

Council Bill: B 121-24

MOTION TO AMEND: _____

MADE BY: _____

SECONDED BY: _____

MOTION: I move that Council Bill B 121-24 be amended as set forth on this amendment sheet.

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Material to be deleted in ~~strikeout~~; material to be added underlined.

Section 3 is amended as follows:

SECTION 3. The following conveyance to the City of Columbia, Missouri, a municipal corporation is hereby accepted:

Grant of Easement for utility purposes from Central Missouri Community Action, dated ~~March 11~~ May 29, 2024, a copy of which is attached to this ordinance as "Attachment A."

The Attachment A attached to this amendment sheet is substituted for the Attachment A attached to the original ordinance.

GRANT OF EASEMENT FOR UTILITY PURPOSES

THIS INDENTURE, made on the 29th day of May, 2024, by and between CENTRAL MISSOURI COMMUNITY ACTION, a Missouri non-profit corporation, of the County of BOONE in the State of MISSOURI, Grantor, and the City of Columbia, Missouri, a municipal corporation in the County of Boone and the State of Missouri, Grantee; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205;

WTNESSETH:

THAT the Grantor, in consideration of the sum of Ten Dollars (\$10.00) to us in hand paid by the City of Columbia, Missouri, the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, an easement for the right, privilege, and authority to construct, operate, replace, repair and maintain, a drainage course or storm sewer, water mains, electric light, distribution and power transmission lines, sanitary sewer lines, communications facilities, regardless of technology, and all other public utilities, and all necessary appurtenances to make these utilities, drainage complete and usable, over, under, across, and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to-wit:

SEE ATTACHED EXHIBIT A

This grant includes the right of the City of Columbia, Missouri, its officers, agents, and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted; also the right to trim, clear or remove, at any time from said easement or the premises of the Grantor adjoining the same or either side thereof any tree, brush, structure or obstruction of any kind or character whatsoever which, in the sole judgment of the City, may endanger the safety of or interfere with the operation and maintenance of said City's facilities; also the right of ingress and egress to and from the herein described premises over any of the adjoining land of the Grantor for the purpose of exercising any of the rights herein granted.

The Grantor covenants, subject to liens and encumbrances of record at the date of this easement, they are the owners of the above-described land and have the right and authority to make and execute this agreement.

IN WITNESS WHEREOF, the said Central Missouri Community Action has caused these presents to be signed by its authorized member(s) the day and year first above written.

Central Missouri Community Action

By: Julie Aitkens
Julie Aitkens, Deputy Director

STATE OF Missouri)
)ss.
COUNTY OF Boone)

On this 29th day of May in the year 2024, before me, a Notary Public in and for said state, personally appeared, Julie Aitkens, who being by me duly sworn, acknowledged that they are the Deputy Director of Central Missouri Community Action, a Missouri non-profit corporation, and that said instrument was signed in behalf of said company and further acknowledged that they executed the same as a free act and deed for the purposes therein stated and that they have been granted the authority by said Missouri non-profit corporation to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Shonda White
Notary Public Signature

My Commission expires: 12-19-2027

Shonda White
Printed Name

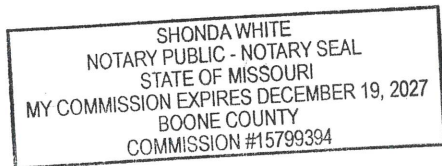


Exhibit A – Legal Description for Public Utility Easement

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE ALLEY AND LOTS 12, 13, 14, 16, 17, 18, 19, OF McBAINE'S ADDITION AS RECORDED IN BOOK 91, PAGE 510 ALL BEING OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

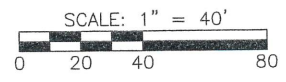
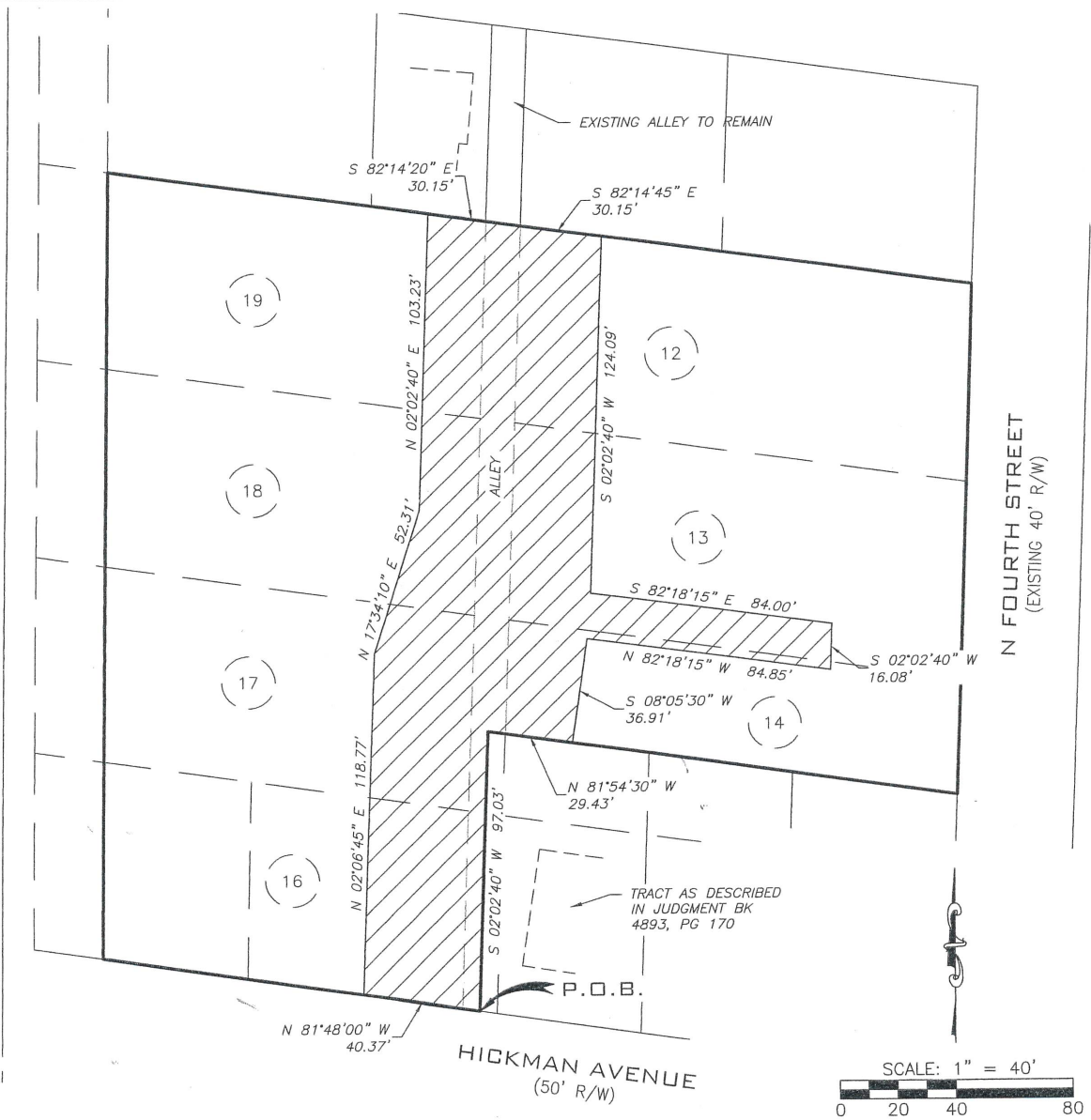
BEGINNING AT THE INTERSECTION OF THE CENTER OF THE ALLEY AND THE NORTH RIGHT-OF-WAY LINE OF HICKMAN AVENUE; THENCE WEST ALONG SAID RIGHT-OF-WAY LINE, N 81°48'00"W, 40.37 FEET; THENCE LEAVING SAID NORTH LINE N 02°06'45"E, 118.77 FEET; THENCE N 17°34'10"E, 52.31 FEET; THENCE N 02°02'40"E, 103.23 FEET TO A POINT ALONG THE NORTH LINE OF LOT 19 OF SAID McBAINE'S ADDITION; THENCE EAST ALONG SAID NORTH LINE S 82°14'20"E, 30.15 FEET TO A POINT; THENCE S 82°14'45"E, 30.15 FEET TO A POINT ALONG THE NORTH LINE OF LOT 12 OF SAID McBAINE'S ADDITION; THENCE LEAVING SAID NORTH LINE, S 02°02'40"W, 124.09 FEET; THENCE S 82°18'15"E, 84.00 FEET; THENCE S 02°02'40"W, 16.08 FEET; THENCE N 82°18'15"W, 84.85 FEET; THENCE S 08°05'30"W, 36.91 FEET TO A POINT ON THE NORTH LINE OF THE TRACT DESCRIBED BY JUDGMENT AND ORDER DETERMINING HEIRSHIP RECORDED IN BOOK 4893, PAGE 170; THENCE WEST ON SAID NORTH LINE, N 81°54'30"W, 29.43 FEET TO A POINT ON THE CENTER LINE OF THE ALLEY IN McBAINE'S ADDITION; THENCE ALONG SAID CENTERLINE, S 02°02'40"W, 97.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.37 ACRES. (16,424.23 SQUARE FEET)

BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM NAD83 (2011), EPOCH DATE 2010.00 CENTRAL ZONE, BY GPS OBSERVATIONS, USING MODOT VRS NETWORK.



EXHIBIT A
PUBLIC UTILITY
EASEMENT

N PROVIDENCE ROAD AND STATE HIGHWAY 163
(EXISTING 35' HALF WIDTH R/W)



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