

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 381-13

AN ORDINANCE

accepting a conveyance for water utility purposes; directing the City Clerk to have the conveyance recorded; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Columbia accepts the following conveyance:

Grant of Easement for water utility purposes from Broadway & Broadfield Properties, LLC, dated November 15, 2013, a copy of which, substantially in the same form as set forth in "Exhibit A," is attached to this ordinance.

SECTION 2. The City Clerk is authorized and directed to have the conveyance recorded in the office of the Boone County Recorder of Deeds.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

GRANT OF EASEMENT FOR WATER UTILITY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

THAT Broadway & Broadfield Properties, LLC a limited liability company of the state of Missouri, hereinafter referred to as Grantor, on this 15 day of November, 2013, in consideration of the sum of Ten Dollars to us in hand paid by the City of Columbia, Missouri in the County of Boone Missouri a municipal corporation, whose mailing address is P.O. Box 6015, Columbia, Boone County, MO 65205, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, do hereby grant unto said Grantee, its successors and assigns, an easement for the right, privilege, and authority to construct, operate, replace, repair, and maintain water mains, including the necessary pipes, valves, manholes, hydrants, and other appurtenances, over, under, across, and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to-wit:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, T48N, R13W, BEING A PART OF LOT 1506, BROADWAY FARMS PLAT 15A, AS SHOWN BY A SUBDIVISION PLAT RECORDED IN PLAT BOOK 4200 PAGE 82 OF THE BOONE COUNTY, MISSOURI RECORDS. SAID TRACT BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1507 OF SAID BROADWAY FARMS PLAT 15A; THENCE S11°04'15"E, 40.52 FEET TO THE POINT OF BEGINNING; THENCE S04°58'25"W, 20.00 FEET; THENCE N85°01'35"W, 20.00 FEET; THENCE N04°58'25"E, 20.00 FEET; THENCE S85°01'35"E, 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 400 SQUARE FEET. (See attached Exhibit "A")

This grant includes the right of the Grantee, 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, and includes, also, the right to trim, cut, clear, or remove, at any time from said easement trees, brush, and any and all obstructions of whatsoever kind or character which, in the judgment of said Grantee, may endanger the safety of or interfere with the operation and maintenance of said Grantee's facilities; and the right of ingress and egress to and from the herein described easement over any of the adjoining lands of the Grantor for the purpose of exercising any of the rights herein granted.

The Grantor agrees that it will not erect any building or structure on the herein described easement or permit any hazard or obstruction of any kind on said easement or on premises of the Grantor adjoining the same on either side which, in the judgment of the Grantee, shall interfere with the

construction, placement, operation, and maintenance of the Grantee's facilities.

The Grantor covenants, subject to liens and encumbrances of record at the date of this easement, that it is the owner of the above described land and has the right and authority to make and execute this agreement.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand the day and year first above written.

BROADWAY & BROADFIELD PROPERTIES, LLC

By *Russell A. Star*
Russell A. Star
Managing Member

STATE OF Missouri
COUNTY OF Boone) ss.

On this 15th day of November, 2013, before me, a notary public, appeared Russell A. Star being by me duly sworn, acknowledged that he is the Managing Member of Broadway & Broadfield Properties, LLC and that said instrument was signed in behalf of said limited liability company and further acknowledged that he executed the same as his free act and deed for the purposes therein stated and that he has been granted the authority by said corporation to execute the same.

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

Kimberly A. Brady
Notary Public Kimberly A. Brady

My commission expires: July 11, 2015

Lot 1506, Broadway Farms, Plat 15A
WF1703216/WT0128/Job 8
WO #201336

KIMBERLY A. BRADY
Notary Public - Notary Seal
STATE OF MISSOURI
Cooper County
My Commission Expires July 11, 2015
Commission # 11212787

EXHIBIT "A"

BROADWAY BUSINESS
PARK CT.

1507

BROADWAY FARMS PLAT 15A
BOOK 4200, PAGE 82

EX. PRIVATE
WATER LINE

POINT OF
BEGINNING

1505

1506

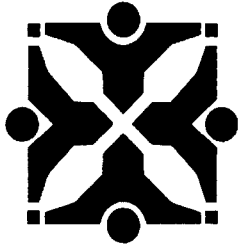
S 85°01'35" E
20.00'

N 04°58'25" E
20.00'

S 04°58'25" W
20.00'

N 85°01'35" W
20.00'

SCALE 1"=30'



Source: Water & Light 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Dec 16, 2013

Re: Accepting a conveyance

EXECUTIVE SUMMARY:

This ordinance is to accept the following conveyance for utility purposes.

DISCUSSION:

Grant of easement for water utility purposes from Broadway & Broadfield Properties, LLC dated November 15, 2013.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

SUGGESTED COUNCIL ACTIONS:

Staff recommends the City Council accept this conveyance by passage of the submitted ordinance

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?		Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	