

024239

Permanent Record
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Introduced by Treese

First Reading 5-4-20

Second Reading 5-18-20

Ordinance No. 024239

Council Bill No. B 104-20

AN ORDINANCE

vacating portions of utility, access and drainage easements and street rights-of-way within Boone Prairie, Plats 1 and 2 located on the east side of Brown Station Road and south of U.S. Highway 63; 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 portions of utility, access and drainage easements and street rights-of-way within Boone Prairie, Plats 1 and 2 located on the east side of Brown Station Road and south of U.S. Highway 63, more particularly described as follows, are in excess and surplus to the needs of the City and are hereby vacated:

**DRAINAGE EASEMENT VACATION
BOONE PRAIRIE PLAT 1**

THE DRAINAGE EASEMENTS CREATED BY BOONE PRAIRIE PLAT 1, RECORDED IN PLAT BOOK 38, PAGE 111 OF THE BOONE COUNTY RECORDS BEING THE EASEMENTS SHOWN ON LOTS 22, 23 AND 24 OF SAID BOONE PRAIRIE PLAT 1.

**RIGHT-OF-WAY VACATION
BOONE PRAIRIE PLAT 1**

FOUR (4) STRIPS OF RIGHT OF WAY LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF BOONE PRAIRIE PLAT 1 RECORDED IN PLAT BOOK 38, PAGE 111 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 32 AND WITH THE WEST LINE THEREOF, N 0°15'05"W, 20.00 TO THE SOUTH LINE OF SAID BOONE PRAIRIE

PLAT 1; THENCE LEAVING SAID WEST LINE AND WITH THE SAID SOUTH LINE, N 89°28'40"E, 305.00 FEET TO THE SOUTHEAST CORNER OF SAID BOONE PAIRIE PLAT 1; THENCE LEAVING SAID SOUTH LINE, N 0°31'20"W, 33.00 FEET TO THE CENTERLINE OF SAID RIGHT OF WAY, SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, STRIP BEING 66.00 FEET WIDE, 33.00 FEET LYING LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, S 89°28'40"W, 170.00 FEET TO POINT 'A'; THENCE CONTINUING WITH SAID CENTERLINE, S 89°28'40"W, 118.19 FEET; THENCE 83.13 FEET ALONG A 250.00-FOOT RADIUS TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 79°57'05"W, 82.75 FEET TO THE WEST LINE OF SAID BOONE PRAIRIE PLAT 1, SAID POINT BEING THE END OF THIS DESCRIBED CENTERLINE. ALSO, SAID STRIP INCLUDES ALL TRUNCATIONS AT INTERSECTIONS AND THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET PLATTED LINES.

STRIP 2

BEGINNING AT POINT 'A', AS REFERENCED IN STRIP 1 ABOVE, STRIP BEING 50.00 WIDE, 25.00 FEET LYING LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 1°23'45"E, 1747.22 FEET TO POINT 'B', SAID POINT BEING THE END OF THIS DESCRIBED CENTERLINE. ALSO, SAID STRIP INCLUDES ALL TRUNCATIONS AT INTERSECTIONS

STRIP 3

BEGINNING AT POINT 'B', AS REFERENCED IN STRIP 2 ABOVE, STRIP BEING 66.00 FEET WIDE, 33.00 FEET LYING LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, 2.71 FEET ALONG A 250.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 88°17'35"W, 2.71 FEET; THENCE N 88°36'15"W, 174.29 FEET TO THE WEST LINE OF SAID BOONE PAIRIE PLAT 1, SAID POINT BEING THE END OF THIS DESCRIBED CENTERLINE. ALSO, SAID STRIP INCLUDES ALL TRUNCATIONS AT INTERSECTIONS AND THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET PROPERTY LINES.

STRIP 4

BEGINNING AT POINT 'B', AS REFERENCED IN STRIP 2 ABOVE, STRIP BEING 66.00 FEET WIDE, 33.00 FEET LYING LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, 144.02 FEET ALONG A 250.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 71°28'45"E, 142.04 FEET; THENCE S 54°58'35"E, 191.17 FEET TO THE EAST LINE OF SAID PRAIRIE BOONE PLAT 1, SAID POINT ALSO BEING THE END OF THIS

DESCRIBED CENTERLINE. ALSO, SAID STRIP INCLUDES ALL TRUNCATIONS AT INTERSECTIONS.

**UTILITY & DRAINAGE EASEMENT VACATION
BOONE PRAIRIE PLAT 1**

THE UTILITY AND DRAINAGE EASEMENTS CREATED BY BOONE PRAIRIE PLAT 1, RECORDED IN PLAT BOOK 38, PAGE 111 OF THE BOONE COUNTY RECORDS BEING THE EASEMENTS SHOWN ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 AND 21 OF SAID BOONE PRAIRIE PLAT 1.

**UTILITY EASEMENT VACATION
BOONE PRAIRIE PLAT 1**

THE UTILITY EASEMENTS CREATED BY BOONE PRAIRIE PLAT 1, RECORDED IN PLAT BOOK 38, PAGE 111 OF THE BOONE COUNTY RECORDS BEING THE EASEMENTS SHOWN ON LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 AND 24 OF SAID BOONE PRAIRIE PLAT 1 EXCEPT FOR THE UTILITY EASEMENT ADJACENT TO BROWN STATION ROAD.

**DRAINAGE EASEMENT VACATION
BOONE PRAIRIE PLAT 2 AND UNPLATTED TRACT SURVEY TRACT 1**

TRACT 2

A STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 25, BOONE PRAIRIE PLAT 2 RECORDED IN PLAT BOOK 39, PAGE 11 AND BEING PART OF A TRACT OF LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2060, PAGE 675 AND ALSO BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238; THE STRIP ALSO BEING THE SAME AS THE DRAINAGE EASEMENT DESCRIBED IN BOOK 2634, PAGE 128, (TRACT 2) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND THIRTY (30) FEET WIDE BEING THIRTY (30) FEET ON THE RIGHT SIDE OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE CENTER OF SECTION 32-49-12; THENCE WITH THE QUARTER SECTION LINE, N 0°15'05"W, 20.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE WITH THE SOUTH LINE THEREOF, N 89°28'40"E, 305.00 FEET; THENCE LEAVING SAID SOUTH LINE, N 0°31'20"W, 66.00 FEET; THENCE S 89°28'40"W, 112.86

FEET; THENCE 48.13 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N 44°33'50"W, 43.13 FEET; THENCE N 1°23'45"E, 242.13 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, N 89°28'35"E, 144.09 FEET; THENCE N 1°23'45"E, 1331.80 FEET TO POINT 'A', THE END OF THE DESCRIBED LINE.

TRACT 3

A STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF A TRACT OF LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2060, PAGE 675 AND ALSO BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238; THE STRIP ALSO BEING THE SAME AS THE DRAINAGE EASEMENT DESCRIBED IN BOOK 2634, PAGE 128, (TRACT 3) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND TEN (10) FEET WIDE BEING TEN (10) FEET ON THE RIGHT SIDE OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT POINT 'A' DESCRIBED ABOVE; THENCE S 54°58'35"E, 129.27 FEET; THENCE N 35°01'25"E, 66.00 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, CONTINUING N 35°01'25"E, 409.63 FEET TO THE SOUTHWESTERLY RIGHT OF WAY OF U.S. HIGHWAY 63, THE END OF THE DESCRIBED LINE.

**UTILITY EASEMENT VACATION
BOONE PRAIRIE PLAT 2 AND UNPLATTED**

TWO STRIPS (2) AND A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF BOONE PRAIRIE PLAT 2 RECORDED IN PLAT BOOK 39, PAGE 11 AND BEING THE SAME AS UTILITY EASEMENTS DESCRIBED IN BOOK 2593, PAGE 129 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1 (TRACT 1)

A STRIP OF LAND TEN (10) FEET WIDE BEING TEN (10) FEET ON THE RIGHT SIDE OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE CENTER OF SECTION 32-49-12; THENCE WITH THE QUARTER SECTION LINE, N 0°15'05"W, 20.00 FEET TO THE SOUTHWEST CORNER OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238; THENCE WITH SAID SOUTH LINE, N 89°28'40"E, 305.00 FEET TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, LEAVING SAID SOUTH LINE N 0°31'20"W, 66.00 FEET; THENCE S 89°28'40"W, 112.86 FEET; THENCE 48.13 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N 44°33'50"W, 43.13 FEET; THENCE N 1°23'45"E, 242.13 FEET TO THE END OF THE DESCRIBED LINE.

STRIP 2 (TRACT 2)

A STRIP OF LAND TEN (10) FEET WIDE BEING TEN (10) FEET ON THE RIGHT SIDE OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE CENTER OF SECTION 32-49-12; THENCE WITH THE QUARTER SECTION LINE N 0°15'05"W, 20.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238; THENCE WITH SAID SOUTH LINE, N 89°28'40"E, 305.00 FEET; THENCE LEAVING SAID SOUTH LINE, N 0°31'20"W, 66.00 FEET; THENCE S 89°28'40"W, 112.86 FEET; THENCE 48.13 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N 44°33'50"W, 43.13 FEET; THENCE N 1°23'45"E, 242.13 FEET; THENCE N 89°28'35"E, 144.09 FEET; THENCE N 1°23'45"E, 1331.80 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, S 54°58'35"E, 129.27 FEET; THENCE N 35°01'25"E, 66.00 FEET TO POINT 'A', THE END OF THE DESCRIBED LINE.

TRACT 3 (TRACT 3)

BEGINNING AT POINT 'A' DESCRIBED ABOVE, THENCE N 35°01'25"E, 15.00 FEET; THENCE S 54°58'35"E, 114.74 FEET; THENCE N 35°01'25"E, 5.00 FEET; THENCE 160.62 FEET ALONG A 303.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 39°47'25"E, 158.74 FEET; THENCE S 65°23'45"W, 20.00 FEET; THENCE 150.02 FEET ALONG A 283.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 39°47'25"W, 148.27 FEET; THENCE N 54°58'35"W, 114.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.11 ACRES.

**ACCESS AND UTILITY EASEMENT VACATION
BOONE PRAIRIE PLAT 2 LOT 26**

THE ACCESS AND UTILITY EASEMENT CREATED BY BOONE PRAIRIE PLAT 2, RECORDED IN PLAT BOOK 39, PAGE 11 OF THE BOONE

COUNTY RECORDS BEING THE ACCESS AND UTILITY EASEMENTS SHOWN ON LOT 26 OF SAID BOONE PRAIRIE PLAT 2.

**DRAINAGE EASEMENT VACATION
BOONE PRAIRIE PLAT 2**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 25, BOONE PRAIRIE PLAT 2 RECORDED IN PLAT BOOK 39, PAGE 11 AND BEING THE SAME AS DRAINAGE EASEMENT DESCRIBED IN BOOK 2634, PAGE 128, (TRACT 1) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

COMMENCING AT THE CENTER OF SECTION 32-49-12; THENCE WITH THE QUARTER SECTION LINE, N 0°15'05"W, 20.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238; THENCE WITH THE SOUTH LINE THEREOF, N 89°28'40"E, 305.00 FEET; THENCE LEAVING SAID SOUTH LINE, N 0°31'20"W, 66.00 FEET; THENCE S 89°28'40"W, 101.86 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, CONTINUING S 89°28'40"W, 11.00 FEET; THENCE 48.13 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N 44°33'50"W, 43.13 FEET; THENCE N 1°23'45"E, 212.12 FEET; THENCE N 89°28'35"E, 21.01 FEET; THENCE S 1°23'45"W, 202.73 FEET; THENCE S 26°28'40"E, 44.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES.

**RIGHT-OF-WAY VACATION
BOONE PRAIRIE PLAT 2**

A STRIP OF RIGHT OF WAY LOCATED IN THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF BOONE PRAIRIE PLAT 2 RECORDED IN PLAT BOOK 39, PAGE 11 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 32 AND WITH THE WEST LINE THEREOF, N 0°15'05"W, 20.00 TO THE SOUTH LINE OF BOONE PRAIRIE PLAT 1 RECORDED IN PLAT BOOK 38, PAGE 111; THENCE LEAVING SAID WEST LINE AND WITH THE SAID SOUTH LINE, N 89°28'40"E, 305.00 FEET TO THE SOUTHEAST CORNER OF SAID BOONE PRAIRIE PLAT 1, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID BOONE

PRAIRIE PLAT 2; THENCE LEAVING SAID SOUTH LINE, N 0°31'20"W, 33.00 FEET TO THE CENTERLINE OF SAID RIGHT OF WAY, SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, STRIP BEING 66.00 FEET WIDE, 33.00 FEET LYING LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 89°28'40"E, 90.52 FEET; THENCE CONTINUING WITH SAID CENTERLINE, 384.32 FEET ALONG A 250.00-FOOT RADIUS TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 45°26'15"E, 384.32 FEET; THENCE N 1°23'45"E, 64.41 FEET TO THE NORTH LINE OF SAID BOONE PRAIRIE PLAT 2, SAID POINT BEING THE END OF THIS DESCRIBED CENTERLINE. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET PLATTED LINES.

**UTILITY EASEMENT VACATION
BOONE PRAIRIE PLAT 2**

THE UTILITY EASEMENT CREATED BY BOONE PRAIRIE PLAT 2, RECORDED IN PLAT BOOK 39, PAGE 11 OF THE BOONE COUNTY RECORDS BEING THE UTILITY EASEMENTS SHOWN ON LOTS 25 AND 26 OF SAID BOONE PRAIRIE PLAT 2.

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 10th day of May, 2020.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor