

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 87-13

AN ORDINANCE

approving the Final Plat of Eastland Hills Estates Plat 1-B, a Replat of Lot 19, Eastland Hills Estates Plat 1; 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 Eastland Hills Estates Plat 1-B, a Replat of Lot 19, Eastland Hills Estates Plat 1, dated February 25, 2013, a subdivision located on the southwest corner of Copse Court and Nannyberry Court, containing approximately 0.48 acre 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 Eastland Hills Estates, L.L.C. in connection with the approval of the Final Plat of Eastland Hills Estates Plat 1-B. 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 22 day of Feb, 20 13 between the City of Columbia, MO ("City") and Eastland Hills Estates, L.L.C. ("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 Eastland Hills Estates Plat 1-B, 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

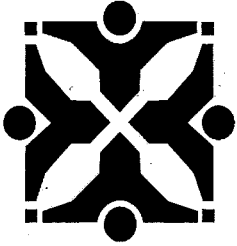
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

~~Subdivider~~
~~BY: _____~~
~~Eastland Hills Estates, L.L.C.,~~
~~Russ Anderson~~



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Apr 1, 2013

Re: Eastland Hills Estates Plat 1-B replat request (Case #13-40)

EXECUTIVE SUMMARY:

A request by Eastland Hills Estates, LLC, for a two-lot replat to be known as "Eastland Hills Estates Plat 1-B." The 0.48-acre subject site is located at the southwest corner of Copse and Nannyberry Courts. (Case #13-40)

DISCUSSION:

The applicant requests a replat to divide an existing lot into two lots. The subject lot was previously approved as lot 19 of Eastland Hills Estates, Plat 1. Resubdivision and creation of additional residential lots is not permitted via an administrative plat; therefore, Council approval of the attached plat is required.

Both lots would comply with the City's Subdivision Regulations, and the plat was reviewed by pertinent City staff and other agencies. Lot 19A, on the corner of Copse Court and Nannyberry Court, would total 11,340 square feet in area. Lot 19 B, to the north, would contain the 9,515 square foot balance of the subject site.

Locator maps and a reduced size copy of the plat are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

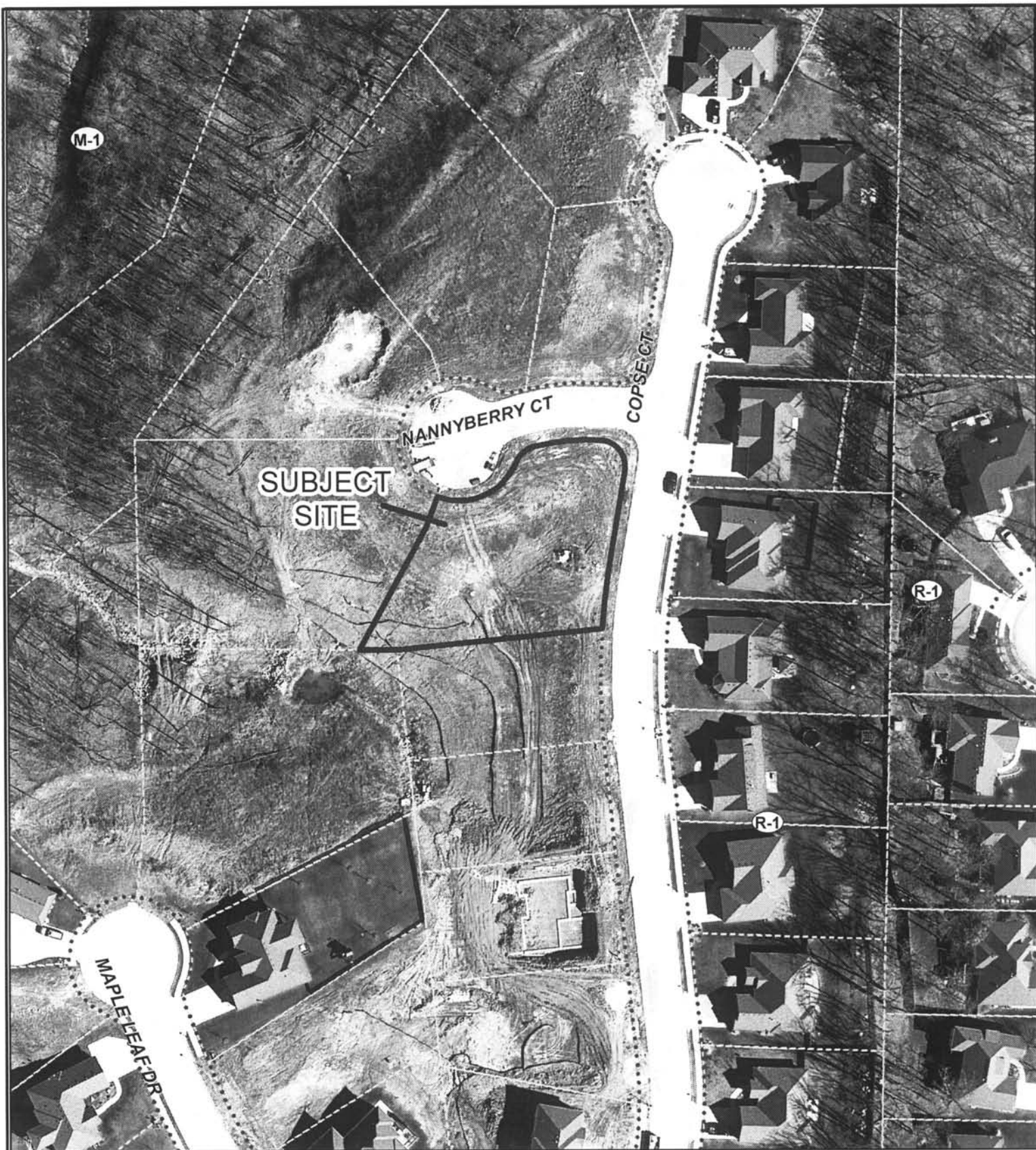
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Staff recommends approval of the replat.

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 13-40: Final Minor Plat
Eastland Hills Estates, Plat 1-B**

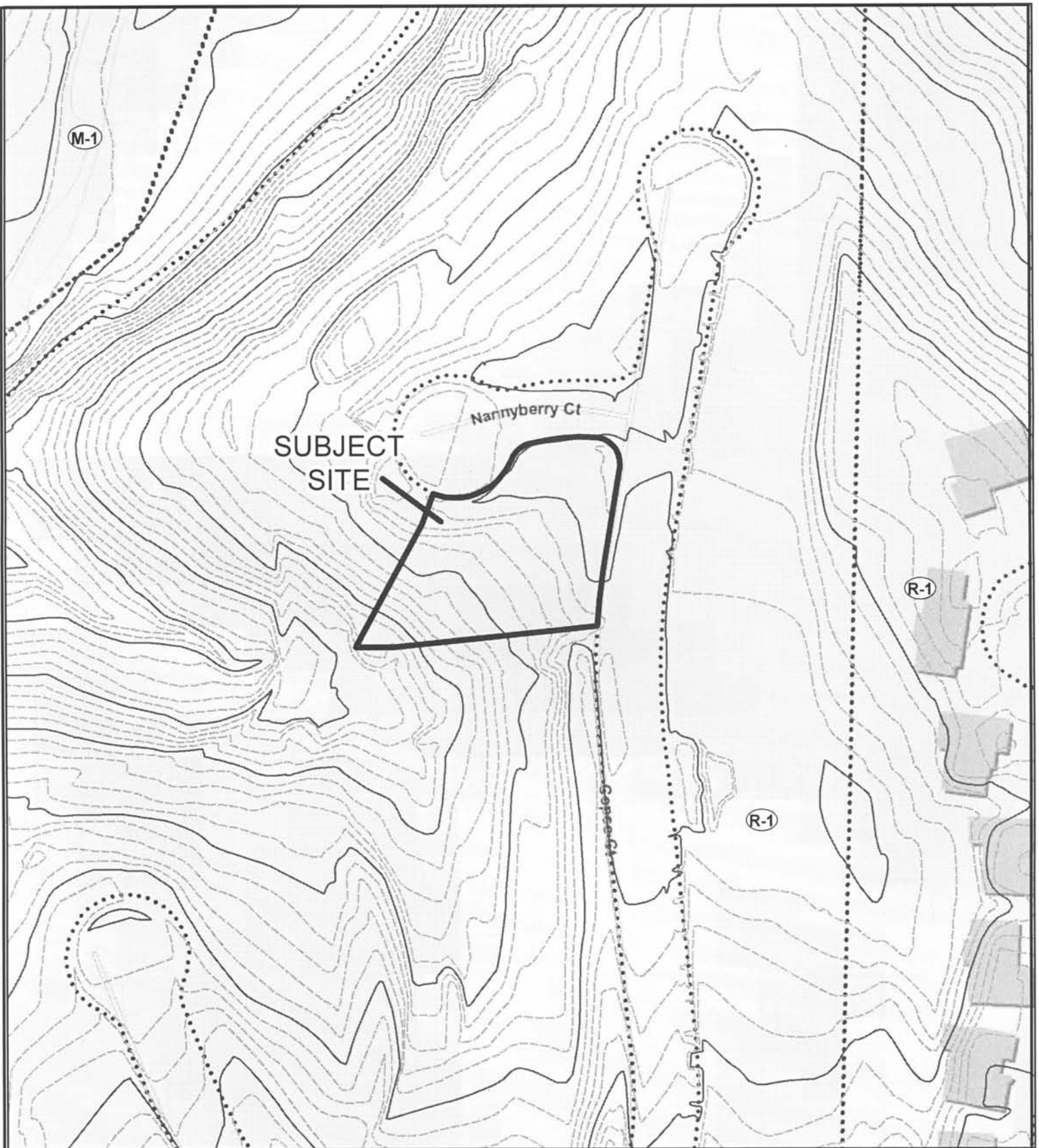


2011 Orthophoto
Source: Boone County Assessor



1 inch = 100 feet



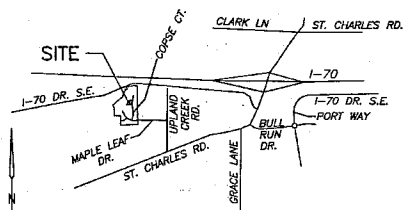


**Case 13-40: Final Minor Plat
Eastland Hills Estates, Plat 1-B**



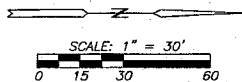
1 inch = 100 feet





SITE LOCATION MAP

NOT TO SCALE



BEARINGS ARE REFERENCED TO LINES OF
LOT 19, EASTLAND HILLS ESTATES PLAT 1,
RECORDED IN PLAT BOOK 41, PAGE 4.

LEGEND

- IRON PIPE (UNLESS NOTED OTHERWISE)
- E EXISTING 1/2" IRON PIPE
- S SET 1/2" REBAR W/CAP
- PERMANENT MONUMENT
- (R) RADIAL LINE
- (REC.) RECORD MEASUREMENT
- x DH DRILL HOLE WITH CHISELED "x"
- ⊙ CENTERLINE
- (9,515) AREA OF LOT IN SQUARE FEET

CURVE DATA			
	RADIUS	LENGTH	CHORD
A	47.00'	72.48'	N64°45'55"E 65.50'
B	20.00'	18.90'	N47°40'10"E 18.21'
C	178.00'	51.20'	N82°59'20"E 51.03'
D	20.00'	33.76'	S40°25'05"E 29.89'
E	525.00'	51.08'	S5°08'05"W 51.06'
F	47.00'	15.55'	N30°04'00"E 15.47'
G	47.00'	56.93'	N74°14'25"E 53.51'

NOTES

- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
- A CURRENT TITLE COMMITMENT WAS NOT AVAILABLE FOR THIS SURVEY.
- THE PURPOSE OF THIS PLAT IS TO DIVIDE LOT 19 INTO LOT 19A AND LOT 19B AS SHOWN.

STREAM BUFFER STATEMENT

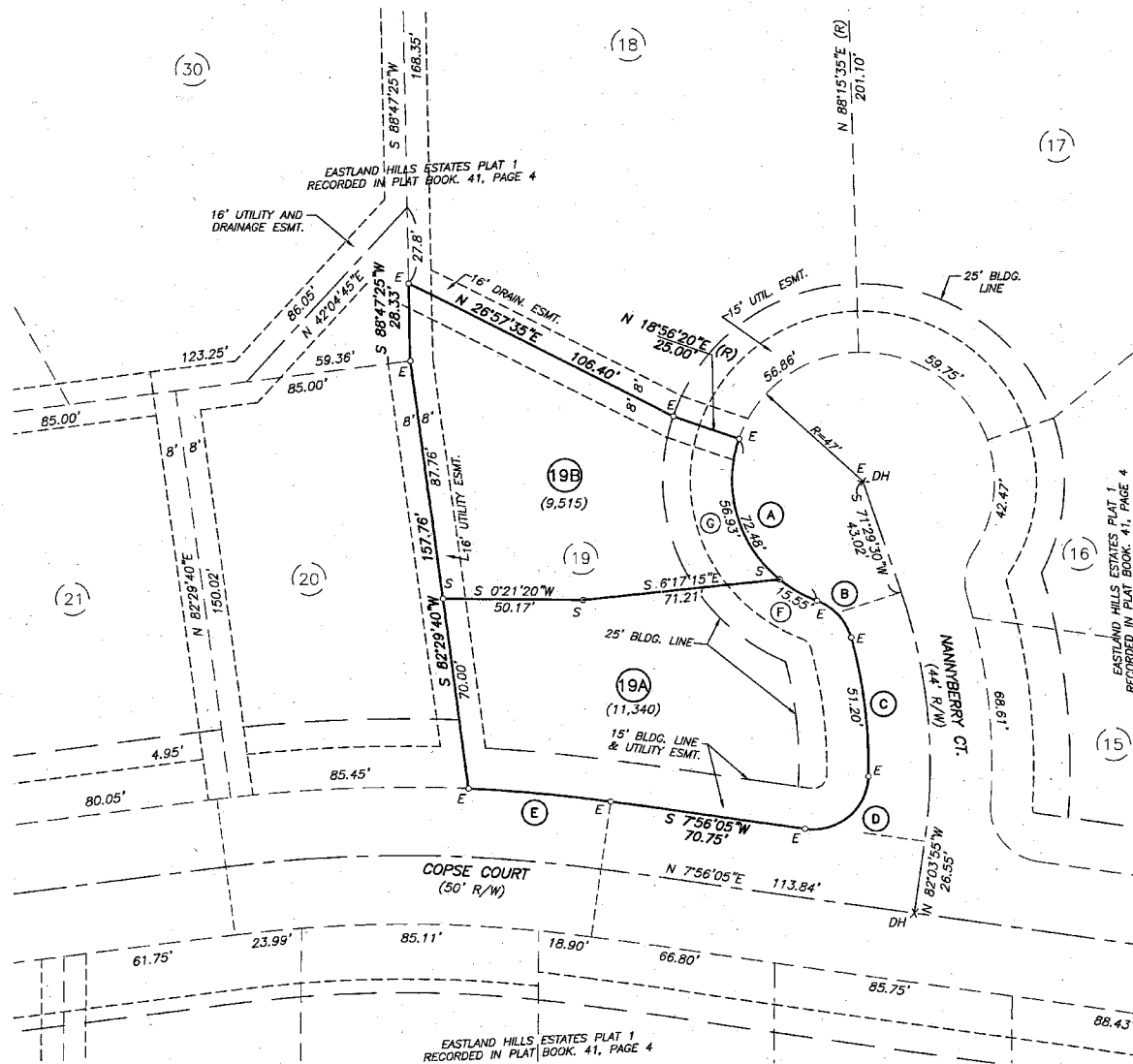
THIS PLAT IS NOT REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER REQUIREMENTS OF ARTICLE X ACCORDING TO CHAPTER 12A-232 OF THE CITY OF COLUMBIA'S CODE OF ORDINANCES.

FLOOD PLAIN STATEMENT

THIS TRACT IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) AS SHOWN BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 29019C0285D, DATED MARCH 17, 2011.

FINAL PLAT
EASTLAND HILLS ESTATES PLAT 1-B

A REPLAT OF LOT 19, EASTLAND HILLS ESTATES PLAT 1
FEBRUARY 25, 2013



KNOW ALL MEN BY THESE PRESENTS

EASTLAND HILLS ESTATES, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, RUSSELL C. ANDERSON 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.

EASTLAND HILLS ESTATES, L.L.C.

RUSSELL C. ANDERSON, MEMBER

STATE OF MISSOURI }
COUNTY OF BOONE } SS

ON THIS _____ DAY OF _____, IN THE YEAR 2013, BEFORE ME, MARLA E. OGLESBY, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED RUSSELL C. ANDERSON, MEMBER OF EASTLAND HILLS ESTATES, L.L.C., KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN FINAL PLAT IN BEHALF OF SAID COMPANY AND ACKNOWLEDGED TO ME THAT HE EXECUTED SAME FOR THE PURPOSES THEREIN STATED.

Marla E. Oglesby
MARLA E. OGLESBY

NOTARY PUBLIC
MY COMMISSION #12490598
EXPIRES FEBRUARY 28, 2016

MARLA E. OGLESBY
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires February 28, 2016
Commission # 12490598

CERTIFICATION

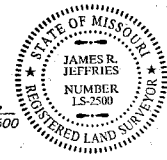
A REPLAT OF LOT 19, EASTLAND HILLS ESTATES PLAT 1, RECORDED IN PLAT BOOK 41, PAGE 4 OF THE BOONE COUNTY, MISSOURI RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3065, PAGE 73 AND CONTAINING 0.48 ACRES.

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY



James R. Jeffries
JAMES R. JEFFRIES, PLS-2500
MAR 14, 2013
DATE



STATE OF MISSOURI }
COUNTY OF BOONE } SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 14th DAY OF MARCH, 2013.

Marla E. Oglesby
MARLA E. OGLESBY

NOTARY PUBLIC
MY COMMISSION #12490598
EXPIRES FEBRUARY 28, 2016

MARLA E. OGLESBY
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires February 28, 2016
Commission # 12490598

APPROVED BY THE COLUMBIA CITY COUNCIL THIS _____ DAY OF _____, 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK