

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned

Term. 20 05

In the County Commission of said county, on the

29<sup>th</sup>

day of November

20 05

the following, among other proceedings, were had, viz:

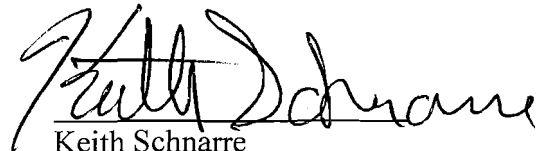
Now on this day the County Commission of the County of Boone does hereby approve the request by James and Melanie Abernathy and Hemme Construction LLC to approve a Final Development Plan for Golf View Gardens on 14.1 acres located at 7400 E. St. Charles Rd., Columbia.

Done this 29<sup>th</sup> day of November, 2005.

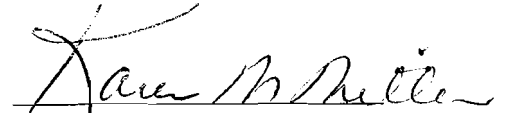
ATTEST:



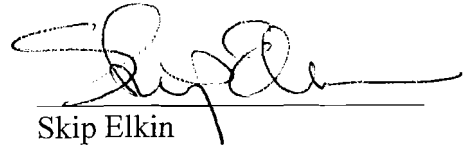
Wendy S. Noren  
 Clerk of the County Commission



Keith Schnarre  
 Presiding Commissioner



Karen M. Miller  
 District I Commissioner



Skip Elkin  
 District II Commissioner

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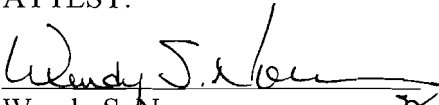
20 05

the following, among other proceedings, were had, viz:

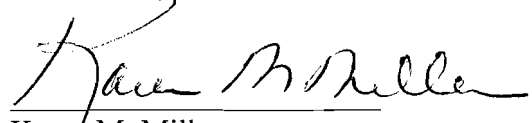
Now on this day the County Commission of the County of Boone does hereby approve the petition submitted by Kristina Metcalf to vacate and re-plat Lot 2 of Little Horse Acres Subdivision (located on Mt. Zion Church Rd. west of State Highway B). Said vacation is not to take place until the re-plat is approved.

Done this 29<sup>th</sup> day of November, 2005.

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

  
Keith Schnarre  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Skip Elkin  
District II Commissioner

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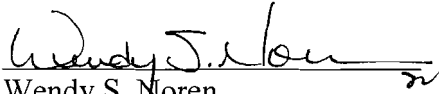
20 05

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the petition submitted by P & M Sales, Inc. to vacate and re-plat Lot 6 of Boone Industrial Park North Block 2 (located at the intersection of Highway 763 and Boone Industrial Blvd.). Said vacation is not to take place until the re-plat is approved.

Done this 29<sup>th</sup> day of November, 2005.

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

  
Keith Schnarre  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Skip Elkin  
District II Commissioner

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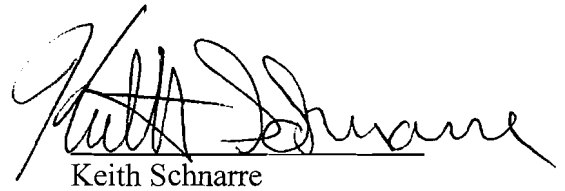
day of November

20 05

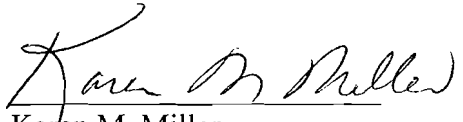
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby deny the petition submitted by Alvin Barkley to vacate and re-plat Lot 2 of Pin Oak Subdivision Block 2 (located on Pin Oak Blvd. north of St. Charles Rd.).

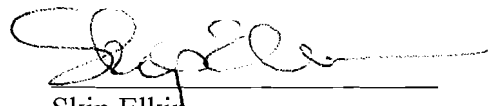
Done this 29<sup>th</sup> day of November, 2005.



Keith Schnarre  
Presiding Commissioner

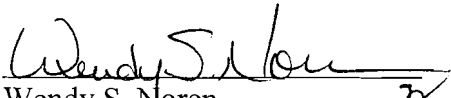


Karen M. Miller  
District I Commissioner



Skip Elkin  
District II Commissioner

ATTEST:



Wendy S. Noren  
Clerk of the County Commission

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Term. 20 05

In the County Commission of said county, on the 29<sup>th</sup> day of November 20 05

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby deny the petition submitted by Jerry Swartz to vacate and re-plat Lot 2 of Inscore Subdivision (located on Robinson Road south of Highway 124).

Done this 29<sup>th</sup> day of November, 2005.

Keith Schnarre  
Presiding Commissioner

ATTEST:

Wendy S. Noren  
Clerk of the County Commission

Karen M. Miller  
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29<sup>th</sup>

day of November

20 05

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the Request by Kirby McKenzie Construction, Inc. to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 10.31 acres, more or less, located at 5260 Liddell Ln., Columbia.

Done this 29<sup>th</sup> day of November, 2005.

Keith Scharre  
Presiding Commissioner

Karen M. Miller  
District I Commissioner

Skip Elkin  
District II Commissioner

ATTEST:

Wendy S. Noren  
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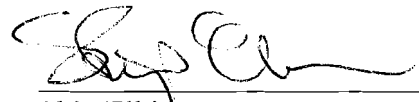
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the request by Gilpin – Sells LLC on behalf of Bobcat of St. Louis to rezone from R-SP (Planned Single Family Residential) to C-GP (Planned Commercial) of 4.89 acres, at 6989 I-70 Drive NE, Columbia.

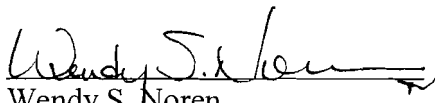
Done this 29<sup>th</sup> day of November, 2005.

  
Keith Schnarre  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Skip Elkin  
District II Commissioner

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

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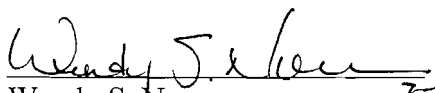
the following, among other proceedings, were had, viz:

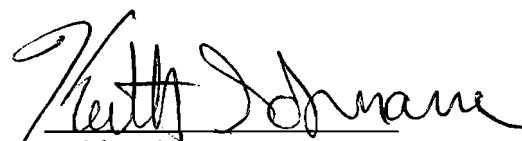
Now on this day the County Commission of the County of Boone does hereby approve the request by Gilpin – Sells LLC on behalf of Bobcat of St. Louis to approve a revised Review Plan located at 6989 I-70 Drive NE, Columbia, with the following conditions:

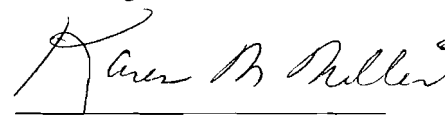
- The developer shall coordinate planning and construction of wastewater treatment facilities with the Boone County Regional Sewer District.
- Change the note indicating the size of the freestanding sign to reflect the maximum sign size of 80-square feet.
- Change the note indicating the number of entrance/exit signs to reflect that the maximum number of such signs is one.
- Change the Parking Calculations note to be compliant the requirements of the zoning regulations and revise the site plan to show the required number of parking spaces.

Done this 29<sup>th</sup> day of November, 2005.

ATTEST:

  
Wendy S. Noren  
Clerk of the County Commission

  
Keith Schnarre  
Presiding Commissioner

  
Karen M. Miller  
District I Commissioner

  
Skip Elkin  
District II Commissioner



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20 05

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the request by Gilpin – Sells LLC on behalf of Bobcat of St. Louis to approve a Preliminary Plat located at 6989 I-70 Drive NE, Columbia.

Done this 29<sup>th</sup> day of November, 2005.

Keith Schnarre  
Presiding Commissioner

ATTEST:

Wendy S. Noren  
Clerk of the County Commission

Karen M. Miller  
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Skip Elkin  
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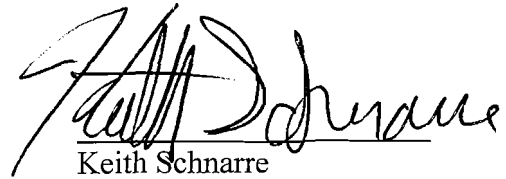
Term. 20 05

In the County Commission of said county, on the 29<sup>th</sup> day of November 20 05

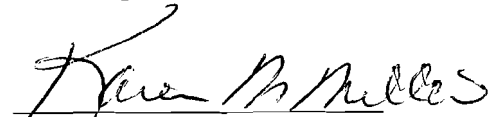
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby receive and accept Perche Hills Estates Plat 2. It is further ordered that the Presiding Commissioner be hereby authorized to sign said plat.

Done this 29<sup>th</sup> day of November, 2005.



Keith Schnarre  
Presiding Commissioner

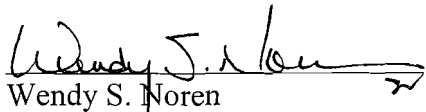


Karen M. Miller  
District I Commissioner



Skip Elkin  
District II Commissioner

ATTEST:



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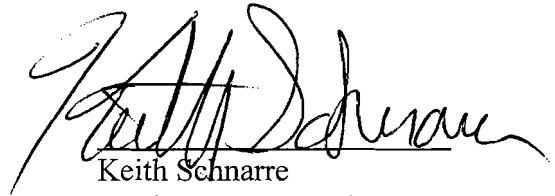
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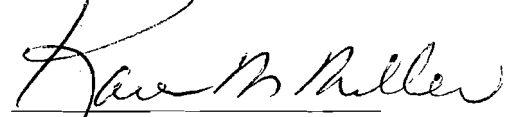
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby award bid 66-03NOV05 for Fencing and Appurtenances Term and Supply to Custom Fence. It is further ordered that the Presiding Commissioner be hereby authorized to sign said contract.

Done this 29<sup>th</sup> day of November, 2005.



Keith Schnarre  
Presiding Commissioner

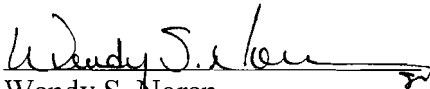


Karen M. Miller  
District I Commissioner



Skip Elkin  
District II Commissioner

ATTEST:



Wendy S. Noren  
Clerk of the County Commission

# Boone County Purchasing

Heather Turner, CPPB  
Buyer



601 E. Walnut, Room 209  
Columbia, MO 65201  
Phone: (573) 886-4392  
Fax: (573) 886-4390

467-2005

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## MEMORANDUM

TO: Boone County Commission  
FROM: Heather Turner, CPPB  
DATE: November 21, 2005  
RE: 66-03NOV05 Fencing and Appurtenances Term & Supply

The Bid for Fencing and Appurtenances for the Boone County Public Works Department closed on November 3, 2005. Two (2) bids were received. Purchasing and the Public Works Department recommend award to Custom Fence for submitting the low bid. Don Abell performed an analysis of cost based on a sample fencing scenario and his analysis is attached to this memo.

This Term & Supply contract will be paid out of department 2040 Maintenance Operations, Account Number 71100 – Outside Services.

Please find attached a copy of the bid tabulation and a cost analysis from Public Works for your review.

ATT: Bid Tabulation  
Public Works Memo and Cost Analysis

cc: Don Abell, Public Works  
David Mink, Public Works  
Bid File

# Boone County Public Works



**Don Abell, P.E.**  
Manager  
Engineering Design and Construction

5551 Highway 63 South  
Columbia MO 65201-9711  
Phone (573) 449-8515 ext. 236  
Fax (573) 875-1602  
E-mail: [dabell@boonecountymo.org](mailto:dabell@boonecountymo.org)

---

TO: Melinda Bobbitt, CPPB -- Director of Purchasing

FROM: Don Abell, Manager - <sup>DA</sup>Public Works Design & Construction

DATE: November 15, 2005

RE: BID AWARD RECOMMENDATION  
BID #66-03NOV05 Fencing and Appurtenances Term and Supply

The Public Works Department recommends award of the **Fencing and Appurtenances Term and Supply** contract to **Custom Fence**.

Two vendors submitted Bid Proposals. After evaluating the bids, my conclusion is that the unit prices provided by Custom Fence will result in the best value for the County under most ordinary scenarios. One example scenario that I used to come to this conclusion is attached.

Custom Fence has also provided the lowest renewal rate increase, quicker response time, and provided unit prices for all bid items. The other vendor did not submit unit prices for all of the bid items.

Staff from this department have inspected previous work performed by Custom Fence in Boone County and have reported satisfactory results.

cc: David Mink, Director - Public Works  
Chip Estabrooks, Manager -- Maintenance & Operations Division  
John Watkins, Project Development Manager

**Boone County Public Works**

2005 Term & Supply Fence Bids - Sample Scenario for Comparison of Bidders

11/09/05

Given: 200 linear feet of woven wire fence w/ 2 strands of barbed wire and fence posts in rock.

	Labor Cost (\$/HR) Assume 5 HR	7" Corner Post (\$/EA) 2 EA	6" Brace Post (\$/EA) 2 EA	4" Wood Line Post (\$/EA) 19 EA	2" Pipe Brace (\$/EA) 2 EA	Rock Excav. Corner Post (\$/EA) 4 EA	Rock Excav. Line Post (\$/EA) 19 EA	Woven Wire Fence w/ 2 Strand Barb (\$/LF) 200 LF	TOTAL
<b>Tiger Fence Co.</b>									
Unit Prices	\$110.00/HR	\$32.00/EA	\$21.00/EA	\$12.20/EA	\$11.30/EA	\$46.00/EA	\$45.00/EA	\$6.20/LF	
Total Prices	\$550.00	\$64.00	\$42.00	\$231.80	\$22.60	\$180.00	\$855.00	\$1,240.00	\$3,185.40
<b>Custom Fence</b>									
Unit Prices	\$0.00/HR	\$24.00/EA	\$19.00/EA	\$12.00/EA	\$18.00/EA	\$100.00/EA	\$50.00/EA	\$7.25/LF	
Total Prices	\$0.00	\$48.00	\$38.00	\$228.00	\$36.00	\$400.00	\$950.00	\$1,450.00	\$3,150.00

This is probably the best case for Tiger Fence Co. and worst case for Custom Fence, and yet Custom Fence still appears to be the best value. (In rock and less than 660 lf and assuming 5 hours labor is probably low.)

Note: The \$0 /HR labor rate for Custom Fence is correct. All labor was included in the unit bid prices for each bid item.

**Bid Tab 66-03NOV05**  
**Bid Tab 66-03NOV05**  
**Fencing & Appurtenances Term and Supply**  
**4.7. PRICING**

Description	Custom Fence		Tiger Fence Co	
	Unit	Unit Price	Unit	Unit Price
4.7.1. Hourly Labor Rate	HR	\$0.00	HR	\$110.00
4.7.2. 4-Strand Barbed Wire	LF	\$4.50	LF	\$4.20
4.7.3. 5-Strand Barbed Wire	LF	\$4.50	LF	\$4.86
4.7.4. Woven Wire w/ 1 Strand Barbed Wire	LF	5.5/7.00	LF	\$5.75
4.7.5. Woven Wire w/ 2 Strand Barbed Wire	LF	5.75/7.25	LF	\$6.20
4.7.6. 48" Non-Climb Horse Fence	LF	6.25/7.75	LF	\$6.95
4.7.7. 60" Non-Climb Horse Fence	LF	6.25/7.75	LF	\$8.21
4.7.8. Optional 1 1/2" X 6" Rough Cut Pine Kick Board	LF	7.00/8.5	LF	\$1.90
4.7.9. 7" diam. X 8'-0" Wood Corner Brace	EA	\$24.00	EA	\$32.00
4.7.10. 6" diam. X 8'-0" Wood Internal Brace	EA	\$19.00	EA	\$21.00
4.7.11. 4" diam. X 8'-0" Wood Line Post	EA	\$12.00	EA	\$12.20
4.7.12. Metal T-Post – 6'-0" Minimum	EA	\$3.90	EA	\$4.95

	4" Yellow Pine Wood Brace with Galvanized Tie Wires	EA	\$9.50	EA		\$11.30
4.7.13.	2" Galvanized Pipe Brace	EA	\$18.00	EA		\$11.30
4.7.14.	U-Channel Post Brace	EA	\$19.00	EA	N/A	
4.7.15.						
4.7.16.	Gate Brace	EA	\$15.00	EA		\$21.80
4.7.17.	4' Gate	EA	\$56.00	EA		\$70.00
4.7.18.	8' Gate	EA	\$75.00	EA		\$82.36
4.7.19.	10' Gate	EA	\$120.00	EA		\$95.62
4.7.20.	12' Gate	EA	\$135.00	EA		\$185.09
4.7.21.	14' Gate	EA	\$140.00	EA		\$203.72
4.7.22.	16' Gate	EA	\$145.00	EA		\$225.62
4.7.23.	18' Gate	EA	\$150.00	EA	N/A	
4.7.24.	Rock Excavation for Corner Posts	EA	\$100.00	EA		45/hole
4.7.25.	Rock Excavation for Line Posts	EA	\$50.00	EA		45/hole



	Concrete for Line Posts that Require Rock Excavation	EA	\$14.00	EA	\$20.00
4.7.26.					
4.8.1.	% 1 <sup>st</sup> Renewal Period		10%		35%
4.8.2.	2 <sup>nd</sup> Renewal Period		15%		35%
4.10.	Co-op	YES		YES	
4.11.	Number of days notice must be proved prior to expected installation	5 to 7		2 Weeks	
4.12.	how many crews would be available to cover multiple projects:	2		Yes	

**PURCHASE AGREEMENT  
FOR  
FENCING AND APPURTENANCES TERM AND SUPPLY**

THIS AGREEMENT dated the 29 day of NOV 2005 is made between Boone County, Missouri, a political subdivision of the State of Missouri through the Boone County Commission, herein "County" and **Custom Fence**, herein "Contractor".

IN CONSIDERATION of the parties performance of the respective obligations contained herein, the parties agree as follows:

1. **Contract Documents** - This agreement shall consist of this Purchase Agreement for **Fencing and Appurtenances Term and Supply**, County of Boone Request for Bid, bid number **66-03NOV05**, Introduction and General Conditions of Bidding, Primary Specifications, Response Presentation and Review, the un-executed Response Form, Standard Terms and Conditions, any applicable addenda, as well as the Contractor's bid response dated October 20, 2005 and executed by Michael Small, on behalf of the Contractor. All such documents shall constitute the contract documents, which are attached hereto and incorporated herein by reference. Service or product data, specification and literature submitted with bid response may be permanently maintained in the County Purchasing Office bid file for this bid if not attached. In the event of conflict between any of the foregoing documents, the Introduction and General Conditions of Bidding, Primary Specifications, Response Presentation and Review, the un-executed Response Form, Standard Terms and Conditions, and any applicable addenda shall prevail and control over the Contractor's bid response.

2. **Contract Duration** - This agreement shall commence on Date of Award and extend through December 31, 2006 subject to the provisions for termination specified below. This agreement may be extended beyond the expiration date by order of the County for two (2) additional one year periods subject to the pricing clauses in the Contractor's bid response and thereafter on a month to month basis in the event the County is unable to re-bid and/or award a new contract prior to the expiration date after exercising diligent efforts to do so or not.

3. **Purchase** - The County agrees to purchase from the Contractor and the Contractor agrees to supply the County all items per the bid specifications and responded to in section 4.7.1. through 4.7.26., and in conformity with the contract documents for the prices set forth in the Contractor's bid response, as needed and as ordered by County.

4. **Delivery and Installation** - Contractor agrees to deliver and install the items as specified in the Contractor's bid response and as requested by the County.

5. **Billing and Payment** - All billing shall be invoiced to the Boone County Public Works Department and billings may only include the prices listed in the Contractor's bid response. No additional fees for delivery or extra services not included in the bid response or taxes shall be included as additional charges in excess of the charges in the Contractor's bid response to the specifications. The County agrees to pay all invoices within thirty days of receipt; Contractor agrees to honor any cash or prompt payment discounts offered in its bid response if county makes payment as provided therein. In the event of a billing dispute, the County reserves the right to withhold payment on the disputed amount; in the event the billing dispute is resolved in favor of the Contractor, the County agrees to pay interest at a rate of 9% per annum on disputed amounts withheld commencing from the last date that payment was due.

6. **Binding Effect** - This agreement shall be binding upon the parties hereto and their successors and assigns for so long as this agreement remains in full force and effect.

**7. Entire Agreement** - This agreement constitutes the entire agreement between the parties and supersedes any prior negotiations, written or verbal, and any other bid or bid specification or contractual agreement. This agreement may only be amended by a signed writing executed with the same formality as this agreement.

**8. Termination** - This agreement may be terminated by the County upon thirty days advance written notice for any of the following reasons or under any of the following circumstances:

- a. County may terminate this agreement due to material breach of any term or condition of this agreement, or
- b. County may terminate this agreement if in the opinion of the Boone County Commission if delivery of products are delayed or products delivered are not in conformity with bidding specifications or variances authorized by County, or
- c. If appropriations are not made available and budgeted for any calendar year.

**IN WITNESS WHEREOF** the parties through their duly authorized representatives have executed this agreement on the day and year first above written.

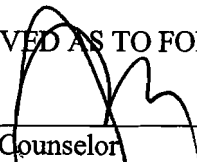
**CUSTOM FENCE**

by Michael Small  
 title Owner  
 address RR3 Box 268  
Memphis MO, 63555

**BOONE COUNTY, MISSOURI**

by Boone County Commission  
  
 Keith Schmarre, Presiding Commissioner

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 County Counselor

ATTEST:

Wendy S. Noren  
 \_\_\_\_\_  
 Wendy S. Noren, County Clerk

**AUDITOR CERTIFICATION**

In accordance with RSMo 50.660, I hereby certify that a sufficient unencumbered appropriation balance exists and is available to satisfy the obligation(s) arising from this contract. (Note: Certification of this contract is not required if the terms of this contract do not create a measurable county obligation at this time.)

2040-71100 Term/Supply

no encumbrance required      11/22/05  
 Signature Coyse      Date      Appropriation Account

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

November Session of the October Adjourned

Term. 20 05

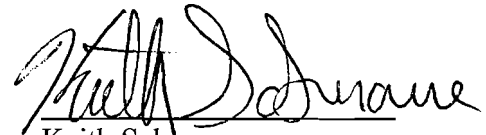
In the County Commission of said county, on the 29<sup>th</sup> day of November 20 05

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the following:

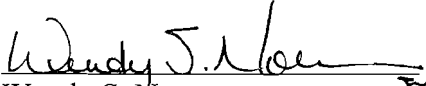
- Grant of Easement for Water Utility Purposes
- Temporary Grant of Easement for Water Utility Purposes

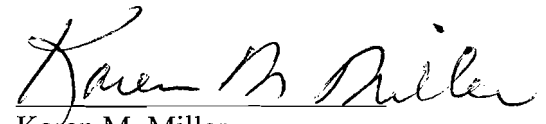
Done this 29<sup>th</sup> day of November, 2005.



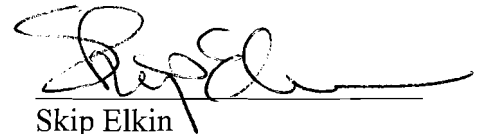
Keith Schharre  
 Presiding Commissioner

ATTEST:

  
 Wendy S. Noren  
 Clerk of the County Commission



Karen M. Miller  
 District I Commissioner



Skip Elkin  
 District II Commissioner

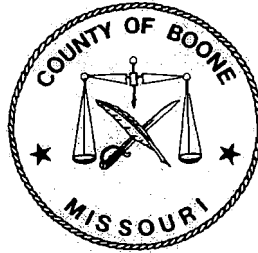
468-2005

# Boone County Public Works

**David W. Mink, P.E.**

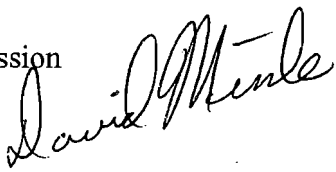
Director of Public Works

- ❖ Maintenance Operations Division
- ❖ Design and Construction Division
- ❖ Facilities Maintenance Division



