

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 377-08

AN ORDINANCE

declaring the need to acquire land for construction and operation of an historical museum and research facility; 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 in fee simple the following described land for construction and operation of an historical museum and research facility:

ELM STREET ENTERPRISES, L.L.C.

THE SOUTH EIGHTY (80) FEET OF LOT SIXTEEN (16), IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

ALSO, THE WEST HALF (W ½) OF LOT SEVENTEEN (17) IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

THE SOUTH FIFTY-EIGHT (58) FEET OF LOT NUMBER EIGHTEEN (18) IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

THE SOUTH FORTY-EIGHT AND ONE-HALF (48½) FEET OF THE NORTH EIGHTY-FOUR AND ONE-HALF (84½) FEET OF LOT EIGHTEEN (18) OF THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

THE EAST ONE-HALF (½) OF LOT SEVENTEEN (17) OF THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, MISSOURI.

THE NORTH THIRTY-SIX (36) FEET OF LOT EIGHTEEN (18) IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

FIFTH STREET INVESTMENTS, L.L.C.

THE NORTH SIXTY-TWO AND ONE-HALF (62½) FEET OF LOT NUMBER SIXTEEN (16) IN THE OLD TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

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 _____, 2009.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

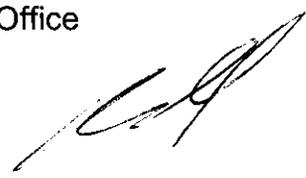
12284-08

13377-08

Agenda Item No.

Source

City Manager's Office



TO: City Council
FROM: City Manager and Staff
DATE: December 11, 2008
RE: Missouri Historical Society Land Acquisition

SUMMARY:

A resolution has been prepared setting a public hearing to consider acquisition of land in the half-block bounded by Elm Street, Lancaster Drive, Fifth Street and Sixth Street in downtown Columbia for an historic museum and research facility. An ordinance has been prepared that would authorize acquisition of the property.

DISCUSSION:

The Missouri Historical Society has outgrown its current location and is looking for a location to construct a new facility. The Society would like to remain in Columbia and is interested in acquiring the block bounded by Elm Street, Lancaster Drive, Fifth Street and Sixth Street. The use of this property for an historical museum and research facility is consistent with the Sasaki plan.

The University of Missouri owns the north half of this block, which is currently used as a parking lot, and is willing to make arrangements with the Historical Society for the Society to use the property. The Historical Society has requested the assistance of the City in acquiring the south half of the block, if the Society is unable to reach an agreement for sale of the properties with the current property owners.

A resolution has been prepared setting a public hearing on January 5, 2009 to consider City acquisition of the south half of the block. An ordinance has been prepared that would authorize City acquisition.

If the Council passes the ordinance, it will be necessary to negotiate a contract with the Historical Society for payment of acquisition costs and operation of an historical museum and research facility on the property.

SUGGESTED COUNCIL ACTION:

Adoption of the resolution and passage of the ordinance.

Fiscal Impact

YES

NO X

Other Info.