

**NORTH STADIUM BLVD AREA CUSTOMER TRANSFER AGREEMENT**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, between the CITY OF COLUMBIA, MISSOURI ("City") and CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 of Boone County, Missouri ("District").

WHEREAS, City and District entered into a Territorial Agreement on August 6, 1998 which was approved by the Missouri Public Service Commission on January 26, 1999; and

WHEREAS, under the Territorial Agreement, the water service area of the City includes the North Stadium Boulevard area which is located on the north northwest of the intersection of Sunflower Drive and North Stadium Boulevard; and

WHEREAS, current District customers include the customers located in the North Stadium Boulevard area who are listed on Exhibit "A" attached hereto, and who are located within the City's territory under the Territorial Agreement; and

WHEREAS, the provisions of paragraph 9 of the Territorial Agreement permit the customers of one party to receive water service from the other party with the prior written consent of both parties, and, subject to the prior approval of the governing boards of both parties, also permit the transfer of customers between the parties; and

WHEREAS, following a 2014 break in a District main that disrupted District water service to the District customers in the North Stadium Boulevard area listed on Exhibit "A", and with the prior written consent of both parties, the City began providing water to said District customers via an emergency interconnection between City facilities and District facilities, although said customers have remained customers of the District; and

WHEREAS, in view of the City's willingness to continue to provide water to said District customers, and in view of the cost that would be incurred to restore District facilities in order for the District to resume providing District water to its said customers, and in view that said customers are already located within City's territory under the Territorial Agreement, the City and the District now desire to enter into a customer transfer agreement involving said customers, as permitted under paragraph 9 of the Territorial Agreement, to transfer said customers, and certain related District facilities and easements, from the District to the City.

NOW, THEREFORE, the parties agree as follows:

1. Promptly after the execution of this Agreement, the City shall replace the District water meters serving the customers of the District listed on Exhibit "A" attached hereto with City water meters, at which time said customers shall cease being District customers and shall become City customers.

2. Promptly after the City has both notified the District in writing that it has completed the replacement of the District water meters, and has returned the District meters to the District, the District shall:

a) execute and deliver to City the original copy of the Quit-Claim Deed attached hereto as Exhibit "B."

b) execute and deliver to City the original copy of the Bill of Sale attached hereto as Exhibit "C."

3. This Agreement shall be binding upon the undersigned and our successors and assigns.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: \_\_\_\_\_  
DE'CARLON SEEWOOD, City Manager



ATTEST:

\_\_\_\_\_  
SHEELA AMIN, City Clerk

APPROVED AS TO FORM:


\_\_\_\_\_  
Nancy Thompson, City Counselor/ek

CERTIFICATION: I hereby certify that no City funds shall be expended pursuant to this agreement as this agreement contemplates no costs to City.

\_\_\_\_\_  
Matthew Lue, Director of Finance

[SIGNATURES CONTINUE ON NEXT PAGE]

CONSOLIDATED PUBLIC WATER SUPPLY  
DISTRICT NO. 1 OF BOONE COUNTY,  
MISSOURI

BY:   
JOHN K. COLLIER, President

ATTEST:

  
LAUREN KILE, Clerk

## EXHIBIT A

<u>Account #</u>	<u>Customer</u>	<u>Address</u>	<u>OWNER</u>	<u>Meter Location</u>
2752	Mike Clark	2911 N. Stadium Blvd	John & Kelley Berghager	36' W of RD 51' N of DR SOUTH EN
2559	Larry Hatfield	3408 N. Stadium Blvd	Outdoors Development LLC	30' S of RD 24' E of DR
4783		3500 N. Stadium Blvd		
2780		3501 N. Stadium Blvd		
6716	John & Kelley Berghager	3525 N. Stadium Blvd	John & Kelley Berghager	20' S of RD 45' W of DR
6302	Ken Hammond	3535 N. Stadium Blvd	John & Kelley Berghager	18' N of DR 48' W of RD
2424	Joshua Humphrey	3541 N. Stadium Blvd	Touchstone Construction	39' W of RD 39' S of DR
9098	Ken Leija	3553 N. Stadium Blvd	John & Kelley Berghager	45' N of DR 45' W of RD
10288	Lillian Hahn	3575 N. Stadium Blvd	Altwies Family Qualified	55' W RD CL 120' N of DR CL
2812	Jack Shaw	2812 N. Route E	T & V Holdings LLC	90' E of RD 186' N of DR S DR

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**QUIT-CLAIM DEED**  
**(By a Corporation)**

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between

CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, a public corporation of the State of Missouri, Party of the First Part, Grantor, and

CITY OF COLUMBIA, MISSOURI, a municipal corporation Party of the Second Part, of Boone County, State of Missouri, Grantee. Grantee's mailing address is: P.O. BOX 6015 COLUMBIA, MO 65205.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of One Dollar and other valuable consideration paid by the said Party of the Second Part, the receipt of which is hereby acknowledged, and by virtue and in pursuance of a resolution of the Board of Directors of said Party of the First Part, a corporation, does by these presents Remise, Release and forever Quit-Claim unto the said Party of the Second Part, its successors and assign:

- a) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 379, Page 59, Deed Records of Boone County, Missouri, being located in Section 33, Township 49 North, Range 13 West, Boone County, Missouri.
- b) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 379, Page 52, Deed Records of Boone County, Missouri, being located in Section 33, Township 49 North, Range 13 West, Boone County, Missouri.
- c) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 379, Page 62, Deed Records of Boone County, Missouri, being located in Section 33, Township 49 North, Range 13 West, Boone County, Missouri.
- d) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 1330, Page 457, Deed Records of Boone County, Missouri, being located in Section 33, Township 49 North, Range 13 West, Boone County, Missouri.

EXHIBIT B

TO HAVE AND TO HOLD THE SAME with all the rights, immunities, privileges and appurtenances thereunto belonging unto the said Party of the Second Part and its successors and assigns, forever; so that neither the said Party of the First Part, or its successors, nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its President, attested by its Secretary, and its corporate seal hereto affixed, the day and year first above written.

CONSOLIDATED PUBLIC WATER SUPPLY  
DISTRICT NO. 1 OF BOONE COUNTY,  
MISSOURI

BY: \_\_\_\_\_  
John K. Collier, President

ATTEST:

\_\_\_\_\_  
Lauren Kile, Clerk

STATE OF MISSOURI     )  
                                  ) SS.  
COUNTY OF BOONE     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me appeared John K. Collier, to me personally known, who, being by me duly sworn, did say that he is the President of CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, a corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said President acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Columbia, Missouri, the day and year first above written.

My commission expires: \_\_\_\_\_  
Notary Public

\_\_\_\_\_

**BILL OF SALE**

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, hereinafter called "SELLER," for a valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release and forever quit-claim to the CITY OF COLUMBIA, MISSOURI, a municipal corporation, hereinafter called "BUYER," all of SELLER's right, title and interest in and to the following described property, to wit:

All waterlines, water valves and other water service appliances, facilities and accessories at the locations shown on Exhibit "1" attached hereto.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

CONSOLIDATED PUBLIC WATER SUPPLY  
DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, a  
public corporation

BY: \_\_\_\_\_  
JOHN K. COLLIER, President

ATTEST:

\_\_\_\_\_  
LAUREN KILE, Clerk

STATE OF MISSOURI     )  
                                      ) SS  
COUNTY OF BOONE     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me appeared John K. Collier, to me personally known, who, being by me duly sworn did say that he is the President of Consolidated Public Water Supply District No. 1 of Boone County, Missouri, a public water supply district of the State of Missouri and a public benefit corporation under the laws of the State of Missouri ("the District"), and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said President acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and notarial seal at my office in Columbia, Missouri on the day and year hereinabove first written.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

EXHIBIT C

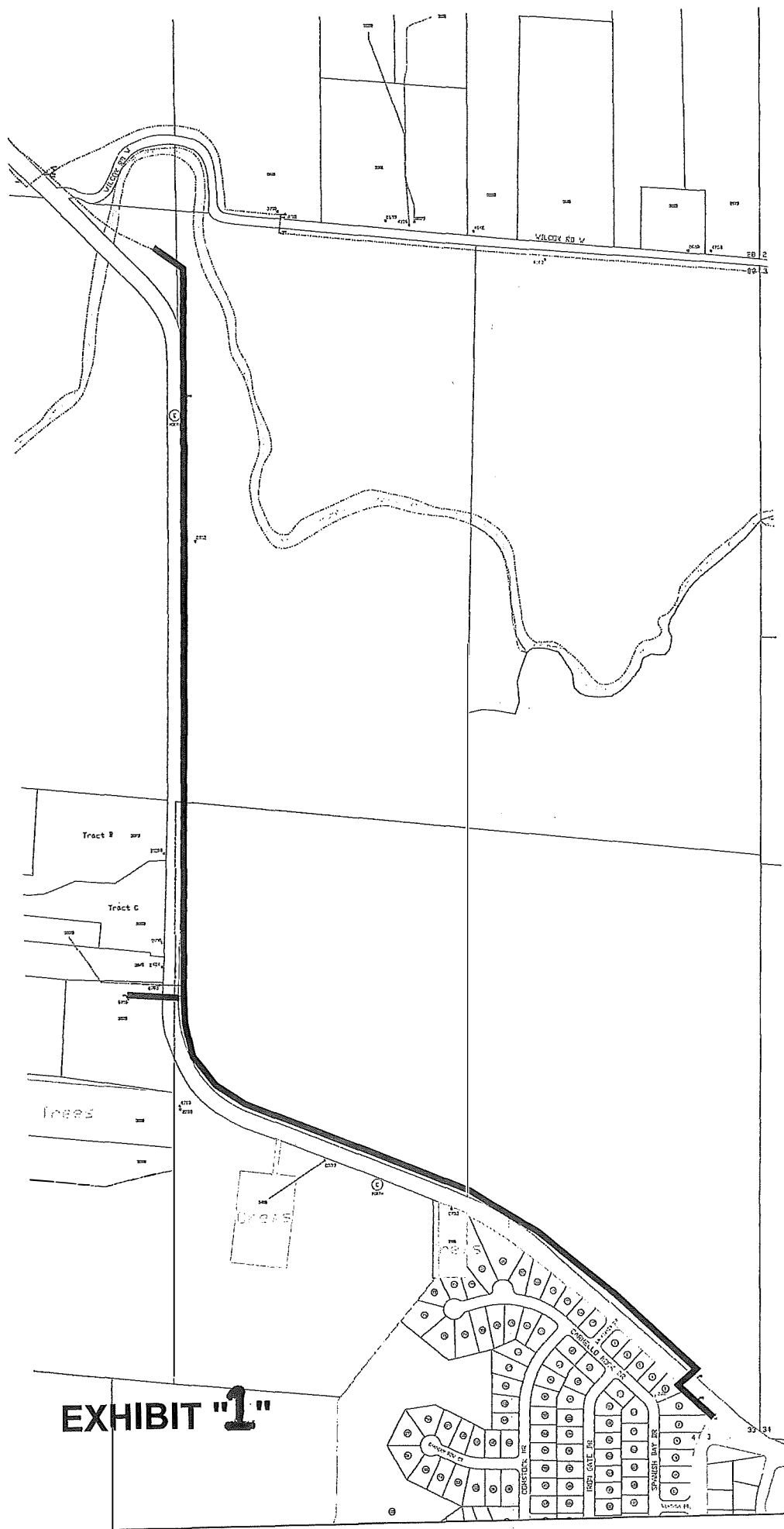


EXHIBIT "1"