

AN ORDINANCE

authorizing the City Manager to execute Change Order No. 1 and Change Order No. 2 to the contract with JC Industries, Inc. for the reconstruction of the sidewalk along the south side of Broadway, from Eighth Street to Ninth Street; setting forth the nature and amount of change; accepting and approving the work; approving the report of the Director of Public Works; levying special assessments and authorizing the issuance of special tax bills against the lots and parcels of ground specially benefited and abutting the improvements; appropriating funds; and fixing the time when this ordinance shall become effective.

WHEREAS, construction of sidewalk improvements along the south side of Broadway, from Eighth Street to Ninth Street was authorized by Ordinance No. 020639 passed on June 7, 2010; and

WHEREAS, this public improvement has been completed by JC Industries, Inc.; and

WHEREAS, the Council has received the final report of the Director of Public Works in connection with this street construction, has held a public hearing prior to the commencement of the construction and has held a second public hearing regarding the levy and amount of special assessments in connection with the street construction project; and

WHEREAS, the Council has given due consideration to the comments of interested parties, the special benefits to the abutting properties, detriment, if any, to the abutting properties, the effect of the sidewalk construction on the present use of the property and general benefits to the general public in making the determinations set forth herein; and

WHEREAS, it is the determination of the Council that the properties fronting and abutting the sidewalk have realized one or more of the following special benefits as a result of the construction including, but not limited to, increased property values, salability of the properties, increased potential for future use, improved storm water drainage, improved access and parking; and

WHEREAS, it is the determination of the Council that the value of the special benefits to those properties fronting and abutting on the sidewalk is equal to, or greater than, the sum of \$122.2366 per abutting front foot.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized and directed to execute Change Order No. 1 and Change Order No. 2 to the contract with JC Industries, Inc. for the construction of sidewalk improvements along the south side of Broadway, from Eighth Street to Ninth Street.

SECTION 2. The nature and amount of the changes are set forth in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 3. The construction of sidewalk improvements along the south side of Broadway, from Eighth Street to Ninth Street is hereby accepted and approved.

SECTION 4. The report of the Director of the Public Works Department, who was charged with the responsibility of personally inspecting the work as it progressed to see that the work was done in accordance with the estimate, plans, specifications and contract, the ordinance governing the same and the Charter of the City is hereby approved and accepted.

SECTION 5. Special assessments are hereby levied at a rate of \$122.2366 per front foot against the lots and parcels of ground specially benefited by this public improvement and fronting or abutting along the distance improved, in proportion to the number of fronting or abutting feet. The assessments are as follows:

ORIGINAL TOWN OF COLUMBIA MISSOURI, PLAT BOOK A @ PAGE 335

PARCEL NUMBER: 16-320-00-17-134.00 01

Against a tract of land as described as Tract 1 in the Warranty Deed recorded in Book 2148, Page 11 of the Boone County, Missouri Records (abutting 26.25 feet).

\$3,208.71 Special Assessment:

PARCEL NUMBER: 16-320-00-17-132.00 01

Against a tract of land as described in part 1 of the Warranty Deed recorded in Book 546, Page 288 of the Boone County, Missouri Records (abutting 25 feet).

\$3,055.92 Special Assessment:

PARCEL NUMBER: 16-320-00-17-131.00 01

Against a tract of land as described in the Warranty Deed recorded in Book 424, Page 892 of the Boone County, Missouri Records (abutting 24.5 feet).

\$2,994.80 Special Assessment:

PARCEL NUMBER: 16-320-00-17-130.00 01

Against a tract of land as described in the Trustees Deed recorded in Book 1547, Page 287 of the Boone County, Missouri Records (abutting 25.5 feet).

Special Assessment:
\$3,117.03

PARCEL NUMBER: 16-320-00-17-129.00 01

Against a tract of land as described in the Warranty Deed recorded in Book 2012, Page 213 of the Boone County, Missouri Records (abutting 25 feet).

Special Assessment:
\$3,055.92

PARCEL NUMBER: 16-320-00-17-128.00 01

Against a tract of land as described in the Quit Claim Deed recorded in Book 739, Page 53 of the Boone County, Missouri Records (abutting 12 feet).

Special Assessment:
\$1,466.84

SECTION 6. The City Clerk is hereby authorized and directed to issue special tax bills immediately against the lots, tracts and parcels of ground as described above which are hereby declared to have been specially benefited in the amounts assessed against them. The tax bills shall be signed by the City Clerk under the corporate seal of the City. The City Clerk shall register the tax bills in the office of the Director of Finance for collection. The special tax bills shall mature and shall be due and payable sixty (60) days after the date of issue. After the expiration of sixty (60) days, the tax bills shall bear interest at the rate of 3.25 percent per annum on the unpaid balance until paid.

SECTION 7. The sum of \$22,858.25 is hereby appropriated from the Special Assessment Tax Bills Revenue Account No. 440-0000-480.40-00, C00455 to the Broadway Sidewalk 8th – 9th Project Account No. 440-8800-528.49-90, C00455.

SECTION 8. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of January, 2012.