

Introduced by Buffaloe

First Reading 7-17-23

Second Reading 8-7-23

Ordinance No. 025405

Council Bill No. B 166-23

**AN ORDINANCE**

declaring the need to acquire easements for construction of a sidewalk along portions of the west side of Scott Boulevard and the north side of Broadway, between Christian Fellowship Road and Silvey Street; 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 easements for construction of a sidewalk along portions of the west side of Scott Boulevard and the north side of Broadway, between Christian Fellowship Road and Silvey Street, described as follows:

**DANIEL H. CLARK AND NANCY A. CLARK  
PARCEL #: 16-402-00-01-028.00 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN THE NORTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE DEEDS IN BOOK 1292 PAGE 770 AND BOOK 503 PAGE 342, ALSO, BEING LOT 8 OF KING'S MEADOW SUBDIVISION BLOCK 1 AS

SHOWN IN PLAT BOOK 14 PAGE 32, ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 8, THENCE WITH THE SOUTH LINE OF SAID LOT 8 S.68°48'05"W, 5.00 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID SOUTH LINE N.01°07'35"E, 97.42 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 8; THENCE WITH SAID NORTH LINE S.88°38'55"E, 5.00 FEET; THENCE WITH THE EAST LINE OF SAID LOT 8, S.01°21'05"W, 95.50 FEET, TO THE POINT OF BEGINNING AND CONTAINS 464 SQUARE FEET.

**GARY SINES AND JANICE SINES  
PARCEL #: 16-402-00-01-024.00 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN THE NORTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE ALPHA CONDOMINIUMS IN BOOK 884 PAGE 419 ALSO, BEING LOT 12 OF KING'S MEADOW SUBDIVISION BLOCK 1 AS SHOWN IN PLAT BOOK 14 PAGE 32, ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE NORTH WEST CORNER OF SAID LOT 12 AND WITH THE LINES OF SAID LOT 12 80.64 FEET ALONG A CURVE TO THE RIGHT, CURVE RADIUS 657.67 FEET, CHORD S.85°08'10"E, 80.59 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, 29.00 FEET, ALONG A CURVE TO THE RIGHT, CURVE RADIUS 20.00 FEET, CHORD S.47°07'10"E, 26.52 FEET; THENCE LEAVING SAID LINES N.47°07'10"W, 26.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 91 SQUARE FEET, INCLUDING 65 SQUARE FEET OF EXISTING UTILITY EASEMENT.

**KATHY SCHWEI, WILBUR GILMORE AND KIM GILMORE  
PARCEL #: 16-402-00-01-027.0 01  
TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN THE NORTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE CORNERSTONE COURT CONDOMINIUMS IN BOOK 923 PAGE 431, ALSO, BEING LOT 9 OF KING'S MEADOW SUBDIVISION BLOCK 1 AS

SHOWN IN PLAT BOOK 14 PAGE 32, ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 9, THENCE WITH THE SOUTH LINE OF SAID LOT 9 N.88°38'55"W, 2.00 FEET, (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID SOUTH LINE N.00°10'15"W, 96.34 FEET; THENCE N.01°13'30"E, 26.77 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 9; THENCE WITH SAID NORTH LINE N.68°43'40"E, 5.00 FEET; THENCE WITH THE EAST LINE OF SAID LOT 9 S.01°21'05"W, 125.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 443 SQUARE FEET.

**MARTHA GAIL CARTY AND KELLY BATTON**  
**PARCEL #: 16-505-00-01-005.00 01**  
**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN THE NORTH WEST QUARTER OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE DEED IN BOOK 4570 PAGE 34, ALSO BEING LOT 5 OF POWERS SUBDIVISION AS SHOWN IN BOOK 314 PAGE 515, OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 5, THENCE WITH THE SOUTH LINE OF SAID LOT 5, 32.44 FEET ALONG A CURVE TO THE LEFT, CURVE RADIUS 507.46 FEET, CHORD S.68°50'54"W, 32.44 FEET, (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE LEAVING SAID SOUTH LINE N.21°09'15"W, 7.00 FEET; THENCE N.68°50'45"E, 35.25 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5; THENCE WITH SAID EAST LINE S.00°43'15"W, 7.54 FEET TO THE POINT OF BEGINNING AND CONTAINS 231 SQUARE FEET.

**SEVDALIJA MUSIC**  
**PARCEL #: 16-402-00-01-025.00 01**  
**PERMANENT SIDEWALK EASEMENT**

AN EASEMENT LOCATED IN THE NORTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 2468 PAGE 105, ALSO, BEING LOT 10 OF KING'S MEADOW SUBDIVISION BLOCK 1 AS SHOWN IN PLAT BOOK 14 PAGE 32, ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTH WEST CORNER OF SAID LOT 10, THENCE WITH THE LINES OF SAID LOT 10, 85.02 FEET ALONG A CURVE TO THE LEFT, CURVE RADIUS 607.66 FEET, CHORD S.84°38'25"E, 84.95 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE WITH A CURVE TO THE LEFT 19.02 FEET, CURVE RADIUS 20.00 FEET, CHORD N.64°04'45"E, 18.31 FEET; THENCE LEAVING THE LINES OF SAID LOT 10 N.43°13'40"W, 8.24 FEET; THENCE N.39°38'25"E, 15.34 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 10; THENCE WITH SAID EAST LINE S.01°21'10"W, 6.30 FEET; THENCE 1.90 FEET ALONG A CURVE TO THE RIGHT. CURVE RADIUS 20.00 FEET, CHORD S.04°12'05"W, 1.89 FEET; TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH SAID EAST LINE 5.25 FEET ALONG A CURVE TO THE RIGHT, CURVE RADIUS 20.00 FEET, CHORD S.14°14'35"W, 5.23 FEET; THENCE LEAVING SAID EAST LINE N.43°13'40"W, 2.26 FEET; THENCE N.39°38'25"E, 4.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 6 SQUARE FEET.

**SEVDALIJA MUSIC**

**PARCEL #: 16-402-00-01-025.00 01**

**TEMPORARY CONSTRUCTION EASEMENT**

AN EASEMENT LOCATED IN THE NORTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, SAID EASEMENT BEING ON AND ACROSS THE TRACT DESCRIBED BY THE WARRANTY DEED IN BOOK 2468 PAGE 105, ALSO, BEING LOT 10 OF KING'S MEADOW SUBDIVISION BLOCK 1 AS SHOWN IN PLAT BOOK 14 PAGE 32, ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTH WEST CORNER OF SAID LOT 10, THENCE WITH THE LINES OF SAID LOT 10, 85.02 FEET ALONG A CURVE TO THE LEFT, CURVE RADIUS 607.66 FEET, CHORD S.84°38'25"E, 84.95 FEET (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE); THENCE WITH A CURVE TO THE LEFT 19.02 FEET, CURVE RADIUS 20.00 FEET, CHORD N.64°04'45"E, 18.31 FEET, TO THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING LEAVING THE LINES OF SAID LOT 10 N.43°13'40"W, 8.24 FEET; THENCE N 39°38'25"E, 15.34 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 10; THENCE WITH SAID EAST LINE S.01°21'10"W, 6.30 FEET; THENCE 1.89 FEET ALONG A CURVE TO THE RIGHT. CURVE RADIUS 20.00 FEET, CHORD S.04°12'05"W, 1.90 FEET; THENCE LEAVING SAID EAST LINE S.39°38'25"W, 4.45 FEET; THENCE S.43°13'40"E, 2.26 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10; THENCE WITH SAID EAST LINE 5.25 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT, CURVE RADIUS 20.00 FEET, CHORD S.29°25'20"W, 5.24 FEET TO THE POINT OF BEGINNING AND CONTAINS 77 SQUARE FEET, INCLUDING 3 SQUARE FEET OF EXISTING UTILITY 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 7th day of August, 2023.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
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Mayor and Presiding Officer

APPROVED AS TO FORM:

  
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City Counselor