

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 334-12

AN ORDINANCE

accepting a conveyance for water 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 water utility purposes from Kurlander Boggs Investments, LLC, dated October 22, 2012, 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 _____, 2012.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

GRANT OF EASEMENT FOR WATER UTILITY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

THAT, Kurlander Boggs Investments, LLC, a Limited Liability Company of the State of Colorado, hereinafter referred to as Grantor, on this 22nd day of October, 2012, in consideration of the sum of Ten Dollars to us in hand paid by the City of Columbia, Missouri, a municipal corporation located in the County of Boone and the State of Missouri, hereinafter referred to as Grantee, whose mailing address is P.O. 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 water mains, including the necessary pipes, valves, manholes, hydrants, and other appurtenances, 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 TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF LOT 1 OF PINE GROVE PLAT 2 AS RECORDED IN PLAT BOOK 46, PAGE 6 OF THE BOONE COUNTY RECORDS AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1, THENCE ALONG THE EAST LINE OF SAID LOT 1, N0°16'50"W, 153.57 FEET; THENCE LEAVING SAID EAST LINE, S89°43'10"W, 97.70 FEET TO THE POINT OF BEGINNING; THENCE N66°48'25"W, 20.00 FEET; THENCE N23°11'35"E, 20.00 FEET; THENCE S66°48'25"E, 20.00 FEET; THENCE S23°11'35"W, 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 400 SQUARE FEET. (See attached Exhibit "A").

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 WITNESS WHEREOF, the Grantor has hereunto set its hand the day and year first above written.

KURLANDER BOGGS INVESTMENTS, LLC

By *Jonathan Boggs*
Jonathan Boggs, Member

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES

On this 22 day of OCTOBER, 2012, before me, a notary public, appeared Jonathan Boggs, Member of Kurlander Boggs Investments, LLC, a Limited Liability Company of the State of COLORADO and that said instrument was signed in behalf of said limited liability company and that said Member further acknowledged to me that he executed the same for the purposes therein stated and that he have been granted the authority by said limited liability company to execute the same.

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

My commission expires: DEC. 25, 2013

Martie Bayha
Notary Public

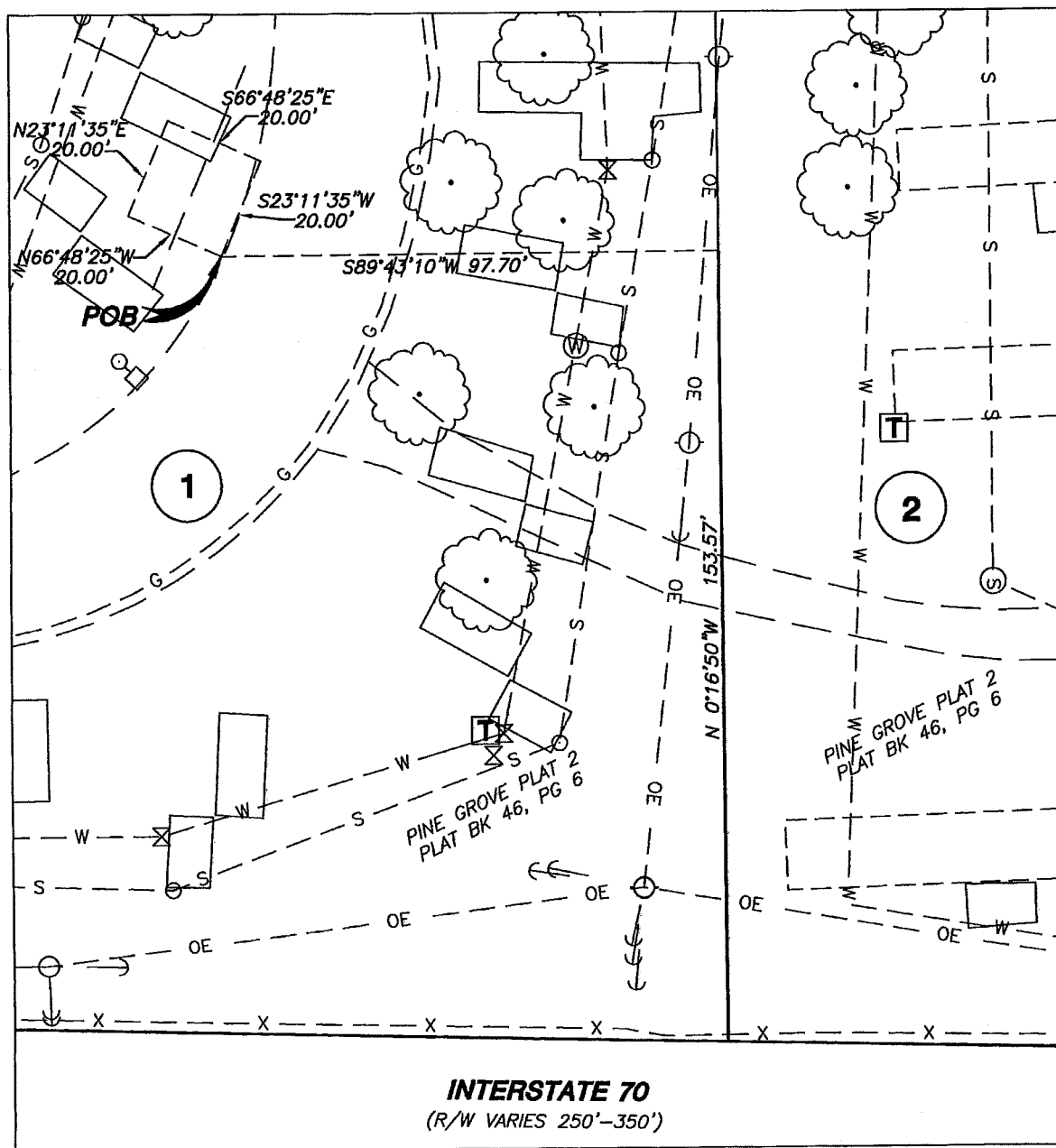
Martie Bayha

Pine Grove Village Mobile Home Park
WO201238
WF1703216/Job 8/WT0128

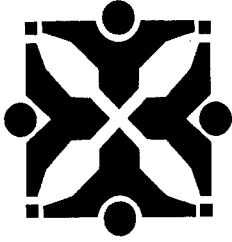


CITY W&L WATER AS-BUILT EASEMENT EXHIBIT PINE GROVE VILLAGE

"A"



SCALE: 1" = 30'
0 15 30 60



Source: Water & Light

A handwritten signature in black ink, likely of the City Manager.

Agenda Item No:

To: **City Council**
From: **City Manager and Staff**

Handwritten initials 'MM' in black ink.

Council Meeting Date: Nov 19, 2012

Re: Accepting a conveyance

EXECUTIVE SUMMARY:

This ordinance is to accept a conveyance for utility purposes.

DISCUSSION:

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

Grant of easement for water utility purposes from Kurlander Boggs Investment, LLC dated October 22, 2012.

FISCAL IMPACT:

None

VISION IMPACT:

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

SUGGESTED COUNCIL ACTIONS:

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

/jmm

Attachment

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 #	