

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 234-13

AN ORDINANCE

accepting a conveyance for drainage and 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 drainage and utility purposes from NGT Inc., dated
July 15, 2013, 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 _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Recorded in Boone County, Missouri

Date and Time: 07/16/2013 at 12:52:57 PM

Instrument #: 2013018131 Book: 4188 Page: 51

Grantor: NGT INC

Grantee: COLUMBIA CITY OF MISSOURI

Instrument Type: ESMT

Recording Fee: \$27.00 S

No. of Pages: 2

Bettie Johnson, Recorder of Deeds


GRANT OF EASEMENT FOR DRAINAGE AND UTILITY PURPOSES

THIS INDENTURE, made on the 15TH day of July, 2013, by and between NGT Inc., a corporation of the State of Missouri, Grantor and the City of Columbia, Missouri, a municipal corporation in the County of Boone and the State of Missouri, Grantee; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, to us in hand paid by the City of Columbia, Missouri, the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, the privilege, authority and right to construct, operate, replace, repair and maintain a storm drainage system which is all drainage facilities used for collecting and conducting storm water to, through, and from drainage areas to the points of final outlet including, but no limited to the following: conduits and appurtenant features, canals, ditches, streams, gullies, flumes, culverts and gutters, including the necessary manholes and other fixtures, water mains, electric light and power transmission 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:

Project: Scott Boulevard Phase II (32-07-07)

Parcel: 16-712-29-00-005.00

LEGAL DESCRIPTION:

An irregular shaped parcel of land in the southwest part of a tract of land described in a warranty deed in Book 2713 at Page 63, said tract being Tract 6 of the survey as recorded in Book 765 at Page 714, both of the Boone County Records; situate in the south half (1/2) of the south half (1/2) of the southeast quarter (1/4) of Section 29, Township 48 North, Range 13 West, Boone County, Missouri; said parcel being described as follows:

Starting at the southeast corner of said Section 29; thence along the south line of said Section N.84°58'00"W., 288.44 feet to the POINT OF BEGINNING on the south line of the permanent street easement granted this date; thence continuing along said section line N.84°58'00"W., 571.16 feet to the southwest corner of said tract; thence along a west line of said tract N.1°24'05"E., 83.99 feet to the south line of a roadway and utility easement as recorded in Book 2339 at Page 82 of said Boone County Records; thence along said line along a non-tangent curve to the left having a radius of 296.33 feet a distance of 3.24 feet (the chord of said curve having bearing and distance of N.64°52'25"E., 3.24 feet) to the southwest corner of said permanent street easement; thence along

BOONE COUNTY MO JUL 16 2013

the south lines of said easement N.75°32'35"E., 12.31 feet; along a curve to the right having a radius of 575.00 feet a distance of 501.18 feet (the chord of said curve having bearing and distance of S.79°29'15"E., 485.46 feet); S.54°31'00"E., 41.90 feet; along a curve to the left having a radius of 425.00 feet a distance of 48.06 feet (the chord of said curve having bearing and distance of S.57°45'25"E., 48.03 feet) to the POINT OF BEGINNING and containing 1.20 acres.

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 any tree, brush, structure or obstruction of any kind or character whatsoever which in the reasonable judgment of the City may endanger the safety or interfere with the operation and maintenance of the City's facilities.

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

IN WITNESS WHEREOF, the said NGT, Inc. has caused these presents to be signed by its Registered Agent / President and attested by its President the day and year first written above.

NGT, Inc.

By:

Name and title

ATTEST:

Name and title

STATE OF Missouri

COUNTY OF Boone

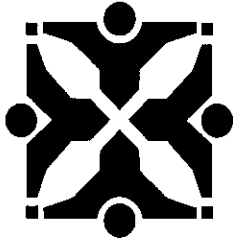
On this 15th day of July in the year 2013, before me, a Notary Public in and for said state, personally appeared, HARVEY A. HOFFMAN, who being by me duly sworn, acknowledged that they are the President of NGT, Inc., and that said instrument was signed in behalf of said corporation and further acknowledged that they executed the same as a free act and deed for the purposes therein stated and that they have been granted the authority by said corporation to execute the same.

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

Notary Public



KIMBERLY S. LONG
My Commission Expires
August 31, 2016
Boone County
Commission #12410428



Source: Public Works

To: City Council

From: City Manager and Staff

Council Meeting Date: Aug 19, 2013

Agenda Item No:

Re: Accepting an Easement

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration an ordinance to accept an easement. The document is listed below under discussion.

DISCUSSION:

Grant of Easement for Drainage and Utility Purposes from NGT Inc., located in Section 29-48-13.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the ordinance accepting the easement.

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?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	