

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 178-20

AN ORDINANCE

declaring the need to acquire an easement for construction of a single-lane roundabout with splitter islands and sidewalk at the intersections of Sinclair Road, Route K and Old Plank 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, 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 an easement for construction of a single-lane roundabout with splitter islands and sidewalk at the intersections of Sinclair Road, Route K and Old Plank Road, described as follows:

AN EASEMENT BEING LOCATED ON AND ACROSS A TRACT IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 47 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI; SAID TRACT BEING LOT 1 BARCUS RIDGE, PLAT NO. 2 AS SHOWN IN PLAT BOOK 49, PAGE 53; ALSO BEING THE TRACT DESCRIBED IN BOOK 4389 PAGE 116 ALL OF THE BOONE COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

STARTING AT THE SOUTH WEST CORNER OF SAID LOT 1, THENCE WITH THE SOUTH LINE OF SAID LOT 1 N.60°46'30" E, 109.78 FEET TO THE POINT OF BEGINNING (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM CENTRAL

ZONE); THENCE LEAVING SAID SOUTH LINE N.37°52'10" W, 102.02 FEET; THENCE N.02°01'00"E, 169.63 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE WITH SAID NORTH LINE S.86°19'15"E, 79.83 FEET; THENCE LEAVING SAID NORTH LINE S.02°00'45"W, 137.92 FEET; THENCE S.37°42'00"E, 85.53 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE WITH SAID SOUTH LINE S 60°46'30"W, 80.76 FEET TO THE POINT OF BEGINNING AND CONTAINS 19,772 SQUARE FEET (INCLUSIVE OF 13,823 SQUARE FEET OF EXISTING EASEMENTS).

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