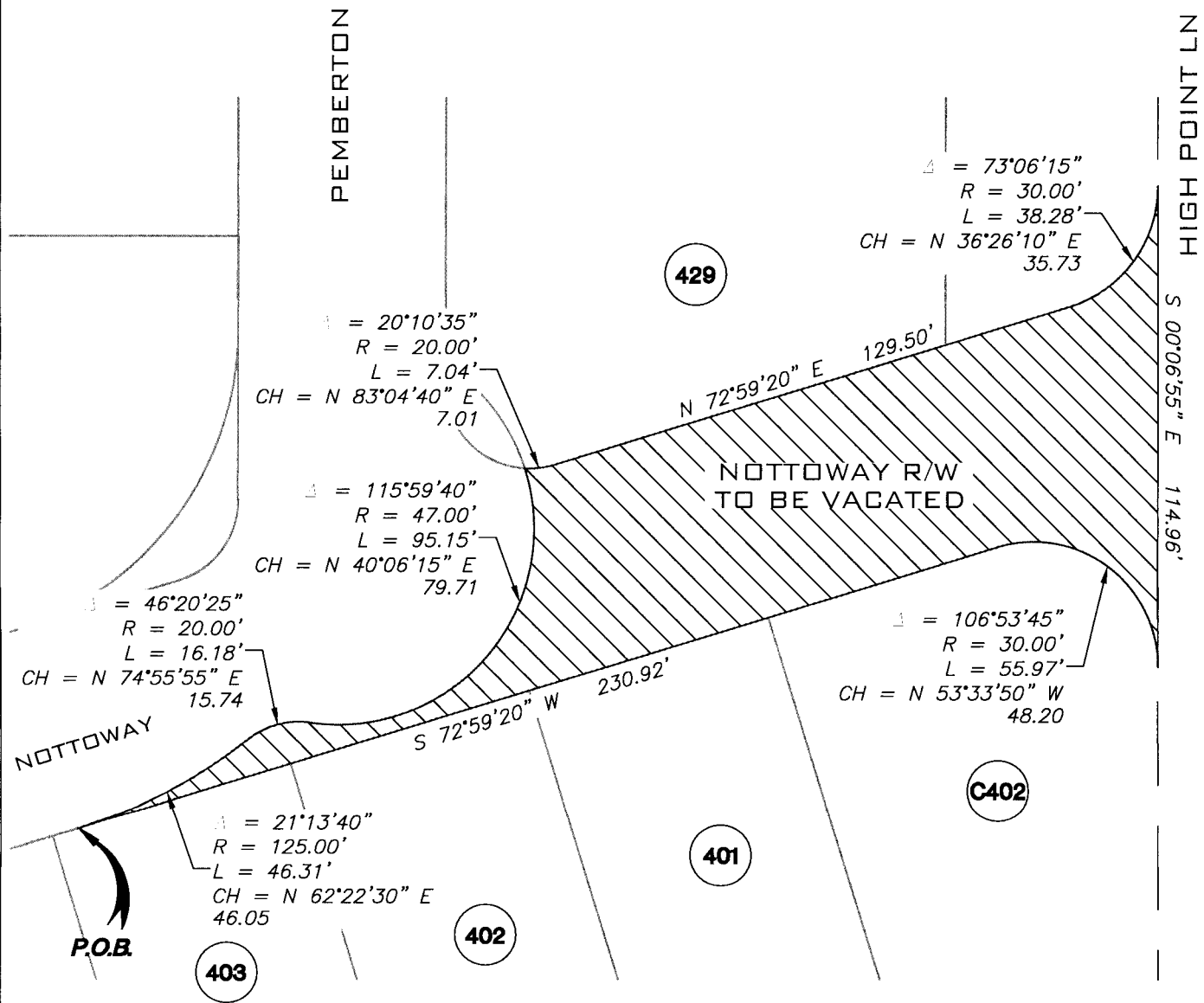


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OAK PARK PLAT 4 R/W VACATION

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OAK PARK PLAT 4 EASEMENT VACATION

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