BILL 2012-47

****** First Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Drew Bontrager, Public Works Director

DATE: September 17, 2012

RE: **Public Right of Way Dedication – Second & Walnut Street**

PURPOSE

The attached bill authorizes the City Manager to convey a section of city owned property to permanent public right-of-way along Second and Walnut Street.

BACKGROUND

The City of Cameron currently owns one contiguous tract of property located in Block 56**,** Original Town of Cameron, along Second Street between Main Street and Walnut Street. The City intends sell a small section of this property, known commonly as building the 43rd Probation and Parole Office most recently occupied, more particularly described in the attached Exhibit A, and marked on Exhibit A as Tract #2.

During the survey to define and complete the legal description in order to record the parcel split, it was discovered there was no right-of-way beyond the edge of the street. Consequently, we have identified and described the amount of additional property currently owned by the City of Cameron that needs to be dedicated as permanent right-of-way. This property is defined in the attached Exhibit as Tract #3 and Tract #4.

RECOMMENDATION

Recommend the Council adopt the attached bill authorizing the City Manager to transfer the property owned by the City of Cameron to permanent public right of way.

Bill 2012-47

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO TRANSFER A SECTION OF PROPERTY LOCATED AT SECOND & WALNUT OWNED BY THE CITY OF CAMERON TO PUBLIC RIGHT OF WAY

WHEREAS, the City of Cameron currently owns a tract of property located in Block 56 Original Town of Cameron, along Second Street between Main Street and Walnut Street, more particularly described in the attached Exhibit A, and marked on Exhibit A as Tract #1, Tract #2, Tract #3 and Tract #4; and

WHEREAS, the City of Cameron is the current owner of the property and intends to sell Tract #2; and

WHEREAS, in the City of Cameron desires to dedicate a portion of the property as permanent public right-of-way to enhance public convenience and safety, more particularly described in the attached Exhibit A, and marked on Exhibit A as Tract #3 and Tract #4.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, AS FOLLOWS:

Section 1. The City Manager is hereby authorized to record Tract #3; 299.5 square feet and Tract #4; 227.7 square feet, attached hereto as Exhibit A, as permanent right-of-way.

Section 2. The Mayor is hereby authorized to sign this Ordinance on behalf of the City of Cameron.

Section 3. The City Clerk is hereby directed to attest to the Mayor's signature.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

Passed and approved on first reading this 17th day of September 2012.
Passed and approved on second reading this _____ day of _____ 2012.
Passed and approved on third and final reading this _____ day of _____ 2012.

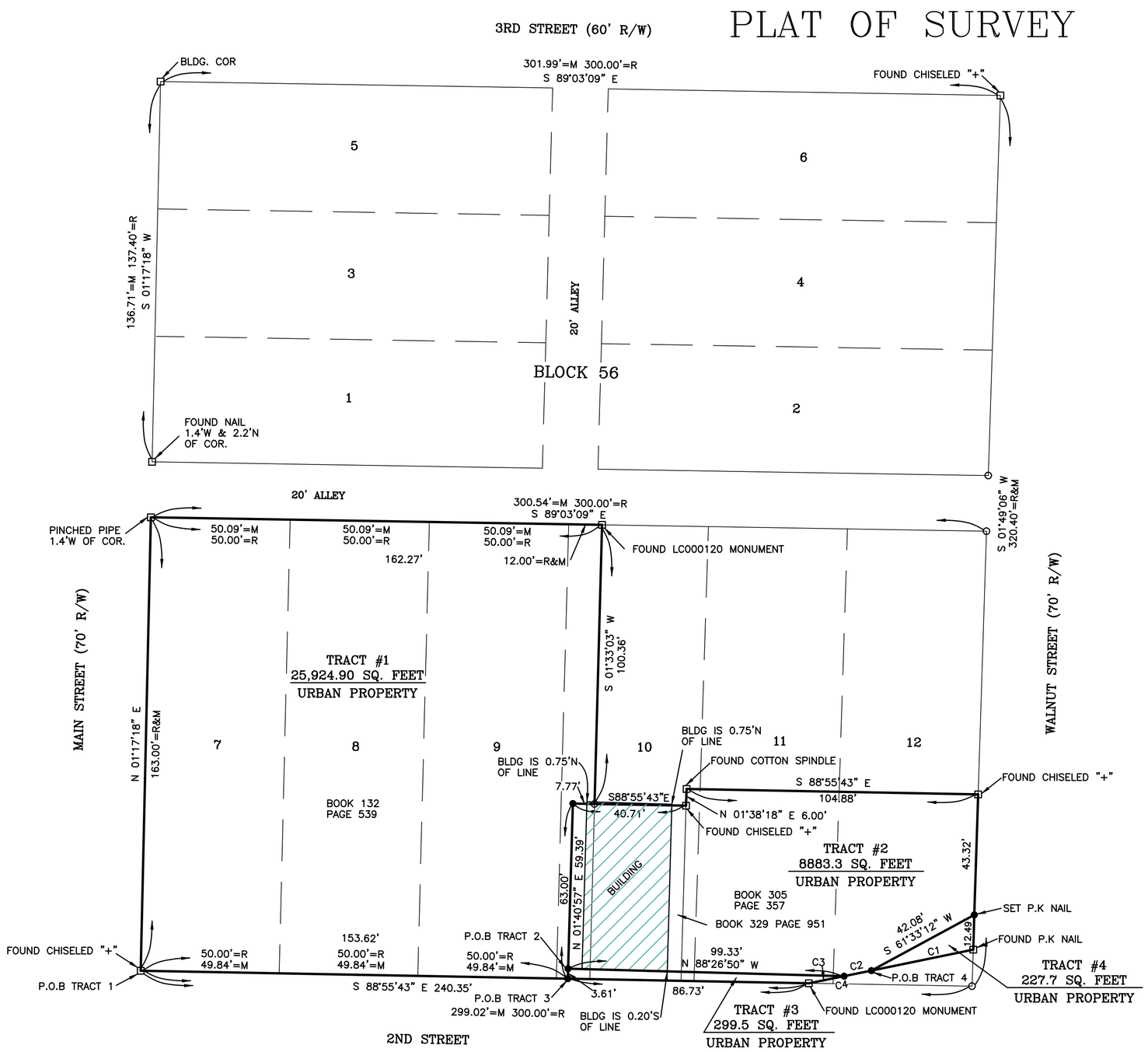
_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

First Reading

PLAT OF SURVEY



PROPERTY DESCRIPTION:

TRACT 1: Beginning at the Southwest corner of Block 56 Original Town, City of Cameron, Missouri; thence with the West line of said block North 01 degrees 17 minutes 18 seconds East, 163.00 feet to the South line of a 20-foot alley; thence along said South right-of-way of the 20-foot alley, South 89 degrees 03 minutes 09 seconds East, 162.27 feet; thence departing from said line South 01 degrees 33 minutes 03 seconds West, 100.36 feet; thence North 88 degrees 55 minutes 43 seconds West, 7.77 feet; thence South 01 degrees 40 minutes 57 seconds West, 63.00 feet to a point on the South line of Block 56 Original Town; thence along said line North 88 degrees 55 minutes 43 seconds West, 153.62 feet to the Point of Beginning.

The above described tract of land contains 25,924.9 square feet, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

TRACT 2: Commencing at the Southwest corner of Block 56 Original Town, City of Cameron, Missouri; thence with the South line of said Block 56, South 88 degrees 55 minutes 43 seconds East, 153.62 feet; thence departing from said line North 01 degrees 40 minutes 57 seconds East, 3.61 feet to the Point of Beginning; thence continuing along said line North 01 degrees 40 minutes 57 seconds East, 59.39 feet; thence South 88 degrees 55 minutes 43 seconds East, 40.71 feet; thence North 01 degrees 38 minutes 18 seconds East, 6.00 feet; thence South 88 degrees 55 minutes 43 seconds East, 104.88 feet to a point on the East line of Block 56; thence along the East line of Block 56, South 01 degrees 49 minutes 06 seconds West, 43.32 feet; thence South 61 degrees 33 minutes 12 seconds West, 42.08 feet; thence 10.01 feet by arc distance along a curve to the Right having a radius of 5504.16 feet and a chord bearing and distance of South 78 degrees 34 minutes 06 seconds West, 10.01 feet; thence North 88 degrees 26 minutes 50 seconds West, 99.33 feet to the Point of Beginning.

The above described tract of land contains 8,883.3 square feet, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

TRACT 3: Commencing at the Southwest corner of Block 56 Original Town, City of Cameron, Missouri; thence with the South line of said Block 56, South 88 degrees 55 minutes 43 seconds East, 153.62 feet to the Point of Beginning; thence departing from said line North 01 degrees 40 minutes 57 seconds East, 3.61 feet; thence South 88 degrees 26 minutes 50 seconds East, 99.33 feet to a point on the North right-of-way line Second Street as established in a survey by Troy L. Hayes, PLS 2219, on November 9, 1994; thence along said right-of-way line 12.93 feet by arc distance along a curve to the Right having a radius of 5504.16 feet, and a chord bearing and distance of South 78 degrees 41 minutes 16 seconds West, 12.93 feet to a point on the South line of Block 56; thence along said line North 88 degrees 55 minutes 43 seconds West, 86.73 feet to the Point of Beginning.

The above described tract of land contains 299.5 square feet, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

TRACT 4: Commencing at the Southwest corner of Block 56 Original Town, City of Cameron, Missouri; thence with the South line of said Block 56, South 88 degrees 55 minutes 43 seconds East, 240.35 feet to the intersection of the South line of Block 56 and the North right-of-way of Second Street as established in a survey completed by Troy L. Hayes, PLS 2219 on November 9, 1994; thence along said right-of-way line as established by Troy L. Hayes, PLS 2219 on November 9, 1994, 22.94 feet by distance along a curve to the Left, having a radius of 5504.16 feet and chord bearing and distance of North 78 degrees 38 minutes 08 seconds East, 22.94 feet to the Point of Beginning; thence departing from said line North 61 degrees 33 minutes 12 seconds East, 42.08 feet to a point on the West right-of-way line of Walnut Street; thence along said right-of-way line South 01 degrees 49 minutes 06 seconds West, 12.49 feet to the intersection of the West right-of-way line of Walnut Street and the North line of Second Street as established in a survey completed by Troy L. Hayes, PLS 2219, on November 9, 1994; thence departing from the West right-of-way line of Walnut Street and along the North right-of-way line of Second Street as established by Troy L. Hayes, PLS 2219 on November 9, 1994, 37.38 feet by arc distance along a curve to the right having a radius of 5504.16 feet and chord bearing and distance of South 78 degrees 19 minutes 18 seconds West, 37.38 feet to the Point of Beginning.

The above described tract of land contains 227.7 square feet, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY that we have performed a survey and prepared the accompanying plat of the premises described hereon which meets or exceeds the current Missouri Minimum Standards for Property Boundary Surveys as jointly adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects and the Missouri Department of Natural Resources, Division of Geological Survey and Resources Assessment and that the results of said survey are represented on this plat to the best of my professional knowledge and belief.

WITNESS hand and seal this Twenty-eighth (28th) day of August, 2012.

Richard L. Mattson, P.L.S.
Missouri P.L.S. 2674

NORTH
1" = 30'

● = SET MONUMENT LC000120
□ = FOUND MONUMENT
O = COMPUTED CORNER
R = RECORD DISTANCE
M = MEASURED DISTANCE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	5504.16'	37.38'	37.38'	S 78°19'18" W
C2	5504.16'	10.01'	10.01'	S 78°34'06" W
C3	5504.16'	12.93'	12.93'	S 78°41'16" W
C4	5504.16'	22.94'	22.94'	N 78°38'08" E

SURVEYOR'S NOTES:

1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts that an accurate and current title search may disclose.
2. Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
3. Survey is valid only if print has original seal and signature of surveyor.
4. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record that would affect this parcel.
5. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
6. The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
7. The West line of Block 56 Original Town, City of Cameron, Clinton County, Missouri was assumed to bear North 01 degrees 17 minutes 18 seconds East for the attached survey.

PREPARED FOR:
CITY OF CAMERON
BLOCK 56, ORIGINAL TOWN
CAMERON, CLINTON COUNTY MO.

MIDLAND SURVEYING
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501 North Market, Maryville, MO 64468
ph. (660) 582-8633 fax (660) 582-7173

FILE:	DATE:	SCALE:	REVISED:	SHEET NO.
CITY OF CAMERON BLOCK 56	8/28/12	1" = 30'		OF