

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 63-20

AN ORDINANCE

declaring the need to acquire easements for construction of the Quail Drive storm water improvement project; 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 November 18, 2019, the City Council determined it was in the public interest to construct the Quail Drive storm water improvement project 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 property for construction of the Quail Drive storm water improvement project, described as follows:

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-010.00 01
PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 3 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 98 OF WHITE GATE

SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 98 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE NORTH LINE OF SAID LOT 98 S69°03'18"E, 10.44 FEET; THENCE LEAVING SAID NORTH LINE S46°49'29"E, 74.07 FEET TO THE EAST LINE OF SAID LOT; THENCE WITH SAID EAST LINE S20°56'42"W, 21.98 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE LEAVING SAID EAST LINE AND WITH SAID NORTH EASEMENT LINE N69°03'18"W, 9.66 FEET; THENCE LEAVING SAID NORTH LINE N46°49'29"W, 74.90 FEET TO THE WEST LINE OF SAID LOT 98; THENCE WITH SAID WEST LINE N20°56'42"E, 21.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 2007 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-010.00 01
TEMPORARY CONSTRUCTION EASEMENT #1**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 3 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 98 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 98 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE EAST LINE OF SAID LOT 98 S20°56'42"W, 28.02 FEET; THENCE LEAVING SAID EAST LINE N46°49'29"W, 74.07 FEET TO THE NORTH LINE OF SAID LOT 98; THENCE WITH SAID NORTH LINE S69°03'18"E, 68.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 961 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-010.00 01
TEMPORARY CONSTRUCTION EASEMENT #2**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 3 OF THE WARRANTY DEED RECORDED IN

BOOK 3497, PAGE 17, BEING A PORTION OF LOT 98 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 98 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID LOT 98 S20°56'42"W, 21.66 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID WEST LINE S46°49'29"E, 74.90 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH LINE N69°03'18"W, 69.34 FEET TO THE WEST LOT LINE OF SAID LOT 98; THENCE WITH SAID WEST LINE N20°56'42"E, 28.34 FEET TO THE POINT OF BEGINNING AND CONTAINING 982 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-010.00 01
TEMPORARY CONSTRUCTION EASEMENT #3**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 3 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 98 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 98 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID LOT 98 S20°56'42"W, 58.00 FEET TO THE SOUTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID WEST LINE AND WITH THE LINES OF SAID PLATTED EASEMENT S69°03'18"E, 71.00 FEET; THENCE S20°56'42"W, 71.85 FEET; THENCE LEAVING SAID EASEMENT LINES N68°48'02"W, 71.00 FEET TO THE WEST LINE OF SAID LOT 98; THENCE WITH SAID WEST LINE N20°56'42"E, 71.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 5090 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-009.00 01
PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 1 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 97 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID LOT 97 S20°56'42"W, 28.02 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID WEST LINE S46°49'29"E, 17.24 FEET; THENCE S20°56'17"W, 15.45 TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH LINE N69°03'18"W, 15.96 FEET TO THE WEST LOT LINE OF SAID LOT 97; THENCE WITH SAID WEST LINE N20°56'42"E, 21.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 299 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-009.00 01
TEMPORARY CONSTRUCTION EASEMENT #1**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 1 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 97 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE NORTH LINE OF SAID LOT 97 S69°03'18"E, 15.96 FEET; THENCE LEAVING SAID NORTH LINE S20°56'42"W, 34.55 FEET; THENCE N46°49'29"W, 17.24 FEET TO THE WEST LINE OF SAID LOT 97;

THENCE WITH SAID WEST LINE N20°56'42"E, 28.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 499 SQUARE FEET.

**NORTHPARK PROPERTIES LLC
PARCEL ID: 17-111-00-02-009.00 01
TEMPORARY CONSTRUCTION EASEMENT #2**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF PARCEL 1 OF THE WARRANTY DEED RECORDED IN BOOK 3497, PAGE 17, BEING A PORTION OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 97 (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID LOT 97 S20°56'42"W, 50.00 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH LINE S69°03'18"E, 15.96 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID NORTH LINE N20°56'17"E, 15.45; THENCE S69°03'18"E, 68.40 FEET TO THE EAST PROPERTY LINE; THENCE WITH SAID EAST LINE S20°56'42"W, 15.45 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH LINE N69°03'18"W, 68.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1057 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-008.00 01
TEMPORARY ACCESS EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 6 OF THE QUIT-CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 96 AND EASTERN ONE FOOT OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID DEED LINE (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST DEED LINE N20°56'42"E, 155.46 FEET; THENCE S68°45'29"E, 20.00 FEET; THENCE S20°56'42"W, 156.29 FEET TO THE SOUTH LINE OF SAID DEED ; THENCE WITH SAID SOUTH LINE 20.02 FEET ALONG A 807.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT SAID CURVE HAS A CHORD N66°21'33"W, 20.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 3118 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-008.00 01
TEMPORARY CONSTRUCTION EASEMENT #1**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 6 OF THE QUIT-CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 96 AND EASTERN ONE FOOT OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID DEED LINE (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID DEED N20°56'42"E, 155.46 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING CONTINUE WITH SAID WEST LINE N20°56'42"E, 10.12 FEET; TO THE SOUTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE LEAVING SAID WEST DEED LINE AND WITH SAID SOUTH EASEMENT LINE S69°03'18"E, 37.46 FEET; THENCE LEAVING SAID SOUTH EASEMENT LINE S21°14'31"W, 10.31 FEET; THENCE N68°45'29"W, 37.41 FEET TO THE POINT OF BEGINNING AND CONTAINING 382 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-008.00 01
TEMPORARY CONSTRUCTION EASEMENT #2**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 6 OF THE QUIT-CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 96 AND EASTERN ONE FOOT OF LOT 97 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID DEED LINE (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) THENCE WITH THE WEST LINE OF SAID DEED N20°56'42"E, 173.58 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING CONTINUE WITH SAID WEST LINE N20°56'42"E, 27.17 FEET; THENCE LEAVING SAID WEST LINE S69°03'18"E, 37.50 FEET; THENCE S20°56'42"W, 27.17 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH EASEMENT LINE N69°03'18"W, 37.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 1019 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-093.00 01
PERMANENT DRAINAGE EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 3 OF THE QUIT CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 73 AND THE WEST 12 FEET OF LOT 74 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY SAID DEED (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF QUAIL DRIVE; THENCE LEAVING SAID SOUTH LINE S20°56'42"W, 112.00 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH EASEMENT LINE N69°03'18"W, 16.00 FEET; THENCE LEAVING SAID NORTH EASEMENT LINE N20°56'42"E, 112.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID QUAIL DRIVE;

THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE S69°03'18"E, 16.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1792 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-093.00 01
TEMPORARY CONSTRUCTION EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 3 OF THE QUIT CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 73 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT DESCRIBED BY SAID DEED (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF QUAIL DRIVE; THENCE WITH SAID SOUTH LINE N69°03'18"W, 16.00 FEET; THENCE LEAVING SAID SOUTH LINE S20°56'42"W, 51.03 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING S20°56'42"W, 60.97 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH EASEMENT LINE N69°03'18"W, 37.73 FEET; THENCE LEAVING SAID NORTH EASEMENT LINE N20°56'42"E, 63.32 FEET ; THENCE S65°29'30"E, 37.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 2345 SQUARE FEET.

**KERBY L. MITCHELL AND EVELYN F. MITCHELL AND
KERBY LYNN MITCHELL II
PARCEL ID: 17-111-00-02-093.00 01
TEMPORARY ACCESS EASEMENT**

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF TRACT 3 OF THE QUIT CLAIM DEED RECORDED IN BOOK 3498, PAGE 40, BEING A PORTION OF LOT 73 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT DESCRIBED BY SAID DEED (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF QUAIL DRIVE; THENCE WITH SAID SOUTH LINE N69°03'18"W, 16.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID SOUTH LINE S20°56'42"W, 51.03 FEET; THENCE N65°29'30"W, 11.02 FEET; THENCE N20°56'42"E, 50.35 FEET TO THE NORTH LINE OF SAID LOT 73; THENCE WITH SAID NORTH LINE 3.77 FEET ALONG A 867.50 FOOT-RADIUS NON-TANGENT CURVE TO THE LEFT SAID CURVE HAS A CHORD S68°55'50"E, 3.77 FEET; THENCE S69°03'18"E, 7.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 558 SQUARE FEET.

EUGENE H. GRUENDER JR.
PARCEL ID: 17-111-00-02-094.00 01
TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN SECTION 5, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING A PORTION OF THE WARRANTY DEED RECORDED IN BOOK 4800, PAGE 32, BEING A PORTION OF LOT 74 OF WHITE GATE SECOND ADDITION RECORDED IN PLAT BOOK 7, PAGE 45, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT DESCRIBED BY SAID DEED (BEARINGS WRITTEN HEREIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE AS GATHERED BY GPS OBSERVATION) SAID POINT BEING ON THE SOUTH LINE OF QUAIL DRIVE; THENCE WITH THE SAID SOUTH LINE S69°03'18"E, 4.00 FEET; THENCE LEAVING SAID NORTH LINE S20°56'42"W, 112.00 FEET TO THE NORTH LINE OF A PLATTED UTILITY AND DRAINAGE EASEMENT; THENCE WITH SAID NORTH EASEMENT LINE N69°03'18"W, 4.00 FEET TO A POINT ON THE WEST LINE OF SAID DEED; THENCE LEAVING SAID NORTH EASEMENT LINE AND WITH SAID WEST DEED LINE N20°56'42"E, 112.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 448 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 _____ day of _____, 2020.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor