

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 331-13

AN ORDINANCE

accepting quit claim deeds for sewer and road relinquishment purposes; directing the City Clerk to have the deeds 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 quit claim deeds:

Quit Claim Deed for sewer purposes from Mill Creek Manor, Inc., dated July 22, 2013, a copy of which is attached to this ordinance.

Quit Claim Deed for road relinquishment purposes from the Missouri Highways and Transportation Commission, dated October 2, 2013, a copy of which is attached to this ordinance.

SECTION 2. The City Clerk is authorized and directed to have the deeds 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

QUIT CLAIM DEED FOR SEWER PURPOSES

THIS INDENTURE, made on the 22 day of July in the year 2013, by and between **Mill Creek Manor, Inc.**, a corporation of the state of Missouri, hereinafter referred to as "GRANTOR", and the City of Columbia, a municipal corporation in the County of Boone and the State of Missouri, hereinafter referred to as "GRANTEE". GRANTEE'S mailing address is: Post Office Box 6015, Columbia, Missouri 65205.

**Missouri*

WITNESSETH, that the said Grantor in consideration of the sum of TEN DOLLARS and other valuable considerations paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents, Remise, Release, and Forever Quit Claim, unto the said Grantee the following described appurtenances, lying, being and situate in the County of Boone and the State of Missouri, to-wit:

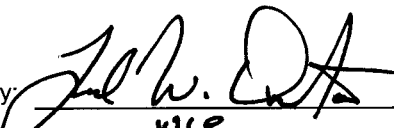
Sanitary sewer improvements to serve the Fox Lair Plat No. 2, consisting of 965 feet of 8" sewer, 5 standard manholes, 1 sanitary sewer cleanout and all appurtenances necessary to make the system complete. The intent is to grant the physical structure components, but not the real estate itself.

TO HAVE AND TO HOLD the same with all the rights, immunities, privileges and appurtenances thereto belonging, unto the said Grantee, FOREVER, for the use as a public sewer; so that neither the said Grantor, nor their successors or assigns, nor any other person or persons for them or in their names 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 Grantor has caused these presents to be signed and attested to by its president the day and year first written above.

Mill Creek Manor, Inc.

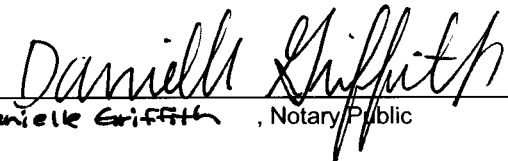
No Seal

By: 
Vice
Fred Overton, President

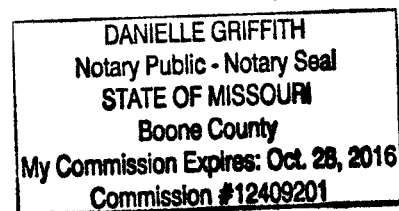
STATE OF MISSOURI)
COUNTY OF BOONE) ss.

On this 22 day of JULY in the year 2013, before me, a Notary Public in and for said state, personally appeared Fred Overton, who being by me duly sworn, acknowledged that he is the president of said corporation and that said instrument was signed in behalf of said corporation 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 corporation to execute the same.

* Vice ** Mill Creek Manor, Inc.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.


Danielle Griffith, Notary Public

My commission expires: 10/28 /2016



CCO FORM: RW01

Approved: 6/93 (TLP)

Revised: 07/13 (AR)

Modified:

COUNTY: Boone

ROUTE: TT / Scott Blvd.

PROJECT: S-1897(1) & J5U0361

FED. PROJECT: N/A

PARCEL: E5-0622

QUITCLAIM DEED

THIS INDENTURE, made this 2nd day of October, 2013, between the State of Missouri, acting by and through the MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION (the grantor), 105 W. Capitol Avenue, Jefferson City, Missouri 65102, party of the first part and the **City of Columbia, Missouri, a Municipal Corporation** in the County of Boone and the State of Missouri, P.O. Box 6015, Columbia, MO 65205-6015 (the grantee), party of the second part,

WITNESSETH: In consideration of the payment of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM to the said party of the second part, a tract of land, lying situated and being in the County of Boone, State of Missouri, to wit:

All Right-of-ways previously conveyed for Supplementary State Highway Route TT in Sections 16, 17, 20 and 21, Township 48 North, Range 13 West, in the City of Columbia, Boone County, Missouri, described as follows:

All the right-of-ways and easements secured by condemnation and described in paragraph 9.31, 9.40 and 9.50 of the document dated March 30, 1957, now of record in Book 4216, page 24.

All the right-of-ways and easements described by deeds of record in Book 3, pages 476, 477, 478, 479, 480, 481, 482 and 483; Book 1028, page 467, Book 1037, page 331, Book 1008, page 205 and Book 279, page 405.

Parcels 29, 39, 42 and 58 in Book 1080, page 974 and Tracts 1 and 2 described in Book 1020, page 388.

EXCEPT any part thereof lying within the boundaries of Tracts A, B and C as shown on the Property Boundary Survey recorded in Book 4189, page 124.

EXCEPT any part thereof lying within the boundary of Tract 1 as shown on the Property Boundary Survey recorded in Book 3945, page 77, Boone County Recorder's Office.

EXCEPT any part thereof lying within the boundary of the property described in deeds of record in Book 1339, page 955 and Book 4185, pages 53 and 54, Boone County Recorder's Office.

All deeds and surveys mentioned above are recorded in Boone County, Missouri.

Grantee, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property, whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

By conveyance through this quitclaim deed, the Missouri Highways and Transportation Commission makes no claim to the resulting title of the above-described property and is merely releasing whatever interest it has to the Grantee. It is incumbent upon Grantee to seek its own professional opinion as to the resulting state of title.

TO HAVE AND TO HOLD THE SAME, with all and singular rights, immunities, privileges, and appurtenances thereunto belonging, unto the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first written above.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

By

Lloyd "Doc" Carmichael
Lloyd "Doc" Carmichael/Chair

ATTEST:

By

Jennifer L. Jorgensen
Asst. Secretary to the Commission
Jennifer L. Jorgensen

ACKNOWLEDGEMENT

STATE OF Missouri)
COUNTY OF Cole)SS

On this 2nd day of October, 2013, before me appeared Lloyd "Doc" Carmichael, to me personally known, who being by my duly sworn did say that he is Chair of Missouri Highways and Transportation Commission; that the seal affixed to the foregoing instrument is the official seal of said Commission; that said instrument was signed and sealed in behalf of said Commission by authority of said Commission, and that said Lloyd "Doc" Carmichael acknowledged said instrument to be the free act and deed of said Commission.

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

Dana L. Kaiser
Notary Public Dana L. Kaiser

My commission expires: July 7, 2015



DANA L. KAISER
My Commission Expires
July 7, 2015
Cole County
Commission #11387567

ACCEPTANCE OF CONVEYANCE

The Quitclaim Deed attached above, made on October 2, 2013, by the State of Missouri, acting by and through the Missouri Highways and Transportation Commission (the "Grantor"), is hereby received and formally accepted by the City of Columbia (the "Grantee" of the deed) on this _____ day of _____, 20____.

This Acceptance is executed by the undersigned City Manager of the City of Columbia, who is authorized by **Ordinance No. 019943** of the City of Columbia, dated June 2, 2008, to accept conveyances of easements and real property for the City of Columbia.

**CITY OF COLUMBIA
GRANTEE**

By: Mike Matthes
City Manager

ATTEST:

By: Sheela Amin
City Clerk

ACKNOWLEDGMENT BY CITY OF COLUMBIA

STATE OF Missouri)
)
COUNTY OF Boone) ss

On this _____ day of _____, 20____, before me appeared Mike Matthes, personally known to me, who being by me duly sworn, did say that he is the City Manager of the City of Columbia and that the foregoing instrument was signed and sealed on behalf of the City of Columbia and that he acknowledged said instrument to be the free act and deed of the City of Columbia and that it was executed for the consideration stated therein and no other.

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

Notary Public

My Commission Expires: _____

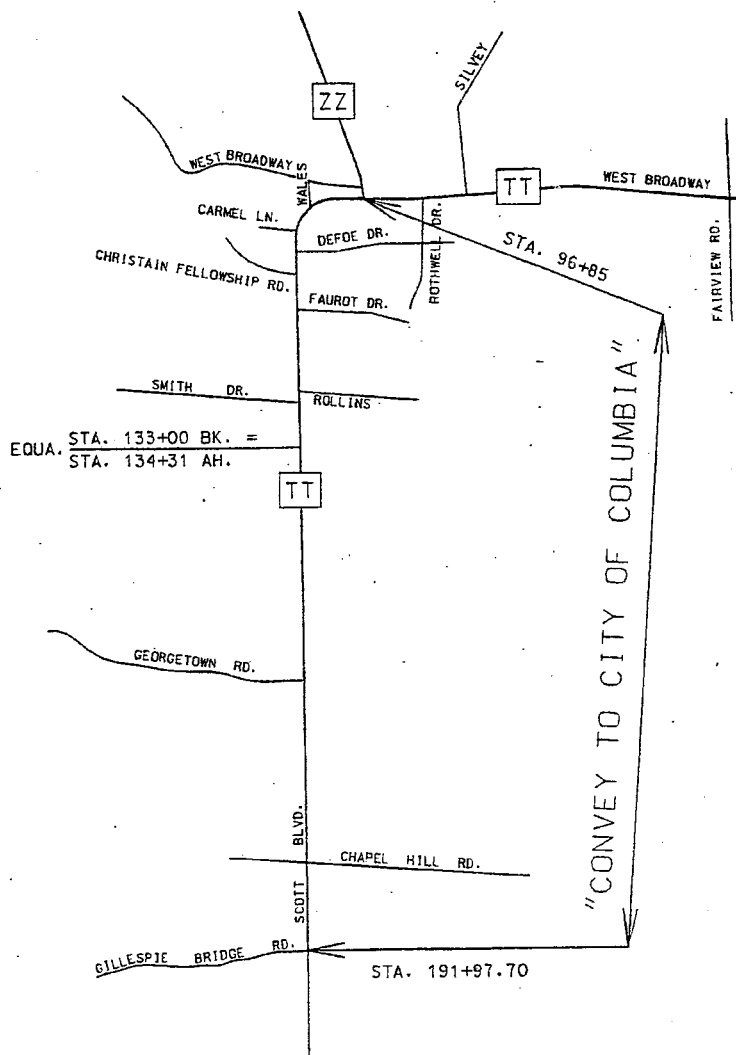
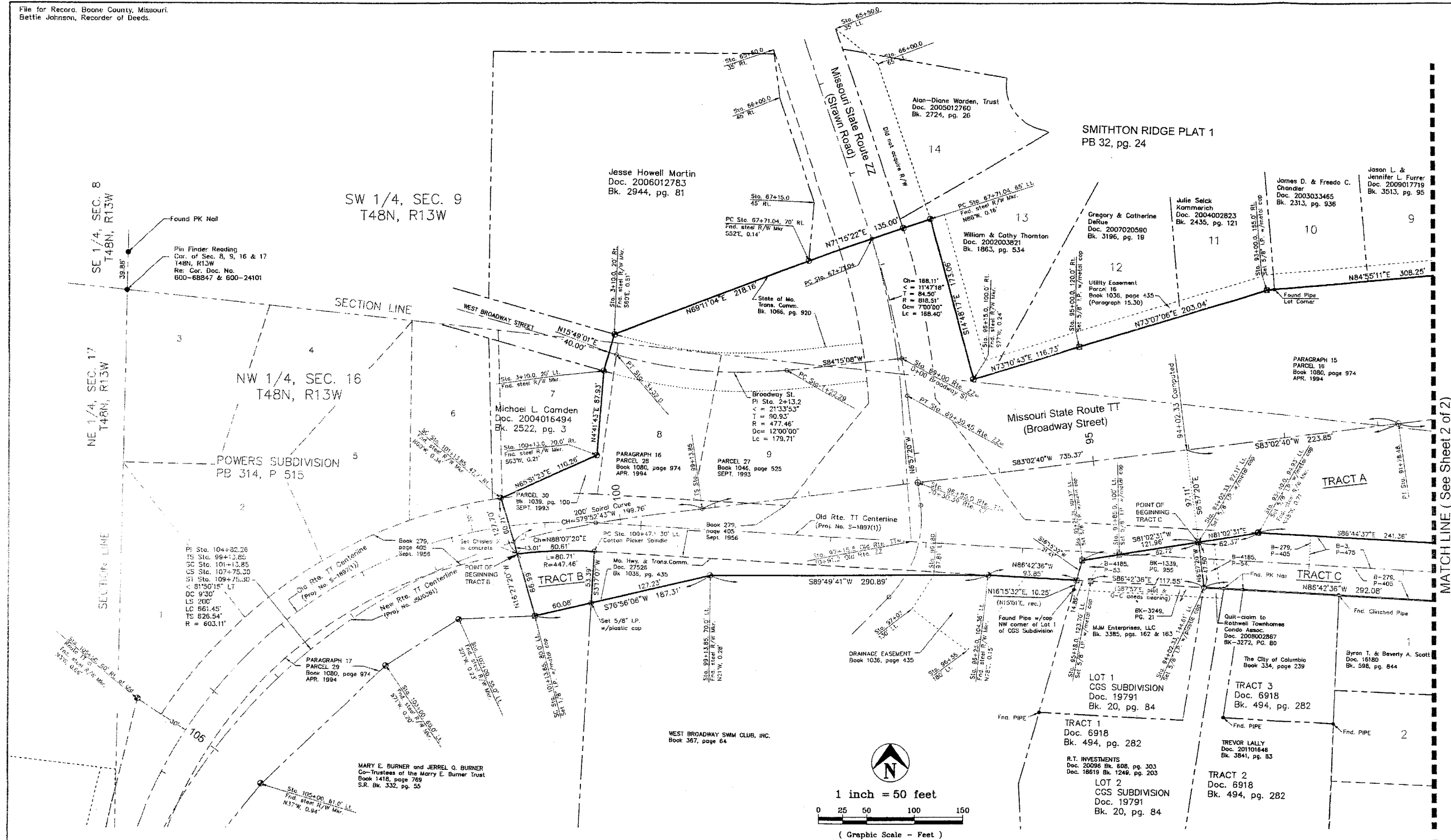


EXHIBIT A
 CONTRACT BETWEEN
 MISSOURI HIGHWAY & TRANSPORTATION
 COMMISSION
 AND
 CITY OF COLUMBIA, MISSOURI
 JOB NO., J5S0917 BOONE COUNTY



TRACT B BOUNDARY DESCRIPTION

Part of the Missouri State Route TT right-of-way (Project No. J500361) being situated in and a part of the Northwest Quarter of Section 16, Township 48 North, Range 13 West in the City of Columbia, Boone County, Missouri, more particularly described as follows:

From a pipe marking the South Quarter of Section 9, Township 48 North, Range 13 West; thence N1°07'32\"

TRACT C BOUNDARY DESCRIPTION

Part of the Missouri State Route TT right-of-way (Project No. J500361) being situated in and a part of the Northwest Quarter of Section 16, Township 48 North, Range 13 West in the City of Columbia, Boone County, Missouri, more particularly described as follows:

From a pipe marking the South Quarter of Section 9, Township 48 North, Range 13 West; thence N1°07'32\"

BASIS OF BEARINGS: New Missouri State Route TT, plans (Project No. J500361).

RECORD SOURCE: Deeds of record in Book 3, pages 473 & 475, Book 279, page 405, Book 1036, page 435, Book 1039, page 100, Book 1046, page 525, Book 1066, page 920, Book 1080, page 974.

- Found Existing Monument (As noted)
- Set 5/8\"
- Found R/W Marker (As noted)
- Set 5/8\"
- Record distances are shown in parenthesis

SURVEYOR'S CERTIFICATE

This is to certify that at the request of Nicole Kolb Hood, P.E., District Design Engineer, Missouri Department of Transportation, a Property Boundary Survey was made under my personal direction regarding the property and right-of-ways shown and described on this plat and that the results of said survey are represented correctly hereon. This survey was executed in accordance with the current Missouri Minimum Standards for a Suburban Property Boundary Survey.

In Witness whereof, I have hereunto set my hand and seal this 18th day of July, 2013.

Keith M. Brickey, Mo. PLS #2578

NOTARY

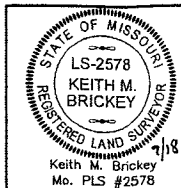
Subscribed and sworn before me on this 18th day of July, 2013.

My commission expires August 20, 2015.

Gregory Dorge, Notary Public, State of Missouri, Commission # 1120799, My Commission Expires 03/20/2015

Recorded in Boone County, Missouri
Date and Time: 07/18/2013 at 02:58:24 PM
Instrument #: 2013018385 Book: 4189 Page: 124

Drawn: BRICKEY, KEITH M
Checked: MISSOURI DEPARTMENT OF TRANSPORTATION
Instrument Type: SUR
Resolving Fee: \$39.00
No. of Pages: 2
Bettie Johnson, Recorder of Deeds



Central Missouri Professional Services, Inc.
ENGINEERING - SURVEYING - MATERIALS TESTING
2500 E. McCARTY
JEFFERSON CITY, MISSOURI 65101
Phone (573) 634-3455
Fax (573) 634-8898

Central Missouri Professional Services, Inc. ENGINEERING - SURVEYING - MATERIALS TESTING 2500 E. McCARTY JEFFERSON CITY, MISSOURI 65101 Phone (573) 634-3455 Fax (573) 634-8898			
TITLE PROPERTY BOUNDARY SURVEY (Route TT R/W) Secs. 9 & 16, T48N, R13W, City of Columbia, Boone Co., Mo.			
FOR The Missouri Department of Transportation			
DATE July 18, 2013	DRW. BY DGS	SCALE 1\"	BOOK GPS DATA
KEY DATE	CHK. BY JBR	SHEET 1 of 2	JOB NO. 13-010

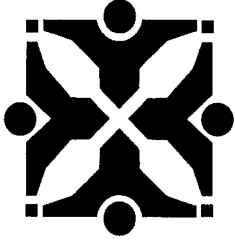
BASIS OF BEARINGS: New Missouri State Route
TT, plans (Project No. J5U0361).

- Found Existing Monument (As noted)
- Set 5/8" Iron Pin w/plastic cap
- ⊗ Found R/W Marker (As noted)
- ⊠ Set 5/8" Iron Pin w/Metal cap

() Record distances are shown in parenthesis

NE 1/4, SEC. 16
T48N, R13W

	Central Missouri Professional Services, Inc.			
	ENGINEERING - SURVEYING - MATERIALS TESTING			
	2500 E. McCARTY		Phone (573) 634-1455	
	JEFFERSON CITY, MISSOURI 65101		FAX (573) 634-8366	
TITLE	PROPERTY BOUNDARY SURVEY (Route Tt R/W) Secs. 9 & 16, T48N, R13W, City of Columbia, Boone Co., Mo.			
FOR	The Missouri Department of Transportation			
DATE	July 18, 2013	DRAWN BY	DGS	SCALE 1"=50'
REV.				BOOK GPS DATA



Source: Public Works

John

Agenda Item No:

To: City Council
From: City Manager and Staff

MM

Council Meeting Date: Nov 4, 2013

Re: Accepting Quit Claim Deeds

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration legislation accepting quit claim deeds. The documents are listed below under discussion.

DISCUSSION:

1. Quit Claim Deed for Sewer Purposes from Mill Creek Manor Inc., to serve the Fox Lair Plat No. 2.
2. Quit Claim Deed for Road Relinquishment Purposes from the Missouri Highways and Transportation Commission located in Sections 16-48-13, 17-48-13, 20-48-13 and 21-48-13.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the legislation accepting the quit claim deeds.

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 #	