

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 30-13

AN ORDINANCE

vacating sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court; 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 sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court, more particularly described as follows:

TWO TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PARTS OF LOTS 321A AND 322A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS AND BEING 5 FEET EITHER SIDE OF FOLLOWING DESCRIBED CENTERLINES:

CENTERLINE 1:
COMMENCING AT THE NORTHEAST CORNER OF LOT 322A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S09°59'15"E, 39.53 FEET TO A POINT ON THE CENTERLINE OF A SIDEWALK EASEMENT; THENCE FOLLOWING SAID CENTERLINE ALONG A NON TANGENT 153.00 FOOT RADIUS CURVE TO THE RIGHT, 8.10 FEET, SAID CURVE HAVING A CHORD S70°57'55"W, 8.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID 153.00 FOOT RADIUS CURVE TO THE RIGHT, 63.17 FEET, SAID CURVE HAVING A CHORD S84°18'35"W, 62.72 FEET TO THE END OF THIS CENTERLINE.

CENTERLINE 2:
BEGINNING AT THE NORTHEAST CORNER OF LOT 321A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S25°00'00"W, 63.70 FEET; THENCE LEAVING SAID LOT LINE ALONG A 10.00 FOOT

RADIUS CURVE TO THE RIGHT, 9.49 FEET, SAID CURVE HAVING A CHORD S52°10'40"W, 9.14 FEET; THENCE S79°21'20"W, 5.86 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 19.60 FEET, SAID CURVE HAVING A CHORD S23°13'00"W, 16.61 FEET; THENCE S40°30'20"E, 24.93 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, 23.58 FEET, SAID CURVE HAVING A CHORD S27°02'40"W, 18.48 FEET; THENCE N89°53'10"W, 45.29 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 20.40 FEET, SAID CURVE HAVING A CHORD S31°40'20"W, 17.04 FEET; THENCE S26°46'10"E, 84.99 FEET; THENCE ALONG A 97.50 FOOT RADIUS CURVE TO THE LEFT, 25.41 FEET, SAID CURVE HAVING A CHORD S34°14'05"E, 25.33 FEET TO THE END OF THIS CENTERLINE.

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.

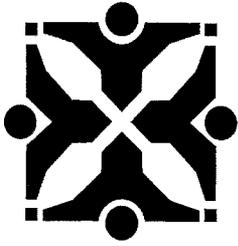
ATTEST:

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: Jan 22, 2013

Re: Lots 321A, 322A, Copperstone, Plat 7 sidewalk easement vacation (**Case #12-204**)

EXECUTIVE SUMMARY:

A request by A Civil Group, on behalf of Woodland Hills Properties, LLC, for a sidewalk easement vacation. The site is located on lots 321A and 322A of Copperstone, Plat 7. (**Case #12-204**)

DISCUSSION:

The applicant requests a sidewalk easement vacation on lots 321A and 322A of Copperstone, Plat 7. The easement runs across the front one-third of lot 322A as part of the sidewalk along Blue Hollow Court. It then descends in a winding manner from the cul-de-sac on Blue Hollow Court to the rear of lot 322A connecting to the existing trail/sidewalk in the common area behind lots 321A and 322A. Within the easement is an improved sidewalk providing connectivity to the other sidewalks/trails within the Cooperstone subdivision.

On August 20, 2012, the City Council approved a replat of several previously recorded plats in the Cooperstone subdivision which consolidated 84 lots into 64 lots. The purpose of this replat, per the applicant's surveyor/engineer, was to make the resulting lots more marketable. As part of the replatting process the desire to vacate the sidewalk easement was informally discussed, but no formal request was made. As such, it was staff's understanding that the easement would be left in place providing sidewalk connectivity to the common area behind lots 321A and 322A as was the case prior to the replatting action.

City departments have reviewed the request, and multiple departments have questioned the necessity for the easement vacation. The subdivision was originally approved with a "non-standard" sidewalk layout that has multiple pedestrian connections such as these. All the sidewalks are presently installed in the development and residents are currently occupying homes. The proposed easement vacation would result in disconnection of a connected sidewalk system at the end of Blue Hollow Court and impact approximately 10 homes access to the common area behind the subject lots. The applicant states that the easement vacation is necessary to permit allowable development on these recently replatted lots.

A locator map, copy of the easement exhibit, and the legal description for the easement to be vacated are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

Denial of the sidewalk easement vacation request. Alternatively, if Council desires to approve the vacation request it is recommended that approval be granted subject to:

1. The easement vacation is limited to the portion of the easement running parallel to Blue Hollow Court.
2. The vacated easement be replaced with a new easement closer to the existing back of curb of Blue Hollow Court (the standard location) and tied back into the easement running between lots 321A and 322A
3. Replacement sidewalk is installed in the relocated easement prior the issuance of a certificate of occupancy for lot 322A.

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



**Case 12-204: Sidewalk Waiver Variance
Woodland Hills Properties**

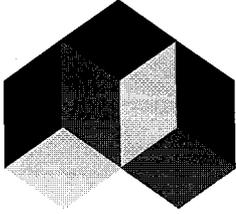


2011 Orthophoto
Source: Boone County Assessor



1 inch = 300 feet





A CIVIL GROUP

CIVIL ENGINEERING • PLANNING • SURVEYING

December 3, 2012

Tim Teddy
Director of Planning and Development
City of Columbia
701 E. Broadway
Columbia, MO 65201

RE: Sidewalk Easement Vacation – Lots 321A & 322A, Copperstone Plat 7

Dear Mr. Teddy:

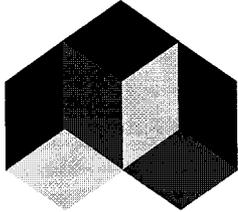
On behalf of Woodland Hills Properties, LLC, LLC, we are herewith submitting this easement vacation request to allow for allowable development of these two lots. The previous common area between the lots was eliminated with Copperstone Plat 7 replat for this reason as well.

Included with this letter is an easement vacation application, a locator map, legal descriptions and an exhibit.

Please feel free to contact me at the number below if you have any questions.

Thank you,
A Civil Group

Kevin P. Murphy



A CIVIL GROUP

CIVIL ENGINEERING • PLANNING • SURVEYING

LEGAL DESCRIPTION
10' PUBLIC SIDEWALK EASEMENT VACATION
LOTS 321A AND 322A OF COPPERSTONE PLAT 7
COLUMBIA, MISSOURI

TWO TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PARTS OF LOTS 321A AND 322A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS AND BEING 5 FEET EITHER SIDE OF FOLLOWING DESCRIBED CENTERLINES:

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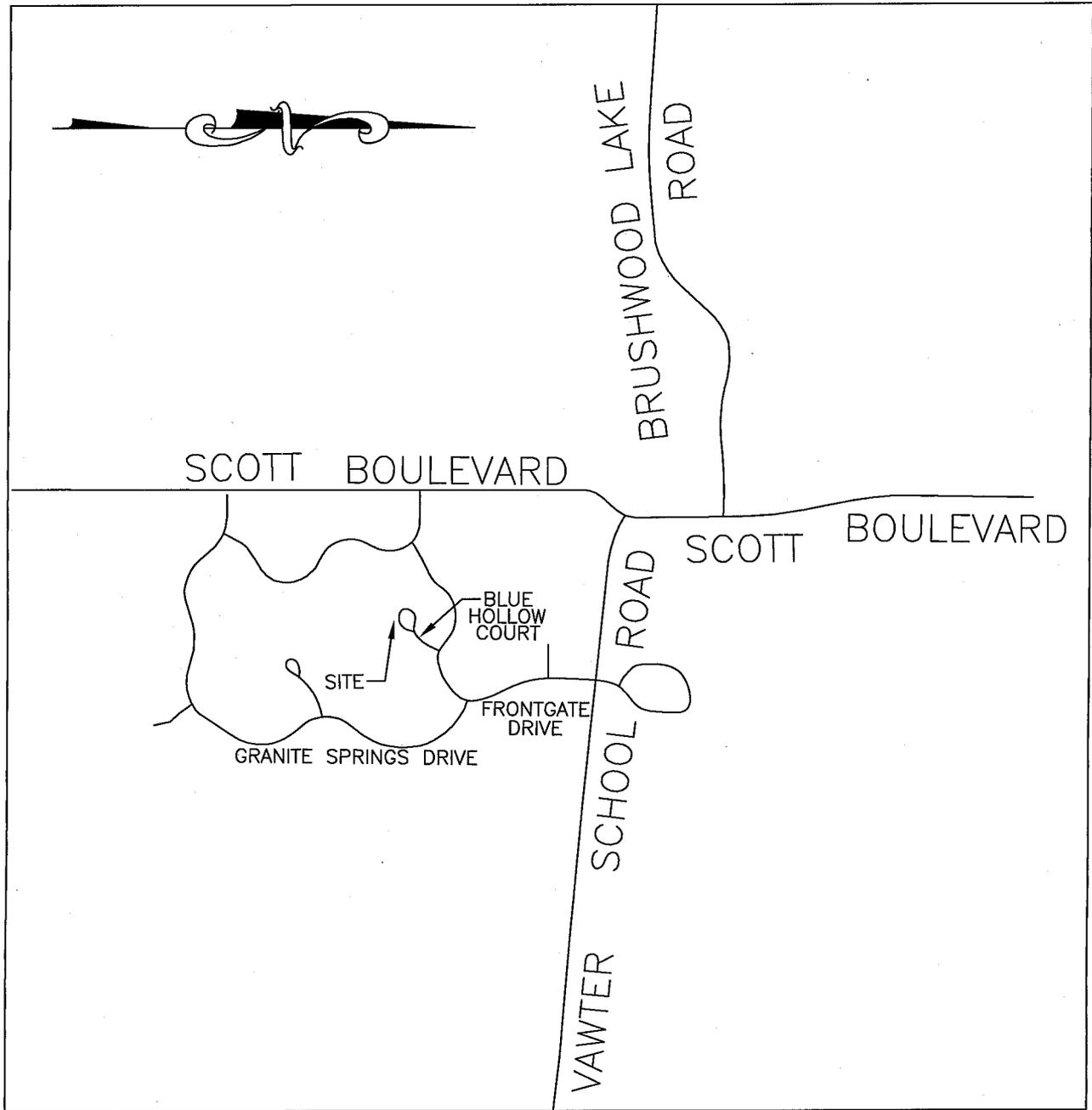
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CHRISTOPHER M. SANDER L.S. 2003013178

12/3/12
Date



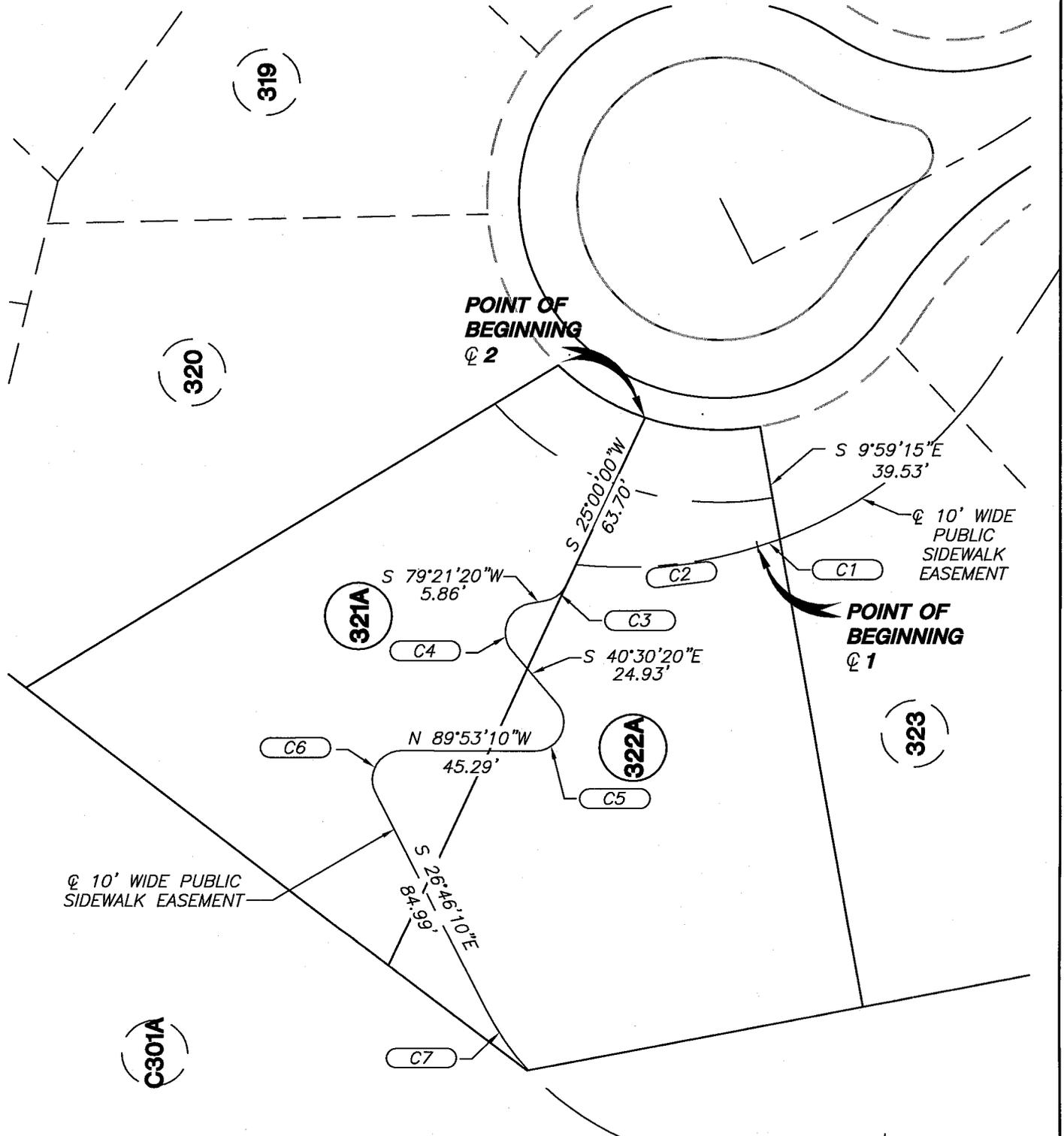
3401 BROADWAY BUSINESS PARK COURT, SUITE 105
COLUMBIA, MISSOURI 65203
PHONE : 573-817-5750 FAX : 573-817-1677



LOCATION MAP

NOT TO SCALE

**LOTS 321A & 322A COPPERSTONE PLAT 7
SIDEWALK EASEMENT VACATION EXHIBIT**



NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD DIRECTION	C. LENGTH
C1	153.00	8.10	03°02'00"	S 70°57'55" W	8.10
C2	153.00	63.17	23°39'25"	S 84°18'35" W	62.72
C3	10.00	9.49	54°21'20"	S 52°10'40" W	9.14
C4	10.00	19.60	112°16'45"	S 23°13'00" W	16.61
C5	10.00	23.58	135°06'00"	S 27°02'40" W	18.48
C6	10.00	20.40	116°53'00"	S 31°40'20" W	17.04
C7	97.50	25.41	14°55'50"	S 34°14'05" E	25.33

