

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 82-20

AN ORDINANCE

declaring the need to acquire an easement for construction of the Leslie Lane 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, 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 Leslie Lane storm water improvement project, described as follows:

**HENRY JOHNSON JR.
PARCEL #16-307-00-01-072.0001
Lot 28 and 29 Parkade Estates Block 1 Plat book 7 Page 27
PERMANENT DRAINAGE EASEMENT**

AN IRREGULAR SHAPED PARCEL LOCATED IN PART OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF SECTION ONE (1), TOWNSHIP FORTY-EIGHT NORTH (48N), RANGE THIRTEEN WEST (13W) IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI. BEING PART OF LOT TWENTY-EIGHT (28) AND TWENTY-NINE (29) IN BLOCK ONE (1) OF PARKADE ESTATES SUBDIVISION ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 7 PAGE 27 OF THE RECORDS OF BOONE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

STARTING AT THE SOUTHWEST CORNER OF SAID LOT 29 (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE) THENCE WITH THE NORTH RIGHT-OF-WAY LINE OF LESLIE LANE, ALSO BEING THE SOUTH LINE OF SAID LOTS 28 AND 29 S.88°47'11"E., 10.00 FEET TO THE EAST LINE OF THE EXISTING 20 FOOT WIDE DRAINAGE AND UTILITY EASEMENT AS SHOWN BY SAID PARKADE ESTATES SUBDIVISION BLOCK 1 THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING LEAVING SAID SOUTH LINE AND WITH SAID EAST LINE N.17°51'16"E, 34.86 FEET; THENCE LEAVING SAID EAST LINE S.01°26'19"W, 33.40 FEET TO A POINT ON SAID SOUTH LINE; THENCE WITH SAID SOUTH LINE N.88°47'11"W, 9.85 FEET TO THE POINT OF BEGINNING CONTAINING 164 SQUARE FEET INCLUSIVE OF 164 SQUARE FEET OF PROPOSED PERMANENT GRADING 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 _____, 2020.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor