

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 196-19

AN ORDINANCE

declaring the need to acquire easements for construction of a sidewalk along the east side of McKee Street between Orchard Lane and Nick Court; 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 property for construction of a sidewalk along the east side of McKee Street between Orchard Lane and Nick Court, described as follows:

**TEMPORARY CONSTRUCTION EASEMENT
MITCHELL AND MELLISA ACTON
PARCEL # 17-210-00-13-003.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING LOT 207 OF SIDRA EAST SUBDIVISION AS RECORDED IN BOOK 31, PAGE 25 AND DESCRIBED IN THE QUIT-CLAIM DEED IN BOOK 4526 PAGE 50 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 13 FEET OF LOT 207 OF SIDRA EAST SUBDIVISION AS RECORDED IN BOOK 31 PAGE 25, CONTAINING 1048 SQUARE FEET, INCLUSIVE OF 835 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF SIDRA EAST SUBDIVISION RECORDED IN PLAT BOOK 31 PAGE 25 AND AN UNDERGROUND ELECTRIC EASEMENT IN BOOK 2634 PAGE 170 ALL OF THE BOONE COUNTY MISSOURI RECORDS.

**TEMPORARY CONSTRUCTION EASEMENT
BUCKMAN HOMES LLC
PARCEL # 17-210-00-13-004.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 208 OF SIDRA EAST SUBDIVISION AS RECORDED IN BOOK 31, PAGE 25 AND DESCRIBED AS TRACT 2 IN THE WARRANTY DEED IN BOOK 4324 PAGE 80 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 13 FEET OF LOT 208 OF SIDRA EAST SUBDIVISION AS RECORDED IN BOOK 31 PAGE 25, CONTAINING 1046 SQUARE FEET INCLUSIVE OF 834 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF SIDRA EAST SUBDIVISION RECORDED IN PLAT BOOK 31 PAGE 25 AND UNDERGROUND ELECTRIC EASEMENT RECORDED IN BOOK 2634 PAGE 170 ALL OF THE BOONE COUNTY MISSOURI RECORDS.

**TEMPORARY CONSTRUCTION EASEMENT
APRIL L. CLEVINGER
PARCEL # 17-210-00-06-001.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 1 OF CHARLEMAGNE SUBDIVISION AS RECORDED IN PLAT BOOK 14 PAGE 33 AND DESCRIBED IN THE WARRANTY DEED IN BOOK 1970 PAGE 744 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 10 FEET OF LOT 1 OF CHARLEMAGNE SUBDIVISION AS RECORDED IN BOOK 14 PAGE 33 CONTAINING 1130 SQUARE FEET, INCLUSIVE OF 1130 SQUARE FEET OF AN UNDERGROUND ELECTRIC EASEMENT AS DESCRIBED IN BOOK 2634 PAGE 165 AND INCLUSIVE OF 201 SQUARE FEET OF EXISTING PERMANENT SANITARY SEWER EASEMENT AS DESCRIBED IN BOOK 460 PAGE 157 AND BOOK 453 PAGE 163 OF THE BOONE COUNTY RECORDS.

**PERMANENT SIDEWALK EASEMENT
CARLA D. CROCKETT
PARCEL # 17-210-00-00-030.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PART OF A TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 447 PAGE 240 AND ALSO PART OF THE TRACT SHOWN ON THE SURVEY RECORDED IN BOOK 289 PAGE 456 OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID SURVEY, ALSO BEING THE EAST RIGHT-OF-WAY OF MCKEE STREET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 5°43'35"W, ALONG THE WEST LINE OF SAID DEED AND SURVEY, 51.48 FEET TO THE NORTHWEST CORNER OF SAID DEED AND SURVEY; THENCE S 86°24'35"E, ALONG THE NORTH LINE OF SAID DEED AND SURVEY, 8.10 FEET; THENCE LEAVING SAID NORTH LINE, S 5°43'35"E, 59.48 FEET TO THE NORTH LINE OF LOT 207 OF SIDRA EAST SUBDIVISION AS RECORDED IN PLAT BOOK 31 PAGE 25 OF THE BOONE COUNTY RECORDS; THENCE N 86°24'35"W, ALONG SAID LOT LINE AND SOUTH LINE OF SAID DEED, 8.10 FEET; THENCE N 5°43'35"W 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINS 476 SQUARE FEET.

**TEMPORARY CONSTRUCTION EASEMENT
CARLA D. CROCKETT
PARCEL # 17-210-00-00-030.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PART OF A TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 447 PAGE 240 AND ALSO PART OF THE A TRACT SHOWN ON THE SURVEY RECORDED IN BOOK 289 PAGE 456 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID SURVEY (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 5°43'35" W, ALONG THE WEST LINE OF SAID SURVEY ALSO BEING THE EAST RIGHT-OF-WAY OF MCKEE STREET, 51.48 FEET TO THE NORTHWEST CORNER OF SAID SURVEY AND SAID DEED; THENCE S 86°24'35"E, ALONG THE NORTH LINE OF SAID DEED AND SURVEY, 16.04 FEET; THENCE LEAVING SAID NORTH LINE, S 5°43'33"E, 59.45 FEET TO THE NORTH LINE OF LOT 207 OF SIDRA EAST SUBDIVISION AS SHOWN IN PLAT BOOK 31 PAGE 25 OF THE BOONE COUNTY RECORDS; THENCE, N 86°24'35"W, ALONG SAID LOT LINE AND SAID DEED LINE, 16.04; THENCE N 5°43'33"W 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINS 953 SQUARE FEET, INCLUSIVE OF 476 SQUARE FEET OF PERMANENT SIDEWALK EASEMENT.

TEMPORARY CONSTRUCTION EASEMENT

RITA FALLS

PARCEL # 17-210-00-07-001.00 01

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 1B OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 AND DESCRIBED IN THE QUIT CLAIM DEED IN BOOK 4389 PAGE 54 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE CORNER OF LOT 2A AND 1B OF SAID PLAT, ALSO BEING THE EAST RIGHT-OF WAY OF MCKEE STREET (THE BEARINGS HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 0°11'05"W, ALONG THE EAST RIGHT-OF WAY LINE OF SAID STREET, 101.68 FEET TO THE NORTHWEST CORNER OF LOT 1B; THENCE S 85°41'05"E, ALONG THE NORTH LINE OF SAID LOT, 15.05 FEET; THENCE S 0°12'10"E, LEAVING SAID LOT LINE, 26.34 FEET; THENCE S 86°12'20"E, 9.03 FEET; THENCE S 0°09'50"E, 38.33 FEET; THENCE N 86°-24'-35"W 9.02 FEET; THENCE S 0°11'05"E, 36.98 FEET TO THE SOUTH LINE OF SAID LOT 1B; THENCE N 85°41'05"W, ALONG SAID LOT LINE, 15.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 1871 SQUARE FEET INCLUSIVE OF 1017 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

TEMPORARY CONSTRUCTION EASEMENT

CHARLES R. AND JUDY JOHNSON

PARCEL # 17-210-00-06-002.00 01

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 2 OF CHARLEMAGNE SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGE 33 AND DESCRIBED AS TRACT 1 IN THE BENEFICIARY DEED IN BOOK 3061 PAGE 5 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 10 FEET OF LOT 2 OF CHARLEMAGNE SUBDIVISION AS RECORDED IN PLAT BOOK 14 PAGE 33 CONTAINING 573 SQUARE FEET INCLUSIVE OF 573 SQUARE FEET OF AN UNDERGROUND ELECTRIC EASEMENT AS DESCRIBED IN BOOK 2634 PAGE 172 OF THE BOONE COUNTY MISSOURI RECORDS.

**TEMPORARY CONSTRUCTION EASEMENT
CHARLES R. AND JUDY JOHNSON
PARCEL # 17-210-00-00-033.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PORTION OF THE SURVEY IN BOOK 366 PAGE 95 AND DESCRIBED AS TRACT 2 IN THE BENEFICIARY DEED IN BOOK 3061 PAGE 5 AND BEING ADJACENT TO AND EAST OF A STREET EASEMENT IN BOOK 479 PAGE 584 AND BEING THE SAME LOCATION AS DESCRIBED IN AN UNDERGROUND ELECTRIC EASEMENT IN BOOK 2634 PAGE 172 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FROM THE SOUTHWEST CORNER OF THE TRACT SHOWN ON SAID SURVEY, THENCE WITH THE SOUTH LINE OF THE TRACT S 80°34'00"E 10.10 FEET TO THE POINT OF BEGINNING; THENCE WITH THE EAST LINE OF THE STREET EASEMENT IN BOOK 479 AT 584, N 3°-13'-00"E 55.80 FEET; THENCE N 2°-59'-00"W 46.30 FEET TO A POINT ON THE NORTH LINE OF SAID SURVEY AND THE END OF THIS EASEMENT; THENCE WITH THE NORTH LINE OF THE SURVEY N 80°-34'-00"W 4.02 FEET TO THE NORTHWEST CORNER OF THE TRACT IN SAID SURVEY. THIS EASEMENT IS LIMITED TO 10.00 FEET EAST OF THE ABOVE DESCRIBED LINE AND CONTAINS 1021 SQUARE FEET INCLUSIVE OF 1021 SQUARE FEET OF AN UNDERGROUND ELECTRIC EASEMENT RECORDED IN BOOK 2634 PAGE 172. THE BEARINGS OF THIS DESCRIPTION ARE BASED UPON THE STREET EASEMENT RECORDED IN BOOK 479 PAGE 584 OF THE BOONE COUNTY RECORDS.

**PERMANENT DRAINAGE EASEMENT
N. KATHRYN PENNELL
PARCEL # 17-210-00-07-003.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 3A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 AND DESCRIBED IN THE TRUSTEES DEED IN BOOK 4309 PAGE 165 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

STARTING AT THE NORTHWEST CORNER OF SAID LOT 3A (THE BEARINGS HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE S 0°11'05"E, ALONG THE WEST LINE OF LOT 3A, 63.65 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING N 90°00'00"E, LEAVING SAID WEST LOT LINE, 7.67 FEET; THENCE S 0°02'35"W 14.00 FEET; THENCE N 90°00'00"W, 4.66 FEET TO A POINT ON A NON-TANGENT CURVE ON THE WEST LINE OF SAID LOT; THENCE 11.09', ALONG A NON-TANGENT CURVE WITH A RADIUS OF 20 FEET AND A CHORD BEARING AND DISTANCE OF N 15°57'11"W, 10.87 FEET TO THE P.T. OF SAID CURVE, THENCE; N 0°11'05"W, ALONG SAID WEST

LOT LINE, 3.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 98 SQUARE FEET INCLUSIVE OF 98 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

TEMPORARY CONSTRUCTION EASEMENT

N. KATHRYN PENNELL

PARCEL # 17-210-00-07-001.01 01

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 1A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29, PAGE 66 AND DESCRIBED IN THE TRUSTEES DEED IN BOOK 4309 PAGE 165 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 21.00 FEET OF LOT 1A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 IN THE BOONE COUNTY RECORDS. THIS PARCEL CONTAINS 2127 SQUARE FEET INCLUSIVE OF 1013 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

TEMPORARY CONSTRUCTION EASEMENT

N. KATHRYN PENNELL

PARCEL # 17-210-00-07-002.01 01

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 2A (INCLUDING THE NORTH 12 FEET OF LOT 2B) OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29, PAGE 66 AND DESCRIBED IN THE TRUSTEES DEED IN BOOK 4309 PAGE 165 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT 12.04 FEET SOUTH OF THE CORNER OF LOT 2A AND 2B, ALSO BEING THE EAST RIGHT-OF-WAY OF MCKEE STREET (THE BEARINGS HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 0°11'05"W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID STREET, 115.83 FEET TO THE CORNER OF LOT 2A; THENCE S 85°41'05"E, ALONG THE NORTH LINE OF SAID LOT, 15.05 FEET; THENCE S 0°14'30"E, LEAVING SAID LOT LINE, 36.75 FEET; THENCE S 87°22'45"E 3.36 FEET; THENCE S 0°22'25"E 79.23; THENCE N 85°41'05"W, ALONG A LINE 12 FEET SOUTH AND PARALLEL TO THE SOUTH LINE OF SAID LOT, 18.71 FEET TO THE POINT OF BEGINNING AND CONTAINING 2017 SQUARE FEET INCLUSIVE OF 1159 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL

SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

**TEMPORARY CONSTRUCTION EASEMENT
N. KATHRYN PENNELL
PARCEL # 17-210-00-07-002.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 2B OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 AND DESCRIBED IN THE TRUSTEES DEED IN BOOK 4309 PAGE 165 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2B (THE BEARINGS HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 0°11'05"W, ALONG THE WEST LINE OF LOT 2B, 92.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 12 FEET OF LOT 2B; THENCE, S 85°41'05"E, ALONG THE SOUTH LINE OF THE NORTH 12 FEET OF LOT 2B, 20.06 FEET; THENCE S 0°11'15"E 14.71 FEET; THENCE S 87°56'35"E 3.24 FEET; THENCE S 0°09'55"E 32.89 FEET; THENCE S 89°48'55"W 3.24 FEET; THENCE S 0°12'00"E 44.23 FEET TO THE SOUTH LINE OF LOT 2B; THENCE N 85°41'05"W, ALONG THE SOUTH LINE OF LOT 2B, 20.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 1947 SQUARE FEET INCLUSIVE OF 1132 SQUARE FEET OF EXISTING PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

**TEMPORARY CONSTRUCTION EASEMENT
N. KATHRYN PENNELL
PARCEL # 17-210-00-07-003.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF LOT 3A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 AND DESCRIBED IN THE TRUSTEES DEED IN BOOK 4309 PAGE 165 ALL OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE WEST 10 FEET OF LOT 3A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 CONTAINING 792 SQUARE FEET INCLUSIVE OF 98 SQUARE FEET OF A PERMANENT DRAINAGE EASEMENT AND 792 SQUARE FEET OF PERMANENT UTILITY EASEMENT AS SHOWN ON THE PLAT OF PENNELL SUBDIVISION PLAT 2 RECORDED IN PLAT BOOK 29 PAGE 66 OF THE BOONE COUNTY MISSOURI RECORDS.

**PERMANENT DRAINAGE EASEMENT
KATHRYN RIESENBERG AND MATTEW SCHUCHARD
PARCEL # 17-210-00-00-004.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PART OF THE TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 2611 PAGE 44 OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

STARTING AT THE SOUTHWEST CORNER OF THE WARRANTY DEED RECORDED IN BOOK 2611 PAGE 44, ALSO BEING THE NORTHWEST CORNER OF A 1 ACRE TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 283 PAGE 260, AND ALSO BEING THE NORTHWEST CORNER OF LOT 1A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 ALL OF THE BOONE COUNTY MISSOURI RECORDS (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 0°03'30"E, ALONG THE EAST RIGHT-OF-WAY LINE OF MCKEE STREET, 131.45 FEET TO THE POINT OF BEGINNING; THENCE N 0°-03'-30"E 13.95 FEET; THENCE S 90°-00'-00"E, LEAVING SAID RIGHT-OF-WAY LINE, 6.90 FEET; THENCE S 0°-02'15"W 14.12 FEET; THENCE N 88°-35'50"W 6.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 97 SQUARE FEET.

**TEMPORARY CONSTRUCTION EASEMENT
KATHRYN RIESENBERG AND MATTEW SCHUCHARD
PARCEL # 17-210-00-00-004.00 01**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING A PART OF THE TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 2611 PAGE 44 OF THE BOONE COUNTY MISSOURI RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF THE WARRANTY DEED RECORDED IN BOOK 2611 PAGE 44, ALSO BEING THE NORTHWEST CORNER OF A 1 ACRE TRACT DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 283 PAGE 260, AND ALSO BEING THE NORTHWEST CORNER OF LOT 1A OF PENNELL SUBDIVISION PLAT 2 AS RECORDED IN PLAT BOOK 29 PAGE 66 ALL OF THE BOONE COUNTY MISSOURI RECORDS (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE N 0°03'30"E, ALONG THE EAST RIGHT-OF-WAY LINE OF MCKEE STREET, 151.13 FEET; THENCE S 85°-28'-35"E, LEAVING SAID RIGHT-OF-WAY LINE, 22.08 FEET; THENCE S 0°03'20"W, 150.86 FEET TO THE NORTH LINE OF SAID DEED RECORDED IN BOOK 283 PAGE 260; THENCE N 86°-10'20"W, ALONG SAID NORTH DEED LINE AND ALSO BEING THE NORTH LINE OF SAID LOT 1A, 22.05 FEET TO

THE POINT OF BEGINNING AND CONTAINING 3322 SQUARE FEET INCLUSIVE OF 97 SQUARE FEET OF PERMANENT DRAINAGE EASEMENT.

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 _____ day of _____, 2019.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor