

026317

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Introduced by: Buffaloe

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Second Reading: 5-18-26

Ordinance Number: 026317

Council Bill Number: B 120-26

AN ORDINANCE

authorizing removal of tracts owned by Burrell, Inc. and Edenton Ridge Apartments, LP from the boundary of the North 763 Community Improvement District; and fixing the time when this ordinance shall become effective.

WHEREAS, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the "CID Act") authorize the governing body of any municipality, upon petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, by adoption of Ordinance No. 020153 on December 15, 2008, the City Council approved a creation of the North 763 Community Improvement District (the "District") consisting of approximately 40 acres located generally at the northeast intersection of Brown School Road and Hwy North 763/Range Line Street; and

WHEREAS, Section 67.1441 of the CID Act permits the City to remove certain real property from the District by ordinance upon written request of the applicable property owner and following (1) consent of the District's Board of Directors, (2) a finding that the District can meet its obligations without the revenues from the property to be removed, and (3) a public hearing relating to the removal of the applicable property from the District boundaries; and

WHEREAS, a written request has been received from the District's Board of Directors for removal of three (3) tracts consisting of approximately 6.42 acres owned by Burrell, Inc. and Edenton Ridge Apartments, LP from the District (the "Removed Property") legally described as follows:

Tract B: Burrell, Inc.

Parcel No. 12-701-00-02-265.00 01

Lot 1007A of the Final Plat of Auburn Hills Plat 10-A1, a minor replat of Lot 1007, Auburn Hills Plat 10-A, Section 30, Township 49 North, Range 12 West, Columbia, Boone County, Missouri as dated May 21, 2012 and recorded in Plat Book 46 at Page 19 in the land records of Boone County, Missouri as Instrument No. 2012011806. Containing 1.59 acres, more or less.

Tract C: Edenton Ridge Apartments, LP

Parcel No. 12-701-00-02-265.01 01

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY,

MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3672, PAGE 58 AND BEING ALL OF LOT 1007B OF AUBURN HILLS PLAT 10-A, A MINOR REPLAT OF LOT 1007, AUBURN HILLS PLAT 10-A, RECORDED IN BOOK 2673, PAGE 56 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1007B AND WITH THE LINES THEREOF, N 0°00'35" E, 273.28 FEET; THENCE N 11°03'15" E, 41.39 FEET; THENCE N 90°00'00" E, 220.35 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF EDENTON BOULEVARD; THENCE CONTINUING WITH THE LINES OF SAID LOT AND WITH THE WESTERLY RIGHT-OF-WAY LINE OF EDENTON BOULEVARD, S 6°50'05" E, 282.38 FEET; THENCE 50.71 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 41°35'15" W, 44.88 FEET; THENCE N 89°59'25" W, 232.15 FEET TO THE POINT OF BEGINNING. CONTAINING 1.77 ACRES, MORE OR LESS.

Tract G: Burrell, Inc.

Parcel 12-701-00-02-266.00 01

Lot 1208 of the Administrative Plat of Auburn Hills Plat 12, a subdivision in the City of Columbia, Boone County, Missouri, as shown the Administrative Plat thereof recorded in Book 2933, Page 3, Records of Boone County, Missouri. Containing 3.06 acres, more or less.

and

WHEREAS, on November 16, 2022, the Board of Directors of the District adopted Resolution No. 2022-19, (the "CID Resolution"), consenting to the removal of the Removed Property from the District; and

WHEREAS, no District revenues are expected to be generated from the Removed Property and, accordingly, within the recitals to the CID Resolution, the District's Board of Directors made a finding that the District will be able to meet its obligations following the removal of the Removed Property; and

WHEREAS, the City Council held a duly-noticed public hearing on May 18, 2026, where at all interested parties were permitted to speak regarding the removal of the Removed Property from the District.

Now, therefore, be it ordained by the Council of the City of Columbia, Missouri, as follows:

Section 1. The City Council hereby finds that the District can meet its obligations without any revenues from the Removed Property.

Section 2. The Removed Property is hereby removed from the boundaries of the District. Following removal of the Removed Property, the District's boundaries shall

consist of the real property described on "Exhibit A" attached hereto and made a part hereof.

Section 3. The officers of the City are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Ordinance. All actions taken to date by the officers of the City with respect to the removal of real property from the District, including, without limitation, the provision of notices for the public hearing regarding the removal of such property from the District, are hereby ratified.

Section 4. This Ordinance shall take effect and be in full force from and after its passage by the City Council and its approval by the Mayor.

PASSED: May 18, 2024

Barbara Bullaloe
Mayor and Presiding Officer

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
City Counselor