

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B163-25

AN ORDINANCE

declaring the need to acquire easements for construction of the Rice Road Private Common Collector Elimination (PCCE) #43 sanitary sewer improvement project; 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 16, 2024, the City Council determined it was in the public interest to construct the Rice Road Private Common Collector Elimination (PCCE) #43 sanitary sewer improvement project 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 easements for construction of the Rice Road Private Common Collector Elimination (PCCE) #43 sanitary sewer improvement project, described as follows:

ORVYLE H. HELMS AND JANICE S. HELMS
PARCEL ID: 17-206-00-03-012.0001
TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST IN COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY DEED RECORDED IN BOOK 820, PAGE 860, ALSO BEING PART OF LOT 2 OF TWIN OAKS SUBDIVISION, RECORDED IN BOOK 350, PAGE 394, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST RIGHT OF WAY LINE OF TWIN OAKS DRIVE, AS NOW ESTABLISHED, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 2; THENCE WITH THE NORTH LINE OF SAID LOT S86°03'25"E 100.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE WITH THE EAST LINE OF SAID LOT S00°21'35"W 13.97 FEET; THENCE DEPARTING SAID EAST LINE N86°03'25"W 91.53 FEET; THENCE N52°30'42"W 10.60 FEET TO THE WEST LINE OF SAID TRACT AND SAID EAST RIGHT OF WAY LINE; THENCE WITH SAID EAST RIGHT OF WAY LINE N00°21'35"E 8.10 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,369 SQUARE FEET.

(BEARINGS WRITTEN HERIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE, AS GATHERED BY GPS OBSERVATION).

ORVYLE H. HELMS AND JANICE S. HELMS
PARCEL ID: 17-206-00-03-012.0001
PERMANENT SANITARY SEWER EASEMENT

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 12 WEST IN COLUMBIA, BOONE COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY DEED RECORDED IN BOOK 820, PAGE 860, ALSO BEING PART OF LOT 2 OF TWIN OAKS SUBDIVISION, RECORDED IN BOOK 350, PAGE 394, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST RIGHT OF WAY LINE OF TWIN OAKS DRIVE, AS NOW ESTABLISHED, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT; THENCE WITH THE WEST LINE OF SAID LOT AND SAID EAST RIGHT OF WAY LINE S00°21'35"W 8.10 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, DEPARTING SAID EAST RIGHT OF WAY LINE, S52°30'42"E 10.60 FEET; THENCE S86°03'25"E 91.53 FEET TO THE EAST LINE OF SAID LOT; THENCE WITH SAID EAST LINE S00°21'35"W 16.03 FEET; THENCE DEPARTING SAID EAST LINE N86°03'25"W 100.00 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE WITH SAID EAST RIGHT OF WAY LINE N00°21'35"E 21.90 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,625 SQUARE FEET.

(BEARINGS WRITTEN HERIN ARE BASED UPON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE, AS GATHERED BY GPS OBSERVATION).

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 _____, 2025.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor