

Introduced by Treece

First Reading 4-6-20

Second Reading 4-20-20

Ordinance No. 024219

Council Bill No. B 80-20

AN ORDINANCE

declaring the need to acquire easements for construction of a sidewalk on the north side of Leslie Lane between Garth Avenue and Newton Drive; 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 on the north side of Leslie Lane between Garth Avenue and Newton Drive, described as follows:

**KOBY W. & SARAH K. WILLIAMS
PARCEL # 16-307-00-01-070.00 01
LOT 30 PARKADE ESTATES BLOCK I PLAT BOOK 7 PAGE 27
PERMANENT GRADING 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 THIRTY (30) 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;

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 30 (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 LOT 30, N.88°47'11"W, 10.00 FEET; THENCE LEAVING SAID SOUTH LINE N.00°24'46"E, 28.16 FEET; THENCE S.89°59'40"E, 10.39 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 30; THENCE WITH SAID EAST LINE S.01°12'49"W, 28.38 FEET TO THE POINT OF BEGINNING AND CONTAINS 288 SQUARE FEET, INCLUSIVE OF 188 SQUARE FEET OF EXISTING UTILITY AND DRAINAGE EASEMENT AS SHOW ON SAID PLAT.

**KOBY W. & SARAH K. WILLIAMS
PARCEL # 16-307-00-01-070.00 01
LOT 30 PARKADE ESTATES BLOCK I PLAT BOOK 7 PAGE 27
TEMPORARY CONSTRUCTION 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 THIRTY (30) 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;

BEGINNING AT THE SOUTH WEST CORNER OF SAID LOT 30 (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE WITH THE EAST RIGHT-OF-WAY OF GARTH AVENUE, ALSO BEING THE WEST LINE OF SAID LOT 30, N 1°12'49" E, 9.70 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S.88°47'11"E, 79.86 FEET; THENCE S.00°24'46"W, 9.70 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LESLIE LANE, ALSO BEING THE SOUTH LINE OF SAID LOT 30; THENCE FOLLOWING SAID RIGHT-OF-WAY LINE N.88°47'11"W, 80.00 FEET TO THE POINT OF BEGINNING AND CONTAINS 775 SQUARE FEET, INCLUSIVE OF 1 SQUARE FOOT OF EXISTING UTILITY AND DRAINAGE EASEMENT AS SHOW ON SAID PLAT.

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

AN IRREGULAR SHAPED PARCEL LOCATED IN 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 SOUTHEAST CORNER OF SAID LOT 28 (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 N.88°47'11"W., 113.75 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH SAID SOUTH LINE N.88°47'11"W, 63.48 FEET TO THE SOUTH WEST CORNER OF SAID LOT 29; THENCE WITH THE WEST LINE OF SAID LOT 29 N.01°13'07"E, 33.61 FEET; THENCE LEAVING SAID WEST LINE N.90°00'00"E, 24.00 FEET; THENCE S.47°57'14"E, 52.18 FEET TO A POINT ON THE SOUTH LINE OF SAID LOTS 28 AND 29, THE POINT OF BEGINNING AND CONTAINING 1486 SQUARE FEET INCLUSIVE OF 99 SQUARE FEET OF THE EXISTING DRAINAGE AND UTILITY EASEMENT AS SHOWN ON SAID PLAT.

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

AN IRREGULAR SHAPED PARCEL LOCATED IN 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;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 28 (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 N.88°47'11"W., 113.75 FEET; THENCE LEAVING SAID SOUTH LINE N.47°57'14"W, 52.18 FEET; THENCE S.90°00'00"W, 24.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 29; THENCE WITH SAID WEST LINE N.01°13'07"E, 73.50 FEET; THENCE LEAVING SAID WEST LINE S.89°59'59"E, 42.29 FEET; THENCE S.08°48'54"W, 71.25 FEET; THENCE N.90°00'00"E, 24.54 FEET; THENCE S.01°13'03"W, 29.91 FEET; THENCE S.88°47'11"E, 119.83 FEET TO A POINT ON THE EAST LINE OF SAID LOT 28; THENCE WITH SAID EAST LINE S.01°10'32"W, 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 4258 SQUARE FEET INCLUSIVE OF 1543 SQUARE FEET OF THE EXISTING DRAINAGE AND UTILITY EASEMENT AS SHOWN ON SAID PLAT.

**MARY K. HENDRICKSON & JOHN M. EMERY
LOT 27 PARKADE ESTATES BLOCK 1 PLAT BOOK 7 PAGE 27
PARCEL # 16-307-00-01-073.00 01
TEMPORARY CONSTRUCTION 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-SEVEN (27) 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;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 27 (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 LOT 27, N 88°47'11"W, 80.00 FEET; THENCE WITH THE WEST LINE OF SAID LOT 27 N.01°10'32"E, 11.48 FEET; THENCE LEAVING SAID WEST LINE, S.88°47'11"E, 42.33 FEET; THENCE S.00°04'06"W, 4.26 FEET; THENCE S.88°47'11"E, 37.59 FEET TO A POINT ON THE EAST LINE OF SAID LOT 27; THENCE WITH SAID EAST LINE S.01°10'32"W, 7.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 758 SQUARE FEET.

**YNGVE DIGERNES & NANCY FLORES
PARCEL # 16-307-00-01-074.00 01
LOT 26 PARKADE ESTATES BLOCK 1 PLAT BOOK 7 PAGE 27
TEMPORARY CONSTRUCTION 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-SIX (26) 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;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 26 (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 LOT 26, N.88°47'11"W., 80.00 FEET; THENCE WITH THE WEST LINE OF SAID LOT 26 N.01°10'32"E., 7.14 FEET; THENCE LEAVING SAID WEST LINE S.88°47'11"E., 29.61 FEET; THENCE N.00°22'35"E., 2.63 FEET; THENCE S.88° 47'11"E., 50.42 FEET TO A POINT ON THE EAST LINE OF SAID LOT 26; THENCE WITH SAID EAST LINE S.01°10'32"W., 9.77 FEET TO THE POINT OF BEGINNING CONTAINING 704 SQUARE FEET.

**HITENDRAKUMAR N. PATEL
PARCEL # 16-307-00-01-075.00 01
LOT 25 PARKADE ESTATES BLOCK 1 PLAT BOOK 7 PAGE 27
TEMPORARY CONSTRUCTION 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-FIVE (25) 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;

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 25 (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE WITH

NORTH RIGHT-OF-WAY LINE OF LESLIE LANE, ALSO BEING THE SOUTH LINE OF SAID LOT 25 N.88° 47' 11" W., 80.00 FEET; THENCE WITH THE WEST LINE OF SAID LOT 25 N.01° 10'32"E., 8.69 FEET; THENCE LEAVING SAID WEST LINE S.88° 47'11"E., 23.84 FEET; THENCE S.00°59'04"W., 1.69 FEET; THENCE S.88°47'11"E., 56.15 FEET TO A POINT ON THE EAST LINE OF SAID LOT 25; THENCE WITH SAID EAST LINE S.01°10'32"W., 7.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 600 SQUARE FEET.

**LANNIE BARNES & KATIE ROOF
PARCEL # 16-307-00-01-076.00 01
LOT 24 PARKADE ESTATES BLOCK 1 PLAT BOOK 7 PAGE 27
TEMPORARY CONSTRUCTION EASEMENT**

A STRIP 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-FOUR (24) 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;

BEGINNING AT THE SOUTH EAST CORNER OF SAID LOT 24 (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE WITH NORTH RIGHT-OF-WAY LINE OF LESLIE LANE, ALSO BEING THE SOUTH LINE OF SAID LOT 24, N.88°47'11"W, 80.00 FEET; THENCE WITH THE WEST LINE OF SAID LOT 24, N.01°10'32"E, 9.70 FEET; THENCE LEAVING SAID WEST LINE S.88°47'11"E, 80.00 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 24; THENCE WITH SAID EAST LINE S.01°15'49"W, 9.70 FEET TO THE POINT OF BEGINNING AND CONTAINS 776 SQUARE FEET, INCLUSIVE OF 78 SQUARE FEET OF EXISTING UTILITY EASEMENT AS SHOWN ON THE PLAT.

**JUDITH L. MARSDEN
PARCEL # 16-307-00-03-007.00 01
LOT 1 PARKADE MEADOWS PLAT BOOK 11 PAGE 168
TEMPORARY CONSTRUCTION EASEMENT**

AN IRREGULAR SHAPED PARCEL LOCATED IN PART OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) 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 ONE (1) IN PARKADE MEADOWS SUBDIVISION ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 11 PAGE 168 OF THE RECORDS OF BOONE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL ZONE); THENCE ALONG THE WEST LOT LINE OF SAID LOT 1, N.01°15'49"E., 8.09 FEET; THENCE LEAVING SAID WEST LINE N.89°21'11"E., 112.18 FEET; THENCE N.00°00'00"W., 9.76 FEET; THENCE S.89°55'34"E., 9.94 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NEWTON DRIVE, ALSO BEING THE EAST LINE OF SAID LOT 1; THENCE WITH SAID EAST LINE ALONG A NON-TANGENT CURVE TO THE RIGHT 29.39 FEET, CURVE RADIUS 20.00 FEET (THE CHORD OF SAID CURVE HAVING A BEARING AND DISTANCE OF S.48°33'05"W., 26.81 FEET); THENCE LEAVING SAID EAST LINE AND WITH THE NORTH RIGHT-OF-WAY LINE OF LESLIE LANE , ALSO BEING THE SOUTH LINE OF SAID LOT 1, S.89°21'11"W., 102.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 1002 SQUARE FEET, INCLUSIVE OF 163 SQUARE FEET OF EXISTING DRAINAGE EASEMENT AND 65 SQUARE FEET OF EXISTING UTILITY EASEMENT ALL AS SHOWN ON SAID PLAT.

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 20th day of April, 2020.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor