

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 54-14

AN ORDINANCE

accepting a conveyance for electric 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 electric utility purposes from Nauser Investments, LLC, dated January 14, 2014, a copy of which, substantially in the same form as set forth in "Attachment 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 ELECTRIC UTILITY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

THIS INDENTURE made and entered into this 14TH day of JANUARY, in the year 201~~3~~⁴ by and between **Nauser Investments LLC**, a Missouri limited liability company, whose mailing address 5707 Bridlewood Ct., Columbia, MO 65203, 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, a municipal corporation of Boone County, Missouri, hereinafter referred to as "Grantee", (Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205) 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 underground electrical distribution power lines including the necessary underground electrical cables, below grade conduits and above grade pad mounted or pedestal mounted equipment, over, under, across, and upon the following described real estate, commonly known as 6000 Paris Rd., owned by us, within the County of Boone, State of Missouri, to-wit:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 21, TOWNSHIP 49 NORTH, RANGE 12 WEST BEING A PORTION THE TRACT DESCRIBED BY TRUSTEE'S DEED RECORDED IN BOOK 1632 AT PAGE 711 AND BEING A PORTION OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4230, PAGE 138, ALL OF THE BOONE COUNTY RECORDS AND BEING FURTHER DESCRIBED AS FOLLOWS.

A STRIP OF LAND 10 FEET IN WIDTH LYING LEFT OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE: STARTING AT THE EAST CORNER OF LOT 1 OF MIDDLE MARKET SUBDIVISION, AS RECORDED IN PLAT BOOK 12, PAGE 84 OF THE BOONE COUNTY, MISSOURI RECORDS; THENCE N 24°30'40"E, 20.00 FEET TO THE POINT OF BEGINNING; THENCE S 24°30'40"W, 20.00 FEET TO EAST CORNER OF SAID LOT 1; THENCE WITH THE NORTHEAST LINE OF SAID LOT 1 N 65°28'10"W, 230.67 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 1; THENCE LEAVING SAID NORTHEAST LINE OF LOT 1 S 25°18'50"W, 261.78 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF STATE ROUTE B LOCATED 152.81 FEET RIGHT OF CENTERLINE STATION 1015+16.02; THENCE WITH SAID EASTERLY RIGHT OF WAY S 24°28'20"W, 129.19 FEET TO A POINT LOCATED 70 FEET RIGHT OF CENTERLINE STATION 1016+15 AND THE END OF THIS DESCRIBED LINE.
SEE ATTACHED EXHIBIT 'A'

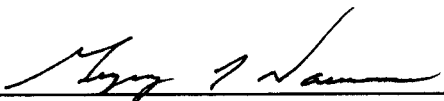
Reference: Missouri Warranty Deeds: Book 1632, Pg 711 & Book 4230, Pg 138

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 behalf of said corporation.

IN WITNESS WHEREOF, the said **Nauser Investments, LLC**, has caused these presents to be signed by its authorized member, this 14 day of January, 201st.

Nauser Investments, LLC, a Missouri limited liability company

By:



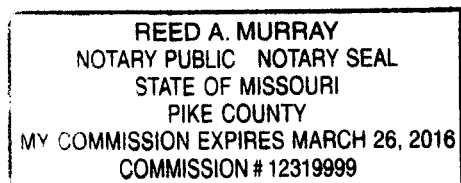
Gregory J. Nauser, Member

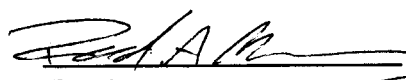
STATE OF MISSOURI)
)ss.
COUNTY OF BOONE)

On this 14th day of January, in the year 201st, before me, a Notary Public in and for said state, personally appeared Gregory J. Nauser, who being by me duly sworn, acknowledged that he is ~~the Designated Agent~~ of Nauser Investments, LLC, a Missouri limited liability company, and that said instrument was signed in behalf of said Company, and further acknowledged that he executed the same as a free act and deed for the purposes therein stated and that he has been granted the authority by said Company to execute the same.

+ a member

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.



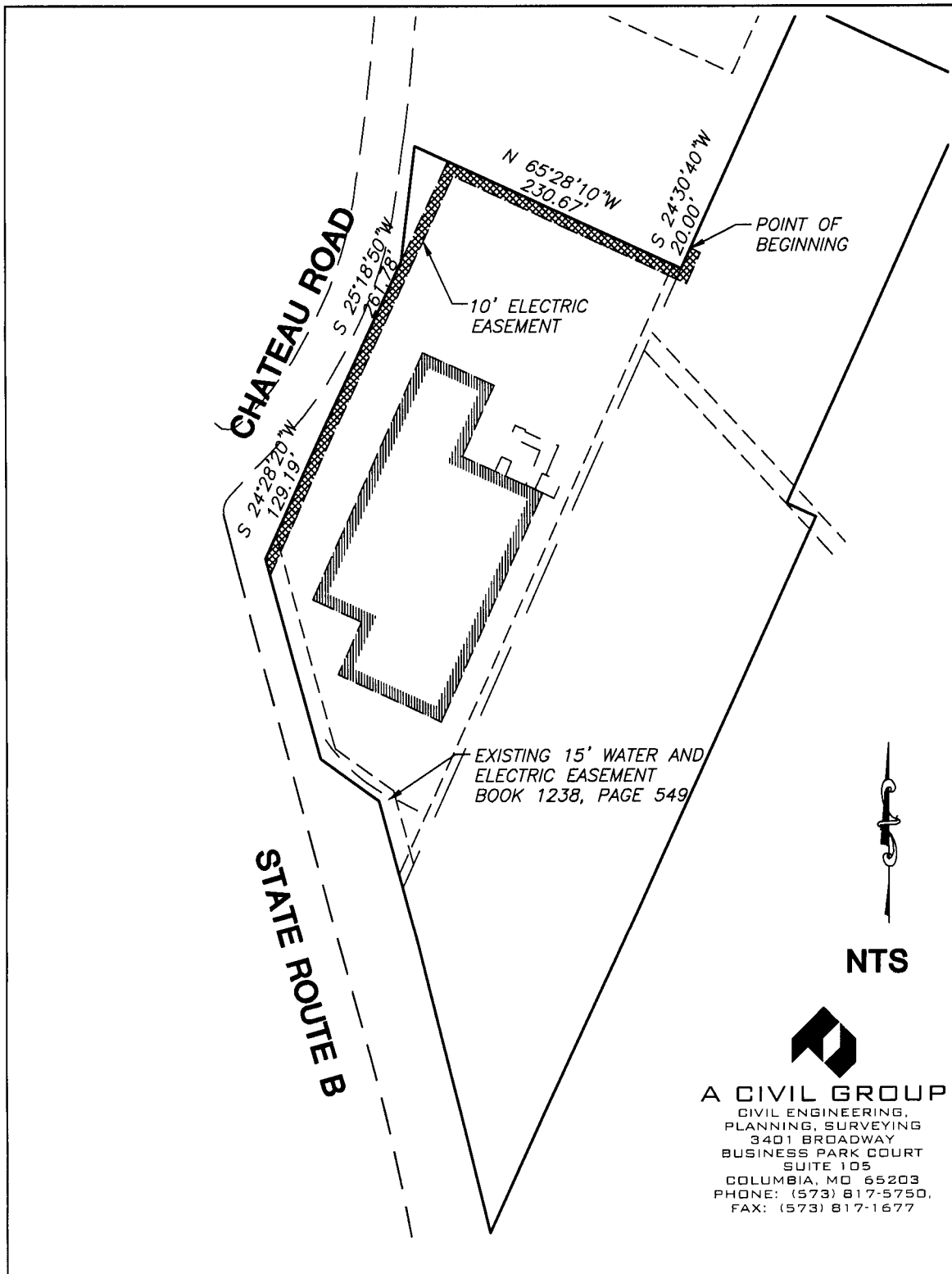


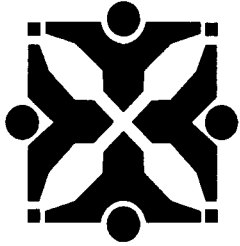
Reed A. Murray

Notary Public

My commission expires: 03-26-2016

EXHIBIT "A"





Source: Water & Light 

Agenda Item No:

To: City Council
From: City Manager and Staff 

Council Meeting Date: Mar 3, 2014

Re: Accepting conveyances

EXECUTIVE SUMMARY:

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

DISCUSSION:

Grant of easement for electric utility purposes from Nauser Investments LLC dated January 14, 2014. No Consideration was paid for this easement.

FISCAL IMPACT:

None

VISION IMPACT:

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

SUGGESTED COUNCIL ACTIONS:

Staff recommends the City Council accept these conveyances by passage of the submitted ordinance.

/jmm

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 #	