

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 138-25

AN ORDINANCE

declaring the need to acquire easements associated with construction of a single-lane roundabout with splitter islands and sidewalks at the intersection of Fairview Road and Chapel Hill Road, and construction of a sidewalk along the northeast side of Chapel Hill Road between Fairview Road and Handley Place; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

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

SECTION 1. The City Council hereby declares the need to acquire easements associated with construction of a single-lane roundabout with splitter islands and sidewalks at the intersection of Fairview Road and Chapel Hill Road, and construction of a sidewalk along the northeast side of Chapel Hill Road between Fairview Road and Handley Place, described as follows:

**CHAPEL HILL HOLDINGS, LLC
PARCEL: 16-515-00-00-003.01 01
TEMPORARY CONSTRUCTION EASEMENT**

Temporary Construction Easement #1

A TRACT LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF A TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 3755, PAGE 70,

ALSO BEING, PART OF THE TRACT SHOWN BY THE SURVEY IN BOOK 550, PAGE 890, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT, THENCE WITH NORTH LINE OF SAID TRACT S.88°18'10"E, 12.22 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID NORTH LINE S.01°00'20"W, 34.49 FEET; THENCE N.89°18'35"W, 12.03 FEET TO THE WEST LINE OF SAID TRACT; THENCE WITH SAID WEST LINE N.00°41'25"E, 34.71 FEET TO THE POINT OF BEGINNING AND CONTAINING 419 SQUARE FEET.

Temporary Construction Easement #2

A TRACT LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF A TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 3755, PAGE 70, ALSO BEING, PART OF THE TRACT SHOWN BY THE SURVEY IN BOOK 550, PAGE 890, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT, THENCE THE WITH WEST LINE OF SAID TRACT N.00°41'25"E, 54.74 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE) TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING WITH SAID WEST LINE, N.00°41'25"E, 24.99 FEET; THENCE LEAVING SAID WEST LINE S.18°39'50"E, 64.22 FEET; THENCE ALONG A 60.00-FOOT RADIUS TANGENT CURVE TO THE LEFT, 49.40 FEET, CHORD S.42°15'00"E, 48.01 FEET; THENCE S.65°50'05"E, 22.94 FEET TO THE NORTH LINE OF THE EXISTING STREET EASEMENT DESCRIBED IN BOOK 764, PAGE 417, OF THE BOONE COUNTY RECORDS; THENCE WITH SAID NORTH LINE ALONG A 796.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, 31.24 FEET, CHORD N.79°07'20"W, 31.24 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE WITH SAID SOUTH LINE N.65°24'55"W, 1.27 FEET; THENCE LEAVING SAID SOUTH LINE N.35°38'30"W, 61.88 FEET; THENCE N.14°24'05"W, 24.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 727 SQUARE FEET.

**BRUCE DAVIS AND MARY DAVIS
PARCEL: 16-514-00-05-001.00 01
TEMPORARY CONSTRUCTION EASEMENT**

A TRACT LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF A TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 2759, PAGE 11, ALSO BEING, PART OF LOT 68, CHAPEL HILL ESTATES PLAT 1 IN PLAT BOOK 24,

PAGE 72, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 68, THENCE WITH EAST LINE OF SAID LOT 68 N.03°31'20"W, 43.90 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE) TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID EAST LINE, N.90°00'00"W, 3.81 FEET; THENCE N.03°06'10"W, 59.05 FEET TO SAID EAST LINE; THENCE WITH SAID EAST LINE ALONG A 30.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, 14.36 FEET, A CHORD S.17°14'10"E, 14.22 FEET; THENCE CONTINUING WITH SAID EAST LINE S.03°31'20"E, 45.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 197 SQUARE FEET. INCLUSIVE OF 197 SQUARE FEET OF EXISTING UTILITY EASEMENT AND 67 SQUARE FEET OF AN EXISTING LANDSCAPE AND SIGN EASEMENT ALL SHOWN BY PLAT BOOK 24 PAGE 72.

NIKOLAS L. WOOD
PARCEL: 16-514-00-01-236.00 01
TEMPORARY CONSTRUCTION EASEMENT

A TRACT LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF A TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 5328, PAGE 173, ALSO BEING, PART OF LOT 4, FINAL PLAT OF THE SUBDIVISION OF LOT 2 OF UNIVERSITY PARK SUBDIVISION IN PLAT BOOK 10, PAGE 201, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 4, THENCE WITH WEST LINE OF SAID LOT 4 N.35°02'20"W, 5.27 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID WEST LINE N.72°09'25"E, 36.91 FEET; THENCE S.22°40'10"E, 5.00 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE WITH SAID SOUTH LINE ALONG A 124.14-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, 14.06 FEET, CHORD S.70°06'10"W, 14.05 FEET; THENCE CONTINUING WITH SAID SOUTH LINE S.73°21'00"W, 21.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 193 SQUARE FEET. INCLUSIVE OF 193 SQUARE FEET OF EXISTING UTILITY EASEMENT AS SHOWN BY PLAT BOOK 10 PAGE 201.

CHAPEL HILL HOLDINGS, LLC
PARCEL: 16-515-00-00-003.01 01
PERMANENT STREET EASEMENT

A TRACT LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF A TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 3755, PAGE 70,

ALSO BEING, PART OF THE TRACT SHOWN BY THE SURVEY IN BOOK 550, PAGE 890, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT, THENCE WITH WEST LINE OF SAID TRACT N.00°41'25"E, 54.74 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID WEST LINE, S.14°24'05"E, 24.86 FEET; THENCE S.35°38'30"E, 61.88 FEET TO THE SOUTH LINE OF SAID TRACT; THENCE WITH SAID SOUTH LINE N.65°24'55"W, 47.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 902 SQUARE FEET.

**CHAPEL HILL ESTATES NEIGHBORHOOD ASSOCIATION, L.L.C.
CHAPEL HILL ESTATES
PERMANENT STREET EASEMENT**

A TRACT LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID TRACT BEING THE VACATED RIGHT-OF-WAY AS DESCRIBED BY THE CITY OF COLUMBIA ORDINANCE # 012752, ALSO BEING, THE TRACT SHOWN AS LIMITED COMMON AREA BY CHAPEL HILL ESTATES PLAT 1 IN PLAT BOOK 24, PAGE 72, OF THE BOONE COUNTY RECORDS AND CONTAINING 464 SQUARE FEET.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation or by the exercise of the power of eminent domain as set forth in Section 4 hereof.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2025.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor