

AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT for temporary construction easement entered into this _____ day of _____, 20____, by and between the City of Columbia, Missouri, a municipal corporation in the County of Boone and the State of Missouri, Grantor; and Red Oak Marketplace, LLC, Grantee, a limited liability company of the State of Missouri, Grantee's address is Post Office Box 39, Belle, MO 65013.

WITNESSETH:

That the Grantor, in consideration of the sum of Ten Dollars (\$10.00), to us in hand paid by the Red Oak Marketplace, LLC, the receipt of which is hereby acknowledged, do hereby grant unto the Grantee, a temporary easement and right-of-way to be in effect during the time of construction of the Red Oak Marketplace, LLC project in Boone County for the following purposes, namely: to provide access to said construction project by granting the right to temporarily enter upon, store materials, and operate and park equipment on and to permanently alter the grade as approved by the city, over and across the right-of-way hereinafter described, which is located within the boundaries of a parcel of land situated in the County of Boone and State of Missouri and described as follows:

Ordinance #:

LEGAL DESCRIPTION:

A tract of land being part of Lot 1 of "Red Oak South, Plat No.1" recorded in Book 46, Page 32 of the Boone County Recorder of Deeds Office, in the northwest quarter of the southwest quarter of Section 30, Township 48 North, Range 12 West of the 5th P.M., City of Columbia, Boone County, Missouri to wit:

Beginning at the northeast corner of said Lot 1, also being the northwest corner of Lot 2B of "Red Oak South Plat No.2" recorded in Book 52, Page 16 of the Boone County Recorder of Deeds Office; thence along the west line of said Lot 2B and the west line of Lot 2A of said Plat No.2 and the east line of said Lot 1 S23°-11'-30"E 199.58 ft. to a point; thence leaving said west line S66°-48'-30"W 25.00 ft. to a point; thence N23°-11'-30"W 175.44 ft. to a point; thence N37°-21'-25"W 17.29 ft. to the south right-of-way line of Grindstone Parkway; thence along said right-of-way line N52°-38'-35"E 30.15 ft. to the point of beginning, containing 0.11 acres.

TO HAVE AND TO HOLD said temporary easement and right-of-way unto the Grantee and to its successors and assigns during the period of construction herein referred to. Said easement shall expire upon completion of this part of the project or no later than October 31, 2018.

This grant includes the right of Red Oak Marketplace, LLC, its officers, agents and employees, to enter upon said real estate at any time during the time of construction for the purpose of exercising any of the rights herein granted.

The Grantor covenants that it has the right and authority to make and execute this agreement on behalf of said City of Columbia.

IN WITNESS WHEREOF, the said City of Columbia City Council has caused this document to be signed by its City Manager the day and year first written above.

City of Columbia Missouri

By: _____
Mike Matthes, City Manager

Attest By: _____
Sheela Amin, City Clerk

Approved as to form

Nancy Thompson 

STATE OF Missouri)
)ss.
COUNTY OF Boone)

On this _____ day of _____ in the year 20__, before me, a Notary Public in and for said state, personally appeared, Mike Matthes, who being by me duly sworn, acknowledged that he is the City Manager of the City of Columbia, Missouri a municipal corporation, and that said instrument was signed in behalf of said City of Columbia, Missouri and further acknowledged he executed the same as a free act and deed for the purposes therein stated and that he has been granted the authority by said City of Columbia, Missouri to execute same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.

Notary Public