

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 378-21

AN ORDINANCE

declaring the need to acquire property for the construction of Fire Station #10 to be located north of and west of St. Charles Road, at the bend with the intersection of E. Richland Road; 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 December 6, 2021, the City Council determined it was in the public interest to construct Fire Station #10 in an area located north of and west of St. Charles Road, at the bend with the intersection of E. Richland Road, 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 Fire Station #10, described as follows:

**Tract #1
Melissa K. Furlow
Fee Simple Acquisition
17-217-00-00-008.00 01**

A tract of land containing 6.45 acres, more or less, located in the East Half (E1/2) of the Southwest Quarter (SW ¼) of Section Nine (9), Township Forty-eight (48) North, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in the City of Columbia, Boone

County, Missouri, being shown and described as Tract Five (5) of the survey filed as Boone County Survey No. 7485 in the Office of the Recorder of Deeds in Boone County, Missouri.

EXCEPTING therefrom that part conveyed to Isadore Keyfitz and Sara Feder Keyfitz, husband and wife, by warranty deed dated September 5, 1946 and recorded in Book 242, Page 629, Records of Boone County, Missouri; and ALSO EXCEPTING therefrom that part conveyed to Harold A. Dudley and Daisy S. Dudley, husband and wife, by warranty deed dated April 21, 1951 and recorded in Book 262, Page 185, Records of Boone County, Missouri.

Tract #2
Clinton D. Gallup and Bridget A. Gallup
Fee Simple Acquisition
17-217-00-06-001.00 01

A tract of land being Lot One (1) of St. Charles Landing Plat 1, as shown by the plat thereof recorded in Plat Book 40, Page 1, Records of Boone County, Missouri.

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 _____, 2021.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor