

Introduced by: _____

First Reading: _____

Second Reading: _____

Ordinance Number: _____

Council Bill Number: B 187-26

AN ORDINANCE

declaring the need to acquire certain easements associated with the construction of a sidewalk improvement project along the north side of Mills Drive, between Forum Boulevard and Highridge Drive; 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 easements associated with the construction of the Mills Drive sidewalk improvement project, between Highridge Drive and Forum Boulevard, described as set forth in "Exhibit A" attached hereto and made a part hereof.

SECTION 2. The City Manager is authorized to acquire the land described in "Exhibit A" 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 "Exhibit A."

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in "Exhibit A," 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 herein by condemnation.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED: _____

Mayor and Presiding Officer

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor