

Route: Section of Old Plank Road
Boone County Missouri

ROAD RELINQUISHMENT AGREEMENT

THIS AGREEMENT is entered into by the County of Boone ("County") and the City of Columbia ("City").

WITNESSETH:

WHEREAS, the County owns Old Plank Road in Boone County as part of the County roadway system; and

WHEREAS, the City desires to accept the portion of the roadway of Old Plank Road as further described herein in to the City roadway system; and

WHEREAS, the County is agreeable to relinquish and convey the Roadway that is the subject of this Agreement to the City.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in the Agreement, the parties agree as follows:

- (1) **CONSIDERATION AND PURPOSE:** The purpose of this agreement is to set for the terms and conditions of the conveyance of the County's Roadway that is the subject of this agreement. The consideration for entering into this Agreement by the parties is the City's willingness to accept ownership of the subject Roadway.
- (2) **WORK BY CITY:** Upon relinquishment or conveyance of the roadway to the City, the City shall perform the following:

New pavement, ½ bulb cul-de- sac
- (3) **LOCATION:** The general location of the roadway to be conveyed is as follows:

The general location is shown on "Exhibit A", attached hereto and made a part of this Agreement.
- (4) **RELINQUISHMENT:** Prior to the completion of the work as specified in paragraph (2), the County shall convey to the City that portion of the County roadway which is the subject of this Agreement by quitclaim deed releasing any and all interest the County has in the property referred to in "Exhibit A". The exact legal description of the roadway shall appear in the quitclaim deed. The City agrees to accept this deed from the County. The deed shall be filed with the office of the Recorder of Deeds in Boone County.
- (5) **CLAUSES IN THE DEED:** The following clauses will be included in the quitclaim deed from the County to the City, where in the County is referred to as "Grantor" and the City is referred to as "Grantee":
 - a. The Grantee, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under, and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

- b. By conveyance through this quitclaim deed, the County makes no claim to the resulting title of the above-described property and is merely releasing whatever interest it has to the Grantee.
- (6) MAINTENANCE BY COUNTY: Upon conveyance of the roadway to the City, any of the County's responsibilities to maintain the roadway shall cease and the roadway will no longer be considered a part of the County roadway system.
- (7) MAINTENANCE BY CITY: The City shall maintain the roadway as part of the City's system.
- (8) COUNTY REPRESENTATIVE: The County's Presiding Commissioner is designated as the County's representative for the purpose of administering the provisions of this Agreement. The County's representative may designate by written notice other persons having the authority to act on behalf of the County in furtherance of the performance of this Agreement.
- (9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri.

[Remainder of the Page Intentionally Left Blank. Signatures Appear on Following Page.]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the County Commission this 18th day of July, 2024.

Executed by the City of Columbia this _____ day of _____, 2024.

The Boone County Commission

City of Columbia, Missouri

By: [Signature]

By: _____
DeCarlon Seewood, City Manager

SSC

ATTEST: [Signature]

ATTEST: _____
Sheela Amin, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

[Signature]
C.J. Dykhouse, County Counselor

Nancy Thompson, City Counselor

Ordinance Number _____


EXHIBIT "A" (SHEET 1 of 2)

A TRACT LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE RIGHT-OF-WAY OF OLD PLANK ROAD SHOWN BY THE FOLLOWING: LEATHERWOOD HILLS BLOCK 2 IN PLAT BOOK 11 PAGE 207, NEW PROVIDENCE PLAT 1 IN PLAT BOOK 54 PAGE 24 AND GODAS' LEATHERWOOD CENTER IN PLAT BOOK 41 PAGE 57 ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF LOT 1 OF SAID LEATHERWOOD HILLS BLOCK 2, THENCE WITH THE SOUTH LINE OF SAID LOT 1 S.60°22'10"W (BEARINGS WRITTEN HEREIN ARE BASED UPON THE MISSOURI STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE), 110.41 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE LEAVING THE LINES OF SAID LOT 1 S.07°10'20"E, 46.64 FEET TO A POINT ON THE NORTH RIGHT- OF-WAY LINE OF STATE ROUTE K, AS SHOWN BY THE HIGHWAY PLANS FOR STATE ROUTE K ; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE 188.95 FEET WITH A NON TANGENT CURVE TO THE LEFT, CURVE RADIUS 529.97 FEET, CHORD N.67°28'50"E, 187.95 FEET; THENCE 110.96 FEET WITH A NON TANGENT CURVE TO THE LEFT, CURVE RADIUS 187.00 FEET, CHORD N.40°53'20"E, 109.34 FEET; THENCE 68.19 FEET WITH A CURVE TO THE RIGHT, CURVE RADIUS 200.00 FEET, CHORD N.33°39'30"E, 67.86 FEET; THENCE N.46°34'30"W, 8.79 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF OLD PLANK ROAD AS SHOWN BY SAID NEW PROVIDENCE PLAT 1; THENCE WITH SAID NORTH LINE S.60°06'30"W, 219.47 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE WITH SAID EAST LINE S.30°00'30"E, 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINS 0.44 ACRES.



J. DANIEL BRUSH, PLS 2489
DATE 5-8-24

 <p>701 E. BROADWAY, P.O. BOX 6015 COLUMBIA, MO. 65205</p>	<p>OWNER: BOONE COUNTY ADDRESS: RIGHT-OF-WAY ADJACENT TO 1601 W. OLD PLANK ROAD PARCEL #: N/A PROJECT: ROUTE K AND OLD PLANK ROAD ROUNDABOUT STREET RIGHT-OF-WAY</p>
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350-2024

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

July Session of the July Adjourned

Term. 20 24

In the County Commission of said county, on the 18th day of July 20 24


the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby approve a Road Relinquishment Agreement with the City of Columbia related to a portion of Old Plank Road.


The terms of the agreement are in the attached agreement and the Presiding Commissioner is authorized to sign the same.

Done this 18th day of July 2024.

ATTEST:


Brianna L. Lennon
Clerk of the County Commission


Kip Kendrick
Presiding Commissioner


Justin Aldred
District I Commissioner


Janet M. Thompson
District II Commissioner

STATE OF MISSOURI

County of Boone

} ss.

I, Brianna L Lennon Clerk

of the County Commission, in and said County, hereby certify the above and foregoing to be a true copy of the proceedings of our said County Commission, on the day and year above written, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Commission, at office in

Columbia, Missouri, this the 18th day of July

2024 Brianna L Lennon
Clerk County Commission

By Jodi Vaghike D.C.

No.

Certified Copy of Order

of
BOONE COUNTY COMMISSION,
Made at

Term, 20

In the Matter of