

Introduced by: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_

Council Bill Number: B 220-26

### **AN ORDINANCE**

vacating a pedestrian trail, utility, and drainage easements adjacent to Lots 227, 228, 237, and 238 within the Final Plat of Old Hawthorne North, Plat No. 1 located east of Walton Heath Drive and west of Ash Down Drive; directing the City Clerk to have a copy of this ordinance recorded; accepting a grant of easement for utility and drainage purposes from Thel and Gail Sargent, James and Deborah Propes, and New Haven Custom Homes, LLC; directing the City Clerk to have the conveyance 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 pedestrian trail, utility, and drainage easements located adjacent to Lots 227, 228, 237, and 238 within the Final Plat of Old Hawthorne North, Plat No. 1 located east of Walton Heath Drive and west of Ash Down Drive, more particularly described as follows, are in excess and surplus to the needs of the City and are hereby vacated:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 14, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOTS 227, 228, 237 AND 238 OF OLD HAWTHORNE NORTH, PLAT NO. 1, RECORDED IN PLAT BOOK 56, PAGE 66 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE WESTERLY RIGHT-OF-WAY LINE OF ASH DOWN DRIVE AT THE COMMON LOT CORNERS FOR LOTS 237 AND 238 AND WITH THE WESTERLY RIGHT-OF-WAY LINE THEREOF, 6.00 FEET ALONG A 510.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 29°21'00"W, 6.00 FEET; THENCE LEAVING SAID RIGHT-OF WAY LINE, N 60°59'15"W, 96.95 FEET; THENCE S 65°59'10"W, 39.03 FEET; THENCE N 56°24'50"W, 131.33 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF WALTON HEATH DRIVE; THENCE WITH SAID EASTERLY RIGHT-OF-WAY LINE, 12.00 FEET ALONG A 260.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID

CURVE HAVING A CHORD N 33°35'10"E, 12.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S 56°24'50"E, 88.47 FEET; THENCE N 82°17'30"E, 46.50 FEET; THENCE S 60°59'15"E, 124.92 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID ASH DOWN DRIVE; THENCE WITH SAID WESTERLY RIGHT-OF-WAY LINE, 6.00 FEET ALONG A 510.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 28°40'35"W, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.09 ACRES.

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. The following conveyance to the City of Columbia, Missouri, a municipal corporation is hereby accepted:

Grant of Easement for utility and drainage purposes from Thel Sargent and Gail Sargent, James Propes and Deborah Propes, and New Haven Custom Homes, LLC, a copy of which is attached to this ordinance as "Exhibit A."

SECTION 4. The City Clerk is hereby authorized and directed to have the conveyance set forth in Section 3 hereof recorded in the office of the Boone County Recorder of Deeds.

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Mayor and Presiding Officer

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor