

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 208-08

**AN ORDINANCE**

authorizing the Southland Area Customer Transfer Agreement with Consolidated Public Water Supply District No. 1; 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 Manager is hereby authorized to execute the Southland Area Customer Transfer Agreement with Consolidated Public Water Supply District No. 1. The form and content of the agreement shall be substantially as set forth in "Attachment A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2. 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

**SOUTHLAND AREA CUSTOMER TRANSFER AGREEMENT**

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2008, between the CITY OF COLUMBIA, MISSOURI ("City") and CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 of Boone County, Missouri ("District").

WHEREAS, City and District entered into a Territorial Agreement on August 6, 1998 which was approved by the Missouri Public Service Commission on January 26, 1999; and

WHEREAS, under the Territorial Agreement, the water service area of the City includes the Southland Road area which is located on the north and south side of Nifong Boulevard between Providence road and Rock Quarry road; and

WHEREAS, the District currently provides water service to the customers located in the Southland Road area who are listed on Exhibit "A" attached hereto; and

WHEREAS, the aforesaid customers of the District are served with water through water lines shown on Exhibit "B" attached hereto; and

WHEREAS, the parties desire to agree pursuant to the provisions of paragraph 9 of the Territorial Agreement to transfer the customers listed on Exhibit "A" attached hereto from the District to the City.

NOW, THEREFORE, the parties agree as follows:

1. That the water customers of the District listed on Exhibit "A" attached hereto shall be allowed to receive water service from the City.
2. That as soon as the City has water service available to serve the water customers listed on Exhibit "A" attached hereto the parties shall perform as follows:
  - a) District shall execute and deliver to City the original copy of the Quit-Claim Deed attached hereto as Exhibit "C."
  - b) District shall execute and deliver to City the original copy of the Bill of Sale attached hereto Exhibit "D."
3. That as soon as the documents referred to in paragraph 2 above have been executed and delivered the City shall connect its water service to the water service facilities of the customers listed on Exhibit "A" attached hereto and the District shall discontinue serving said customers.

4. This Agreement shall be binding upon the undersigned and our successors and assigns.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: \_\_\_\_\_  
H. WILLIAM WATKINS, City Manager

ATTEST:

\_\_\_\_\_  
SHEELA AMIN, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
FRED BOECKMANN, City Counselor

CONSOLIDATED PUBLIC WATER SUPPLY  
DISTRICT NO. 1 OF BOONE COUNTY,  
MISSOURI

BY: Jerome Glascock  
JEROME GLASCOCK, President

ATTEST:

Jeanette Lisby  
JEANNETTE LISBY, Clerk

<u>Account Number</u>	<u>NAME</u>	<u>Address</u>	<u>OWNER/COMMENTS</u>
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ROCK QUARRY RD

114	Meda Crane	Rock Quarry Rd	meter pulled 1995
136-67750-01	Woodhaven Learning Center	Rock Quarry Rd	
134-03990-01	Dan Pritchard	3505 Rock Quarry Rd	
134-02560-01	Sarah Dixon	3510 Rock Quarry Rd	Rock Quarry Properties, LLC
134-00950-01	Jacalyn Craig	3511 Rock Quarry Rd	
134-05190-01	Laura Rodgers	3605-A Rock Quarry Rd	Jimmie Rodgers
134-05230-01	Pamela Rodgers	3605-B Rock Quarry Rd	Jimmie Rodgers
134-05000-00	John Hiesberger	3615 Rock Quarry Rd	
134-02540-01	R Huffman	3616 Rock Quarry Rd	
134-05030-00	John Hiesberger	3617 Rock Quarry Rd	
134-05300-01	Mary Bosch	3701 Rock Quarry Rd	
134-05210-00	Mary Bosch	3703 Rock Quarry Rd	
134-32070-01	Damon Young	3910 Rock Quarry Rd	
134-32080-03	Emily Schupp	3912 Rock Quarry Rd	Damon Young
134-32090-02	Wendy Swatzell	3914 Rock Quarry Rd	P & L Properties
134-32100-00	P & L Properties	3916 Rock Quarry Rd	
134-32110-00	Randy Nelsen	3918 Rock Quarry Rd	meter s/b locked
134-32120-00	Randy Nelsen	3920 Rock Quarry Rd	meter s/b locked
134-04260-01	Linda Bennett	4001 Rock Quarry Rd	
100-03730-01	Nancy Laurie	4115 Rock Quarry Rd	meter s/b locked
134-64960-01	Nancy Laurie	4115 Rock Quarry Rd	meter s/b locked
134-02140-01	Carolyn Matthews	4200 Rock Quarry Rd	Mrs. Lyle Koch
134-01620-00	Jim Gregory	4500 Rock Quarry Rd	
134-01130-01	Anthony Davis	4655 Rock Quarry Rd	
134-05040-01	Charles Rodgers	3611-A Rock Quarry Rd	Jimmie Rodgers
134-05050-01	Tammy Munoz	3611-B Rock Quarry Rd	Jimmie Rodgers

Nifong Blvd

134-03860-01	Stanley Diaz	1507 A & B Nifong Blvd	
134-02150-02	Candice Harlan	1101 Nifong Blvd	Crown Center Farms
134-02970-01	Chester Edwards	1215 Nifong Blvd	
134-02960-01	Kit Lisauskas	1313 Nifong Blvd	Crown Center Farms
134-02280-01	Andria Cogswell	1514 Nifong Blvd	Crown Center Farms
134-01530-00	William Laurie	1604 Nifong Blvd	
136-12410-01	Columbia Manor Care	2012 Nifong Blvd	

**EXHIBIT A**

<u>Account Number</u>	<u>NAME</u>	<u>Address</u>	<u>OWNER/COMMENTS</u>
<b><u>Juniper Dr</u></b>			
134-32050-00	Gregory Harvey	1802 Juniper Dr	
134-32060-00	Gregory Harvey	1804 Juniper Dr	
134-24090-01	Phyllis Golden	1810-A Juniper Dr	Mark Dolan
134-24100-01	Latosha Kerr	1810-B Juniper Dr	Mark Dolan
134-24110-01	Amy Vik	1900-A Juniper Dr	Kevin Dacey
134-24120-02	Kim Whitley	1900-B Juniper Dr	Kevin Dacey
134-16080-01	John Patrick	1906-A Juniper Dr	
134-16090-01	John Patrick	1906-B Juniper Dr	
134-20140-01	Lewis Shellady	1912-A Juniper Dr	Dan Cornell
134-20150-00	Dan Cornell	1912-B Juniper Dr	
134-20840-02	Daniel Flaspohler	2000-A Juniper Dr	Kerby Mitchell
134-20850-01	Melissa Boss	2000-B Juniper Dr	Kerby Mitchell
134-23240-00	Douglas Marcy	2004-A Juniper Dr	
134-23250-01	Rachel Verslues	2004-B Juniper Dr	Douglas Marcy
134-23260-01	Rebecca Squires	2008-A Juniper Dr	Claude Pauley
134-23270-01	Duane Wolfe	2008-B Juniper Dr	Claude Pauley
134-23280-01	Letha Talton	2012-A Juniper Dr	Keith Laws
134-23290-01	Angeia Johnson	2012-B Juniper Dr	Keith Laws
134-30330-01	Candace Robison	2016-A Juniper Dr	Jerry Denny
134-30340-01	Tonette McBride	2016-B Juniper Dr	Jerry Denny
134-2330-01	Joshua Rickard	2020-A Juniper Dr	Jerry Denny
134-23310-01	Ronald Paul	2020-B Juniper Dr	Jerry Denny
134-20860-00	Larry McCoig	2013-A Juniper Dr	
134-20870-02	Stephanie Glidewell	2013-B Juniper Dr	Larry McCoig
134-28770-03	Michael Gregory	2009-A Juniper Dr	Ben Londeree
134-28780-00	Ben Londeree	2009-B Juniper Dr	
134-30350-01	Ladeisha Westq	2005-A Juniper Dr	Eagle Quailty Properties
134-30360-03	Bridgette Hollins	2005-B Juniper Dr	Eagle Quailty Properties
<b><u>Juniper Ct</u></b>			
134-24130-01	Ryan Francis	3815-A Juniper Ct	Mark Dolan
134-24140-03	Drew Carrington	3815-B Juniper Ct	Mark Dolan
134-24150-03	Kathryn King	3819-A Juniper Ct	Mark Dolan
134-24160-00	Mark Dolan	3819-B Juniper Ct	
134-17640-02	Jeremy Maxwell	3820-A Juniper Ct	Michael Burgess
134-17650-02	Sarah Shaw	3820-B Juniper Ct	Michael Burgess
134-23220-02	Andrea Whitney	3816-A Juniper Ct	Ralph Pfremer
134-23230-01	Jonathan Jennings	3816-B Juniper Ct	Ralph Pfremer

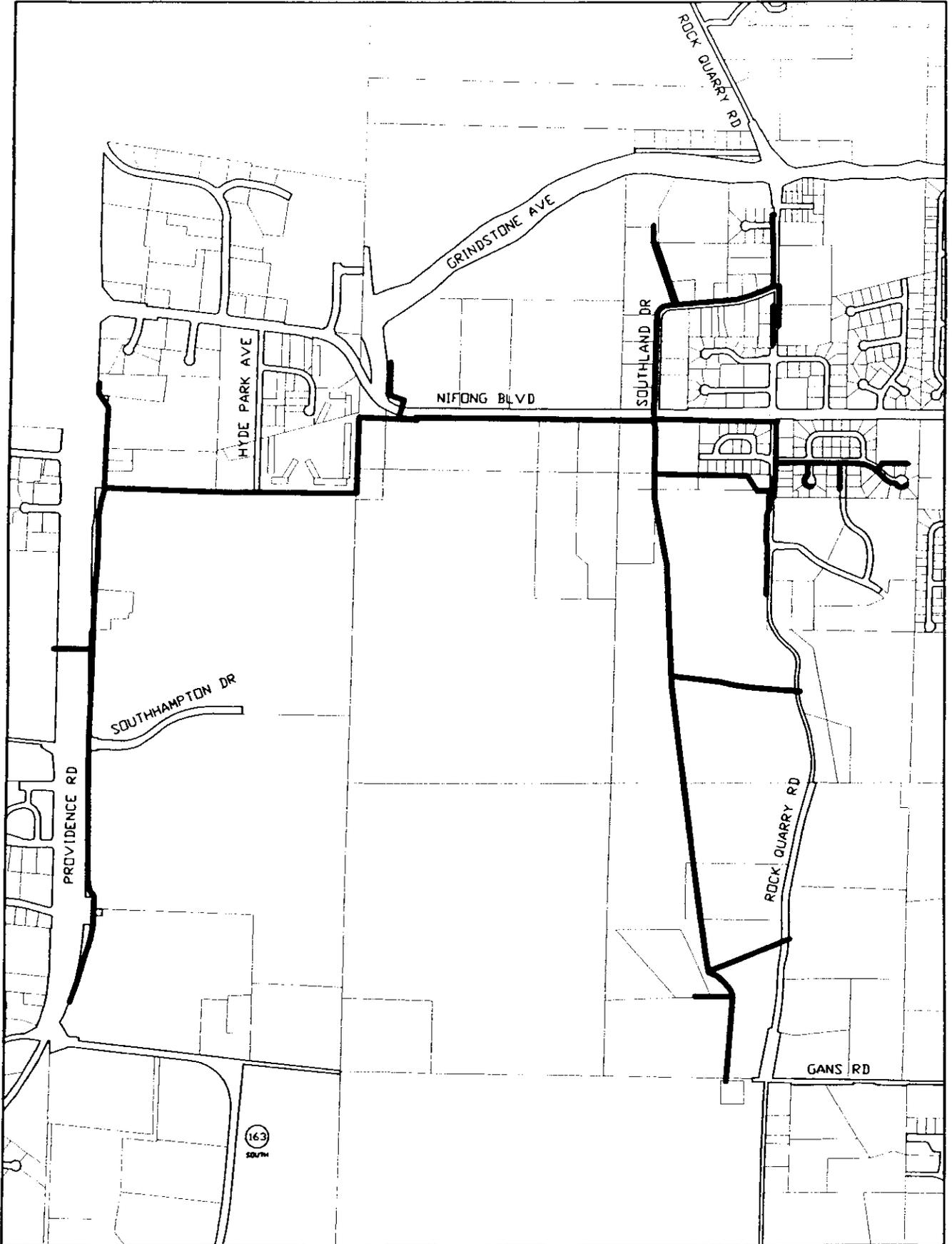
<u>Account Number</u>	<u>NAME</u>	<u>Address</u>	<u>OWNER/COMMENTS</u>
<b><u>Juniper Pl</u></b>			
134-28750-02	Melisa Betts	3815-A Juniper Pl	Jerry Denny
134-28760-01	Bruce Klaus	3815-B Juniper Pl	Jerry Denny
134-12560-01	Jennifer Rawls	3817 Juniper Pl	Richard Drehle
134-13220-00	Richard Drehle	3819 Juniper Pl	
134-17540-01	Christopher Johnson	3814 Juniper Pl	
134-17550-01	Jill Rugen	3816 Juniper Pl	Christopher Johnson
134-12670-02	Austin Ball	3818 A & B Juniper Pl	
134-12680-02	Austin Ball	3818 Juniper Pl	meter s/b locked #1267 serves both A & B

**Southland Way**

134-03720-04	Derek Caudill	3409 Southland Way	SAMZ, LLC
134-03100-01	The Crossing EPC	3414 Southland Way	
134-03740-01	Mathew Meinert	3415 Southland Way	James Fieldson

**Southland Dr**

134-02110-01	Freedia Diaz	3603 Southland Dr	Stanley Diaz
134-02700-01	Aaro Froese	3606 Southland Dr	
134-82240-00	Shawn Dent	3607 Southland Dr	meter s/b locked
134-02060-01	Craig Haas	3609 Southland Dr	
134-06010-01	Stanley Landon	3610 Southland Dr	
134-05990-01	The Crossing EPC	3613 Southland Dr	
134-05350-01	Patricia Gulmez	3616 Southland Dr	
134-05340-01	Carla Jerome Beckmann	3618 Southland Dr	
134-02090-01	Heidi Anderson	3619 Southland Dr	
134-03490-02	The Crossing EPC	3621 Southland Dr	
134-01520-01	Paul Lineberry	3624 Southland Dr	
134-02160-01	James Burton	3627 Southland Dr	
134-01680-01	Ruth Scott	3703 Southland Dr	
134-01830-01	David Schmidt	3704 Southland Dr	
134-01900-01	Tom Wooten	3708 Southland Dr	
134-03190-01	James Glascock	3713 Southland Dr	
134-29390-01	Lillian Hahn	3808 Southland Dr	
134-03630-01	Shannon Diaz	3809 Southland Dr	Stanley Diaz
100-12590-00	vacant	3612-A Southland Dr	meter s/b locked
100-12580-00	vacant	3612-B Southland Dr	meter s/b locked
136-54980-01	Joseph Bindbeutel	1701 Gans Rd	
122-05480-01	Halcyone Perlman	3902 Providence Rd S	



Water Main	
ROW	
Parcel	

Scale 1" = 1200'  
Date 05-21-08  
Version 1.00  
Page 1 of 1

# EXHIBIT B

Consolidated Public  
Water Supply District #1  
1500 North 7th Street  
Columbia MO 65201  
573.449.0324

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**QUIT-CLAIM DEED**  
**(By a Corporation)**

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between

CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE  
COUNTY, MISSOURI, a public corporation

a corporation of the State of Missouri, Party of the First Part, Grantor, and

CITY OF COLUMBIA, MISSOURI, a municipal corporation

Party of the Second Part, of Boone County, State of Missouri, Grantee. Grantee's mailing  
address is: \_\_\_\_\_.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum  
of One Dollar and other valuable consideration paid by the said Party of the Second Part, the  
receipt of which is hereby acknowledged, and by virtue and in pursuance of a resolution of the  
Board of Directors of said Party of the First Part, a corporation, does by these presents Remise,  
Release and forever Quit-Claim unto the said Party of the Second Part, its successors and assigns,  
the following described Real Estate, situated in the County of Boone and State of Missouri,  
to-wit:

- a) All of Grantor's right, title and interest in and to the Water Line Easement  
recorded in Book 1581, Page 389, Deed Records of Boone County, Missouri,  
on land located in Section 30, Township 48 North, Range 12 West, Boone  
County, Missouri.
- b) All of Grantor's right, title and interest in and to the Water Line Easement  
recorded in Book 362, Page 249, Deed Records of Boone County, Missouri,  
on land located in Section 30, Township 48 North, Range 12 West, Boone  
County, Missouri.
- c) All of Grantor's right, title and interest in and to the Water Line Easement  
recorded in Book 1055, Page 64, Deed Records of Boone County, Missouri,

(description continued on next pages)  
**EXHIBIT C**

on land located in t Section 30, Township 48 North, Range 12 West, Boone County, Missouri.

- d) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 1055, Page 92, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- e) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 129, Deed Records of Boone County, Missouri, on land located in Sections 30 and 31, Township 48 North, Range 12 West, Boone County, Missouri.
- f) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 226, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- g) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 414, Page 939, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- h) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 414, Page 964, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- i) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 191, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- j) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 167, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- k) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 97, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- l) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 257, Deed Records of Boone County, Missouri,

on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.

- m) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 39, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.
- n) All of Grantor's right, title and interest in and to the Water Line Easement recorded in Book 362, Page 211, Deed Records of Boone County, Missouri, on land located in Section 30, Township 48 North, Range 12 West, Boone County, Missouri.

TO HAVE AND TO HOLD THE SAME with all the rights, immunities, privileges and appurtenances thereunto belonging unto the said Party of the Second Part and its successors and assigns, forever; so that neither the said Party of the First Part, or its successors, nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its President, attested by its Clerk, and its corporate seal hereto affixed, the day and year first above written.

CONSOLIDATED PUBLIC WATER SUPPLY  
DISTRICT NO. 1 OF BOONE COUNTY,  
MISSOURI, a public corporation

BY: \_\_\_\_\_  
JEROME GLASCOCK, President

ATTEST:

\_\_\_\_\_  
JEANETTE LISBY, Clerk

STATE OF MISSOURI     )  
  ) SS.  
COUNTY OF BOONE     )

On this \_\_\_\_ day of \_\_\_\_\_, 2008, before me appeared JEROME GLASCOCK, to me personally known, who, being by me duly sworn, did say that he is the President of CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, a Missouri public corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said President acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Columbia, Missouri, the day and year above written.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_

**BILL OF SALE**

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT NO. 1 OF BOONE COUNTY, MISSOURI, hereinafter called "SELLER," for a valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby remise, release and forever quit-claim to the CITY OF COLUMBIA, MISSOURI, a municipal corporation, hereinafter called "BUYER," all of SELLER's right, title and interest in and to the following described property, to wit:

All waterlines, water valves and other water service appliances, facilities and accessories (except and excluding water meters which SELLER shall retain) at the locations shown on Exhibit "1" attached hereto.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008

CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT  
NO. 1 OF BOONE COUNTY, MISSOURI, a public  
corporation

BY: \_\_\_\_\_  
JEROME GLASCOCK, President

ATTEST:

\_\_\_\_\_  
JEANETTE LISBY, Clerk

STATE OF MISSOURI     )  
  ) SS  
COUNTY OF BOONE     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me appeared Jerome Glascock, to me personally known, who, being by me duly sworn did say that he is the President of Consolidated Public Water Supply District No. 1 of Boone County, Missouri, a public water supply district of the State of Missouri and a public benefit corporation under the laws of the State of Missouri ("the District"), and that the seal affixed to the foregoing instrument is the

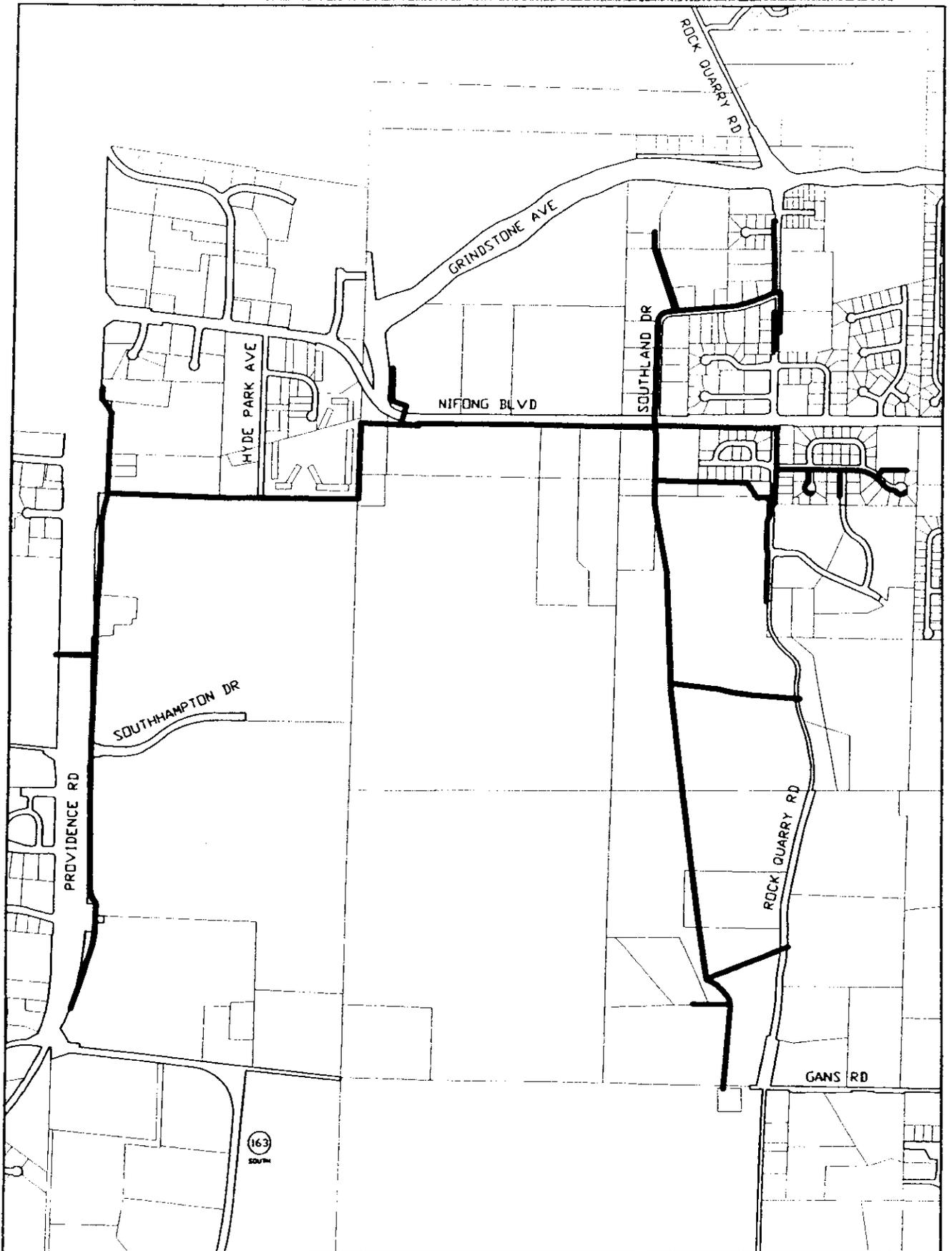
**EXHIBIT D**

corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said President acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and notarial seal at my office in Columbia, Missouri on the day and year hereinabove first written.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public



Water Main	
ROW	
Parcel	


 Scale 1" = 1200'  
 Date 05-21-08  
 Version 1.00  
 Page 1 of 1

# EXHIBIT 1

Consolidated Public  
 Water Supply District #1  
 1500 North 7th Street  
 Columbia MO 65201  
 573 449 0324

Source:

Water & Light  
Department



John Glascock

**To:** City Council

**From:** City Manager and Staff 

**Date:** June 19, 2008

**Subject:** Consolidated Public Water Supply District #1  
Southland Area Customer Transfer Agreement

Fiscal Impact

YES

NO

**EXECUTIVE SUMMARY:** Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute the Southland Area Customer Transfer Agreement with Consolidated Public Water Supply District #1 (CPSWD #1). As part of the territory agreement between the City of Columbia and CPSWD #1, the City water service area includes the Southland Road area which is located on the north and south side of Nifong Boulevard between Providence road and Rock Quarry road. CPWSD #1 no longer has water main capacity to serve this area and per provisions of paragraph 9 of the 1998 Territorial Agreement would like to transfer these customers to City water service.

**DISCUSSION:** The Southland Road area is within the water service territory of the City as defined in the 1998 Territory Agreement with CPWSD #1. However due to a failure of a water main, CPWSD #1 can no longer serve the area. The City of Columbia has water service in the area and can provide service to the 102 customers. Per the territory agreement, when the City has water available the City shall take over water service to certain areas as listed in the territory agreement. The Southland area is on the list of areas in the territory agreement for the City to serve.

**SUGGESTED COUNCIL ACTION:** That Council authorize the City Manager to execute the Southland Area Customer Transfer Agreement with Consolidated Public Water Supply District No. 1

JDG/srb

Attachment