

Introduced by Buffalo

First Reading 12-16-24

Second Reading 1-6-25

Ordinance No. 025868

Council Bill No. B 311-24

AN ORDINANCE

declaring the need to acquire easements associated with a sewer extension project to serve properties along the North Fork of Grindstone Creek located on the east side of Route Z and north of I-70; 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 a sewer extension project to serve properties along the North Fork of Grindstone Creek located on the east side of Route Z and north of I-70, described as follows:

**CONSTRUCTION INVESTMENT COMPANY
PERMANENT EASEMENT**

A STRIP OF LAND LOCATED IN THE NORTH HALF OF SECTION 12, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF A TRACT OF LAND SHOWN BY SURVEY RECORDED IN BOOK 366, PAGE 82 AND BOOK 1743, PAGE 471 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4407, PAGE 38 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID EAST LINE, STRIP BEING 20.00 FEET WIDE, 10.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET TO POINT 'A'; THENCE N 31°51'45"E, 101.25 FEET TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE NORTH LINE OF SAID TRACT OF LAND AS SHOWN IN SURVEY, RECORDED IN BOOK 366, PAGE 82, SAID NORTH LINE ALSO BEING THE NORTH SECTION LINE OF SAID SECTION 12, SAID POINT ALSO BEING, N 85°33'25"W, 35.21 FEET FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET SAID NORTH LINE AND WEST LINE OF SAID TRACT OF LAND.

STRIP 2:

BEGINNING FROM SAID POINT 'A', AS REFERENCED IN STRIP 1, STRIP BEING 20.00 WIDE, 10.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, S 85°14'50"E, 86.83 FEET TO THE END OF THIS DESCRIBED CENTERLINE, SAID LINE BEING THE EAST PROPERTY LINE OF SAID TRACT OF LAND, SAID POINT BEING S 1°15'05"W, 90.55 FEET FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET EAST PROPERTY LINE.

A STRIP OF LAND LOCATED IN THE NORTH HALF OF SECTION 12, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF A TRACT OF LAND SHOWN BY SURVEY RECORDED IN BOOK 366, PAGE 82 AND BOOK 1743, PAGE 471 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4407, PAGE 38 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**CONSTRUCTION INVESTMENT COMPANY
TEMPORARY CONSTRUCTION EASEMENT**

A STRIP OF LAND LOCATED IN THE NORTH HALF OF SECTION 12, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF A TRACT OF LAND SHOWN BY SURVEY RECORDED IN BOOK 366, PAGE 82 AND BOOK 1743, PAGE 471 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4407, PAGE 38 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID EAST LINE, STRIP BEING 50.00 FEET WIDE, 25.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET TO POINT 'A'; THENCE N 31°51'45"E, 101.25 FEET TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE NORTH LINE OF SAID TRACT OF LAND AS SHOWN IN SURVEY, RECORDED IN BOOK 366, PAGE 82, SAID NORTH LINE ALSO BEING THE NORTH SECTION LINE OF SAID SECTION 12, SAID POINT ALSO BEING, N 85°33'25"W, 35.21 FEET FROM THE NORTHEAST CORNER OF SAID TRACT OF LAND. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET SAID NORTH LINE AND WEST LINE OF SAID TRACT OF LAND.

**GILPIN FAMILY LIVING TRUST
PERMANENT EASEMENT**

A STRIP OF LAND LOCATED IN THE SOUTH HALF OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 6-A AND TRACT 6-B AS SHOWN BY SURVEY RECORDED IN BOOK 1724, PAGE 792 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4715, PAGE 43 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET; THENCE LEAVING SAID EAST LINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET; THENCE N 31°51'45"E, 152.37 FEET; THENCE N 74°27'30"E, 400.00 FEET; THENCE N 40°03'50"E, 306.67 FEET; THENCE N 63°12'30"E, 284.83 FEET TO THE WEST LINE OF SAID TRACT 6-A, SAID POINT BEING N 0°31'35"E, 580.51 FEET FROM THE SOUTHWEST CORNER OF SAID TRACT 6-A AND ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID WEST LINE, STRIP BEING 20.00 FEET WIDE, 10.00 FEET LEFT AND RIGHT AND ADJACENT TO THE

FOLLOWING DESCRIBED CENTERLINE, N 63°12'30"E, 115.17 FEET; THENCE N 43°15'45"E, 333.68 FEET; THENCE N 71°49'40"E, 325.06 TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE EAST LINE OF SAID TRACT OF LAND, SAID POINT BEING N 0°31'35"E, 1026.25 FEET FROM THE SOUTHEAST CORNER OF SAID TRACT 6-A. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET THE WEST AND EAST LINES OF SAID TRACT OF LAND.

**GILPIN FAMILY LIVING TRUST
TEMPORARY CONSTRUCTION EASEMENT**

A STRIP OF LAND LOCATED IN THE SOUTH HALF OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 6-A AND TRACT 6-B AS SHOWN BY SURVEY RECORDED IN BOOK 1724, PAGE 792 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4715, PAGE 43 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET; THENCE LEAVING SAID EAST LINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET; THENCE N 31°51'45"E, 152.37 FEET; THENCE N 74°27'30"E, 400.00 FEET; THENCE N 40°03'50"E, 306.67 FEET; THENCE N 63°12'30"E, 284.83 FEET TO THE WEST LINE OF SAID TRACT 6-A, SAID POINT BEING N 0°31'35"E, 580.51 FEET FROM THE SOUTHWEST CORNER OF SAID TRACT 6-A AND ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID WEST LINE, STRIP BEING 50.00 FEET WIDE, 25.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 63°12'30"E, 115.17 FEET; THENCE N 43°15'45"E, 333.68 FEET; THENCE N 71°49'40"E, 325.06 TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE EAST LINE OF SAID TRACT OF LAND, SAID POINT BEING N 0°31'35"E, 1026.25 FEET FROM THE SOUTHEAST CORNER OF SAID TRACT 6-A. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET THE WEST AND EAST LINES OF SAID TRACT OF LAND.

**W. ROSS MECHLIN AND ELIZABETH A. MECHLIN
PERMANENT EASEMENT**

A STRIP OF LAND LOCATED IN THE SOUTH HALF OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 5 AS SHOWN BY SURVEY RECORDED IN BOOK 675, PAGE 570 AND LOTS 3 AND 4 AS SHOWN BY SURVEY RECORDED IN BOOK 1158, PAGE 528 AND

DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 1109, PAGE 270 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET; THENCE LEAVING SAID EAST LINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET; THENCE N 31°51'45"E, 152.37 FEET; THENCE N 74°27'30"E, 140.93 FEET TO THE WEST LINE OF SAID LOT 3, SAID POINT BEING N 0°31'35"E, 93.84 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID WEST LINE, STRIP BEING 20.00 FEET WIDE, 10.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 74°27'30"E, 259.07 FEET; THENCE N 40°03'50"E, 306.67 FEET; THENCE N 63°12'30"E, 284.83 FEET TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE EAST LINE OF SAID LOT 4, N 0°31'35"E, 580.51 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET THE WEST LINE OF SAID LOT 3 AND EAST LINE OF SAID LOT 4.

**W. ROSS MECHLIN AND ELIZABETH A. MECHLIN
TEMPORARY CONSTRUCTION EASEMENT**

A STRIP OF LAND LOCATED IN THE SOUTH HALF OF SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 5 AS SHOWN BY SURVEY RECORDED IN BOOK 675, PAGE 570 AND LOTS 3 AND 4 AS SHOWN BY SURVEY RECORDED IN BOOK 1158, PAGE 528 AND DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 1109, PAGE 270 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP 1:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TOWNSHIP 48 NORTH, RANGE 12 WEST, SAID POINT BEING AN ALUMINUM MONUMENT AS DESCRIBED IN LAND CORNER DOCUMENT NUMBER 600-45060 AND WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, N 85°00'25"W, 77.46 FEET; THENCE LEAVING SAID SOUTH LINE AND WITH THE EAST LINE OF A TRACT OF LAND SHOWN ON A SURVEY AS TRACT A, BOOK 3232, PAGE 10, S 4°20'50"W, 114.67 FEET; THENCE LEAVING SAID EAST LINE, N 88°48'10"E, 266.33 FEET; THENCE S 85°14'50"E, 376.35 FEET; THENCE N 31°51'45"E, 152.37 FEET; THENCE N 74°27'30"E, 140.93 FEET TO THE WEST LINE OF SAID LOT 3, SAID

POINT BEING N 0°31'35"E, 93.84 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID WEST LINE, STRIP BEING 50.00 FEET WIDE, 25.00 FEET LEFT AND RIGHT AND ADJACENT TO THE FOLLOWING DESCRIBED CENTERLINE, N 74°27'30"E, 259.07 FEET; THENCE N 40°03'50"E, 306.67 FEET; THENCE N 63°12'30"E, 284.83 FEET TO THE END OF THIS DESCRIBED CENTERLINE, SAID POINT BEING ON THE EAST LINE OF SAID LOT 4, N 0°31'35"E, 580.51 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 4. THE SIDELINES BEING SHORTENED OR ELONGATED TO MEET THE WEST LINE OF SAID LOT 3 AND EAST LINE OF SAID LOT 4.

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.

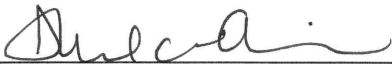
SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

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 6th day of January, 2025.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor