

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 24-08

AN ORDINANCE

accepting conveyance for 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 utility purposes from Mill Creek Manor, Inc., dated December 6, 2007, a copy of which, marked "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 _____, 2008.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

GRANT OF EASEMENT FOR UTILITY PURPOSES

WITNESSETH:

DECEMBER 6, 2007

THAT WE, **Mill Creek Manor, Inc.**, a corporation of the state of **Missouri**, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) to us in hand paid by the City of Columbia, Missouri, Grantee, mailing address Post Office Box 6015, Columbia, MO 65205, a municipal corporation, 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 water mains, electric light and power transmission lines, sanitary sewer lines, and all other public utilities, and all necessary appurtenances to make these utilities 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:

A STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3039, PAGE 72 AND PART OF THE TRACT SHOWN BY THE SURVEY RECORDED IN BOOK 739, PAGE 18 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE NORTH LINE OF SAID SURVEY AT THE SOUTHWEST CORNER OF QUAIL CREEK WEST, PLAT NO. 3 RECORDED IN PLAT BOOK 40, PAGE 15; THENCE FROM SAID CORNER AND WITH THE NORTH LINE OF SAID SURVEY, S84°26'35"E, 539.20 FEET TO THE NORTHERNMOST CORNER OF LOT 84 OF GEORGETOWN WEST, PLAT NO. 3 RECORDED IN PLAT BOOK 26, PAGE 13; THENCE LEAVING SAID NORTH LINE AND WITH THE LINES OF GEORGETOWN WEST, PLAT NO. 3, S63°05'30"W, 155.09 FEET; THENCE S52°46'45"W, 72.34 FEET; THENCE LEAVING THE LINES OF SAID PLAT, N63°00'30"W, 173.05 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, SAID STRIP BEING 10.00 FEET LEFT OF AND ADJOINING THE FOLLOWING DESCRIBED LINE, 35.04 FEET ALONG A 47.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S48°21'10"W, 34.24 FEET TO THE END OF THIS DESCRIBED LINE.

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, that it is the owner of the above described land and has the right and authority to make and execute this

Source:

Water and Light



John Glascock

Fiscal Impact

YES

NO

Other Info.

TO: City Council
FROM: City Manager and Staff
DATE: January 11, 2008
RE: Accepting a conveyance



EXECUTIVE SUMMARY: Staff has prepared for Council consideration of an ordinance to accept the following conveyance for utility purposes listed below:

Grant of Easement for Utility Purposes from Mill Creek Manor, Inc. dated December 6, 2007 (DHC),

SUGGESTED COUNCIL ACTION:

The staff recommends the City Council accept this conveyance by passage of the submitted ordinance.

/jmm