

024904

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First Reading 1-3-22

Second Reading 1-18-22

Ordinance No. 024904

Council Bill No. B 11-22

**AN ORDINANCE**

declaring the need to acquire easements for the construction of storm water improvements on Capri Drive; 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, following the public hearing held on July 6, 2021, the City Council determined it was in the public interest to construct storm water improvements on Capri Drive and by motion directed the City Manager to proceed with having plans and specifications prepared; 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 for the construction of storm water improvements on Capri Drive, described as follows:

**VILLA CAPRI APARTMENTS LLC  
PARCEL ID: 17-117-00-24-006.00 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 4586, PAGE 128, ALSO BEING A PORTION OF LOT ONE (1) AND LOT TWO (2) OF BLOCK TWO (2) OF FYFER'S SUBDIVISION OF FYFER'S

ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 1, PAGE 42, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°28'55".E, 5.28 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S.89°30'55".E, 98.81 FEET TO THE EAST LINE OF SAID TRACT; THENCE WITH SAID EAST LINE S.00°29'05".W, 20.58 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE WITH SAID SOUTH LINE N.80°43'05".W, 99.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,278 SQUARE FEET.

**MARTHA YVONNE WARNER  
PARCEL ID: 17-405-00-01-005.00 01  
PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE QUIT CLAIM DEED IN BOOK 4679, PAGE 59, AND QUIT CLAIM DEED IN BOOK 4679, PAGE 60, ALSO BEING A PORTION OF LOT SIX (6) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH NORTH LINE OF SAID LOT 6 S.80°43'05".E, 71.28 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 THE NORTH LINE OF SAID LOT 6 S.80°43'05".E, 117.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE WITH THE SOUTH LINE OF SAID LOT 6 S.68°33'20".W, 13.53 FEET; THENCE LEAVING SAID SOUTH LINE N.79°58'30".W, 76.41 FEET; THENCE N.69°16'10".W, 29.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 617 SQUARE FEET.

**MARTHA YVONNE WARNER**  
**PARCEL ID: 17-405-00-01-005.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 443, PAGE 438, ALSO BEING A PORTION OF LOT SIX (6) IN BLOCK TWO (2) IN GENTRY'S REVISION OF A PART OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE NORTH LINE OF SAID LOT 6 S.80°43'05".E, 71.28 FEET; THENCE LEAVING SAID NORTH LINE S.69°16'10".E, 29.83 FEET; THENCE S.79°58'30".E, 76.41 FEET TO THE SOUTH LINE OF SAID LOT 6; THENCE WITH SAID SOUTH LINE S.68°33'20".W, 68.88 FEET; THENCE LEAVING SAID SOUTH LINE N.05°35'25".E, 20.04 FEET; THENCE N.59°48'55".W, 51.64 FEET, THENCE S.75°36'45".W, 25.57 FEET, THENCE N.82°42'05".W, 39.39 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE WITH SAID EAST RIGHT-OF-WAY LINE 16.24 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 271.00 FEET, THE CHORD OF SAID CURVE BEING N.10°08'10".W, 16.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 2363 SQUARE FEET.

**108 FYFER LLC**  
**PARCEL ID: 17-405-00-01-004.00 01**  
**PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3156, PAGE 145, ALSO BEING A PORTION OF LOT SEVEN (7) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE WEST LINE OF SAID LOT 7 N.68°33'20".E, 153.22 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 THE WEST LINE OF SAID LOT 7 N.68°33'20".E, 13.53 FEET TO THE NORTHWEST CORNER OF SAID LOT

7; THENCE WITH THE NORTH LINE OF SAID LOT 7 S.80°43'05".E, 27.92 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE WITH THE EAST LINE OF SAID LOT 7 S.46°05'10".W, 9.18 FEET; THENCE LEAVING SAID EAST LINE N.79°58'30".W, 34.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 223 SQUARE FEET.

**108 FYFER LLC  
PARCEL ID: 17-405-00-01-004.00 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3156, PAGE 145, ALSO BEING A PORTION OF LOT SEVEN (7) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH WEST LINE OF SAID LOT 7 N.68°33'20".E, 84.34 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH THE WEST LINE OF SAID LOT 7 N.68°33'20".E, 68.88 FEET; THENCE LEAVING SAID WEST LINE S.79°58'30".E, 34.05 FEET TO THE EAST LINE OF SAID LOT 7; THENCE WITH SAID EAST LINE S.46°05'10".W, 43.55 FEET; THENCE LEAVING SAID EAST LINE N.80°37'00".W, 67.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,785 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC  
PARCEL ID: 17-405-00-01-003.00 01  
PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 5085, PAGE 86, ALSO BEING A PORTION OF LOT EIGHT (8) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE WEST LINE OF SAID LOT 8 N.46°05'10".E, 169.56 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 THE WEST LINE OF SAID LOT 8 N.46°05'10".E, 9.18 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE WITH THE NORTH LINE OF SAID LOT 8 S.80°43'05".E, 16.04 FEET TO THE NORTHEAST CORNER OF SAID LOT 8; THENCE WITH THE EAST LINE OF SAID LOT 8 S.21°13'00".W, 7.78 FEET; THENCE LEAVING SAID EAST LINE N.79°58'30".W, 19.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 135 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-405-00-01-003.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 5085, PAGE 86, ALSO BEING A PORTION OF LOT EIGHT (8) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE WEST LINE OF SAID LOT 8 N.46°05'10".E, 126.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH THE WEST LINE OF SAID LOT 8 N.46°05'10".E, 43.55 FEET; THENCE LEAVING SAID WEST LINE S.79°58'30".E, 19.94 FEET TO THE EAST LINE OF SAID LOT 8; THENCE WITH SAID EAST LINE S.21°13'00".W, 35.45 FEET; THENCE LEAVING SAID EAST LINE N.80°37'00".W, 38.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,022 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-405-00-01-002.00 01**  
**PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3924, PAGE 47, ALSO BEING A PORTION OF LOT NINE (9) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE WEST LINE OF SAID LOT 9 N.21°13'00".E, 176.17 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 THE WEST LINE OF SAID LOT 9 N.21°13'00".E, 7.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE WITH THE NORTH LINE OF SAID LOT 9 S.80°43'05".E, 29.66 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE WITH THE EAST LINE OF SAID LOT 9 S.00°05'20".W, 8.14 FEET; THENCE LEAVING SAID EAST LINE N.79°58'30".W, 32.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 243 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-405-00-01-002.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3924, PAGE 47, ALSO BEING A PORTION OF LOT NINE (9) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF FYFER PLACE THENCE WITH THE WEST LINE OF SAID LOT 9 N.21°13'00".E, 161.15 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH THE WEST LINE OF SAID LOT 9 N.21°13'00".E, 15.02 FEET; THENCE LEAVING SAID WEST LINE S.79°58'30".E, 32.57 FEET TO THE EAST LINE OF SAID LOT 9; THENCE WITH SAID EAST LINE S.00°05'20".W, 14.52 FEET; THENCE LEAVING SAID EAST LINE N.80°37'00".W, 38.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 512 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-405-00-01-001.00 01**  
**PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2935, PAGE 106, ALSO BEING A PORTION OF LOT TEN (10) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10 BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID WEST RIGHT-OF-WAY LINE S.00°16'35".W, 39.18 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE N.88°48'55".W, 3.41 FEET; THENCE N.01°10'05".E, 30.64 FEET; THENCE N.79°58'30".W, 62.73 FEET TO THE WEST LINE OF SAID LOT 10; THENCE WITH SAID WEST LINE N. 00°05'20".E, 8.14 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE WITH THE NORTH LINE OF SAID LOT 10 S.80°43'05".E, 65.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 651 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-405-00-01-001.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2935, PAGE 106, ALSO BEING A PORTION OF LOT TEN (10) IN BLOCK TWO (2) IN GENTRY'S REVISION OF FYFER'S SUBDIVISION OF FYFER'S ADDITION TO THE CITY OF COLUMBIA AS SHOWN IN PLAT BOOK 4, PAGE 39, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 10 BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID WEST RIGHT-OF-WAY LINE S.00°16'35".W, 39.18 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH SAID WEST RIGHT-OF-WAY LINE S.00°16'35".W, 21.57 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE N.80°43'05".W, 65.39 FEET TO THE WEST LINE OF SAID LOT 10; THENCE WITH SAID WEST LINE N.00°05'20".E, 52.64 FEET; THENCE LEAVING SAID WEST LINE S.79°58'30".E, 62.73 FEET; THENCE S.01°10'05".W, 30.64 FEET; THENCE S.88°49'55".E, 3.41 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,278 SQUARE FEET.

**VILLA CAPRI APARTMENTS LLC**  
**PARCEL ID: 17-117-00-28-001.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2935, PAGE 104, ALSO BEING A PORTION VILLA CAPRI CONDOMINIUMS AS SHOWN IN BOOK 753, PAGE 893, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID CONDOMINIUM BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SOUTH LINE OF SAID CONDOMINIUM N.80°43'05".W, 229.60 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE) TO THE WEST LINE OF SAID CONDOMINIUM; THENCE WITH SAID WEST LINE N.00°29'05".E, 11.13 FEET; THENCE LEAVING SAID WEST LINE S.80°43'05".E, 10.12 FEET; THENCE PARALLEL WITH SAID WEST LINE S.00°29'05".W, 9.11 FEET; THENCE PARALLEL WITH SAID SOUTH LINE S.80°43'05".E, 219.48 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE WITH SAID WEST RIGHT-OR-WAY LINE S.00°35'55".W, 2.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 549 SQUARE FEET.

**EASTGATE APARTMENTS LLC  
PARCEL ID: 17-406-00-10-001.00 01  
PERMANENT SANITARY SEWER EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 38, ALSO BEING A PORTION OF EASTGATE CONDOMINIUMS AS SHOWN IN BOOK 752, PAGE 945, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID CONDOMINIUM BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 7.99 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S.48°26'55".E, 18.09 FEET TO THE SOUTH LINE OF SAID CONDOMINIUM; THENCE WITH SAID SOUTH LINE N.73°38'25".W, 14.24 FEET TO THE POINT OF BEGINNING CONTAINING 55 SQUARE FEET.

**EASTGATE APARTMENTS LLC  
PARCEL ID: 17-406-00-10-001.00 01  
PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 38, ALSO BEING A PORTION OF EASTGATE CONDOMINIUMS AS SHOWN IN BOOK 752, PAGE 945, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;



BEGINNING AT THE SOUTHWEST CORNER OF SAID CONDOMINIUM BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 15.56 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND PARALLEL WITH THE SOUTH LINE OF SAID CONDOMINIUM S.73°38'25".E, 24.50 FEET; THENCE PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE S.00°53'35".W, 15.56 FEET TO A POINT ON THE SOUTH LINE OF SAID CONDOMINIUM; THENCE WITH SAID SOUTH LINE N.73°38'25".W, 24.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 367 SQUARE FEET.

**EASTGATE APARTMENTS LLC**  
**PARCEL ID: 17-406-00-10-001.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 38, ALSO BEING A PORTION OF EASTGATE CONDOMINIUMS AS SHOWN IN BOOK 752, PAGE 945, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID CONDOMINIUM BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 22.83 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING LEAVING SAID EAST RIGHT-OF-WAY LINE AND PARALLEL WITH THE SOUTH LINE OF SAID CONDOMINIUM S.73°38'25".E, 51.88 FEET; THENCE PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE S.00°53'35".W, 22.83 FEET TO SAID SOUTH LINE; THENCE WITH SAID SOUTH LINE N.73°38'25".W, 27.38 FEET; THENCE LEAVING SAID SOUTH LINE AND PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 15.56 FEET; THENCE PARALLEL WITH SAID SOUTH LINE N.73°38'25".W, 24.50 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 7.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 774 SQUARE FEET.

**EASTGATE APARTMENTS LLC**  
**PARCEL ID: 17-406-00-02-003.00 01**  
**PERMANENT SANITARY SEWER EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 40, ALSO BEING A PORTION OF LOT EIGHTEEN (18) OF MCNAB

SUBDIVISION AS SHOWN IN PLAT BOOK 4, PAGE 42, ALL OF THE BOONE COUNTY RECORDS SAID EASEMENT BEING 16 FEET WIDE 8 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 18 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH SAID EAST RIGHT-OF-WAY LINE S.00°53'35".W, 2.56 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 S.48°26'55".E, 31.34 FEET TO THE END OF THIS CENTERLINE SIDELINES OF SAID EASEMENT BEING PROLONGED OR SHORTENED TO THE PROPERTY LINES CONTAINING 447 SQUARE FEET.

**EASTGATE APARTMENTS LLC  
PARCEL ID: 17-406-00-02-003.00 01  
PERMANENT DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 40, ALSO BEING A PORTION OF LOT EIGHTEEN (18) OF MCNAB SUBDIVISION AS SHOWN IN PLAT BOOK 4, PAGE 42, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 18 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH NORTH LINE OF SAID LOT 18 S.73°38'25".E, 24.50 FEET; THENCE LEAVING SAID NORTH LINE AND PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE S.00°53'35".W, 5.76 FEET; THENCE PARALLEL WITH SAID NORTH LINE N.73°38'25".W, 24.50 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 5.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 136 SQUARE FEET.

**EASTGATE APARTMENTS LLC  
PARCEL ID: 17-406-00-02-003.00 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN SECTION EIGHTEEN (18), TOWNSHIP FORTY-EIGHT (48) NORTH, RANGE TWELVE (12) WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE TRACT DESCRIBED BY THE DEED IN BOOK 2662, PAGE 40, ALSO BEING A PORTION OF LOT EIGHTEEN (18) OF MCNAB SUBDIVISION AS SHOWN IN PLAT BOOK 4, PAGE 42, ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 18 BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE THENCE WITH THE NORTH LINE OF SAID LOT 18 S.73°38'25".E, 24.50 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH SAID NORTH LINE S.73°38'25".E, 27.38 FEET; THENCE LEAVING SAID NORTH LINE S.53°32'15".W, 62.90 FEET TO SAID EAST RIGHT-OF-WAY LINE OF CAPRI DRIVE; THENCE WITH SAID EAST RIGHT-OF-WAY LINE N.00°53'35".E, 38.90 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S.48°26'55".E, 24.47 FEET; THENCE N.41°33'05".E, 16.00 FEET; THENCE N.48°26'55".W, 7.09 FEET; THENCE N.00°53'35".E, 5.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 825 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 18th day of January, 2022.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:

  
City Counselor