5551 Highway 63 South  
Columbia, Missouri 65201-9711  
(573) 449-8515 ext (223)  
FAX (573) 875-1602  
EMAIL: dmink@boonecountymo.org

---

Date: November 21, 2005  
To: County Commission  
From: David Mink   
Subject: City of Columbia Waterline Easement at MKT Trail

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The City of Columbia has proposed an easement along the MKT Trail for placement of a large diameter waterline. Permanent and temporary easement requests are provided for execution. The County Counselor and the County Surveyor both have reviewed these documents. The County Commission may wish to donate this property but if not the City has provided a land value appraisal which can be made available. We have worked with City engineering staff to minimize conflicts with the trail and with possible future land uses. The City has provided plans and specifications and we are satisfied that there is sufficient language for adequate site restoration and for specific protection of the large oak tree.

Thank you.

Cc: Ken Roberts  
File



Recorded In Boone County, Missouri

Date and Time: 12/06/2005 at 01:20:53 PM

Instrument #: 2005035002 Book: 2857 Page: 146

Grantor: BOONE COUNTY MISSOURI

Grantee: COLUMBIA CITY OF MISSOURI

Instrument Type: ESMT

Recording Fee: \$30.00 S

No. of Pages: 3

*Bettie Johnson*  
Bettie Johnson, Recorder of Deeds



## TEMPORARY GRANT OF EASEMENT FOR WATER UTILITY PURPOSES

ord #18726

KNOW ALL MEN BY THESE PRESENTS:

This Indenture, made and entered into this 29 day of NOVEMBER, 2005, by and between Boone County, Missouri, a political subdivision of the State of Missouri, through its County Commission, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars to us in hand paid by the City of Columbia, Missouri, a municipal corporation, whose mailing address is P.O. Box 6015, Columbia, MO 65205, hereinafter referred to as Grantee (City), the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, an easement for the right, privilege, and authority for use only during construction of a water main, to store materials, operate and park equipment over, across, and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to-wit:

(1) A strip of land, 100 (one hundred) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows:

Starting at the southwest corner of Section 31-48-13, thence S 85°32'10"E, along the section line, 485.73 feet to the centerline of the abandoned M.K.&T. railroad; thence along said centerline, N 44°45'E 388.4 feet; thence along a curve to the left having a radius of 2864.79 feet, a distance of 399.6 feet, the chord being N 40°45'30"E 399.2 feet, to the southerly line of Parcel I of a survey recorded in book 838 page 634; thence along the lines of said Parcel I, S 53°24'E 50.0 feet; thence S 64°07'30"E 311.0 feet; thence N 44°57'30"E 36.1 feet; thence N 23°15'E 154.2 feet; thence N 48°04'E 92.8 feet; thence N 70°24'E 134.4 feet; thence N 64°13'E 357.6 feet; thence S 83°00'30"E 205.8 feet; thence N 77°31'E 195.3 feet; thence N 84°38'30"E 203.4 feet; thence N 80°34'E 372.8 feet; thence N 76°16'E 786.0 feet; thence S 62°22'E 164.9 feet; thence N 79°25'E 265.5 feet; thence N 70°14'E 307.2; thence along a curve to the left having a radius of 200 feet, a distance of 348.9 feet, the chord being N 20°15'E 306.3 feet; thence N 29°44'W 567.4 feet; thence N 24°16'W 123.24 feet to the point of beginning.

From the point of beginning, leaving the lines of said Parcel I, S 41°32'40"W 109.62 feet to the end of the centerline at a point on the line of said Parcel I, being N 24°16'00"W 83.09 feet from a corner thereof.

(2) A strip of land, 70 (seventy) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows: Starting at the southwest corner of Section 31-48-13, thence S 85°32'10"E, along the section line, 485.73 feet to the centerline of the abandoned M.K.&T. railroad; thence along said centerline, N 44°45'E 388.4 feet; thence along a curve to the left having a radius of 2864.79 feet, a distance of 399.6 feet, the chord being N 40°45'30"E 399.2 feet, to the southerly line of Parcel I of a survey recorded in book 838 page 634; thence along said line, S 53°24'E 50.0 feet; thence S 64°07'30"E 133.49 feet to the point of beginning.

From the point of beginning, leaving the southerly line of said Parcel I, N 31°45'E 60.26 feet to the end of the centerline at a point on the northerly line of said Parcel I, being N 64°07'30"W 82.00 feet from a corner thereof.

(3) A strip of land, 70 (seventy) feet wide, located in the southeast quarter of Section 29 T48N R13W in Boone County, Missouri, being part of Tract B of a survey recorded in book 986 page 776, and described by warranty deeds recorded in book 903 page 627 and book 2643 page 68, the centerline described as follows:

Starting at the northwest corner of Tract B of a survey recorded in book 986 page 776, shown by said survey as being N 0°46'30"E 1397.29 feet and N 84°43'00"W 1043.92 feet from the southeast corner of Section 29-48-13; thence S 21°32'30"W, along the westerly line thereof, 122.22 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract B of said survey, S 84°43'30"E 59.79 feet; thence S 71°46'00"E 1012.87 feet to the end of the centerline, at a point on the westerly right-of-way of Scott Boulevard, being S 2°52'00"W 87.91 feet from the 55 foot right-of-way at Station 23+60.

The use granted by this temporary construction easement is to expire 30 days after the acceptance of the water main by the City of Columbia or 18 months from the date of this document, which ever is sooner.

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 during the term of this easement for the purpose of exercising any of the rights herein granted, and includes, also, the right to trim, cut, clear, or remove, from said easement, trees, brush, and any and all obstructions of whatsoever kind or character which, in the judgment of said City, may endanger the safety of or interfere with the operation and maintenance of said City's facilities; and the right of ingress and egress to and from the herein described easement 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 which, in the judgment of the City, shall interfere with the construction, placement, operation, and maintenance of the City's facilities.

IN WITNESS WHEREOF, the said Grantor has been duly authorized to hereunto set its hand and seal the day and year first above mentioned.

ATTEST:

Boone County, Missouri  
By Its County Commission

By Wendy S. Noren  
Wendy S. Noren, County Clerk

By Keith Schnarre  
Keith Schnarre, Presiding Commissioner

STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF BOONE     )

On this 29 day of NOVEMBER, 2005, before me appeared Keith Schnarre, who being by me duly sworn, acknowledged that he is the presiding commissioner of the Boone County Commission and that the within instrument was signed in behalf of said County Commission and further acknowledged that he executed the same for the purposes therein stated and that he has been granted the authority by said County Commission on behalf of Boone County, Missouri, to execute the same.

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

My commission expires: 14 OCT 2005.

By Shawna M. Victor  
SHAWNA M. VICTOR Notary Public

SHAWNA M. VICTOR  
Notary Public - Notary Seal  
State of Missouri  
County of Boone  
My Commission Expires October 14, 2009  
Commission # 05401332





Recorded in Boone County, Missouri

Date and Time: 12/06/2005 at 01:20:53 PM

Instrument #: 2005035000 Book: 2857 Page: 144

Grantor: BOONE COUNTY MISSOURI

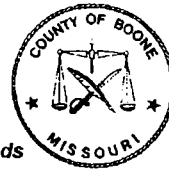
Grantee: COLUMBIA CITY OF MISSOURI

Instrument Type: ESMT

Recording Fee: \$30.00 S

No. of Pages: 3

*Bettie Johnson*  
Bettie Johnson, Recorder of Deeds



### GRANT OF EASEMENT FOR WATER UTILITY PURPOSES

ord # 18726

THIS INDENTURE, made on this 29 day of NOVEMBER, 2005, by and between Boone County, Missouri, a political subdivision of the State of Missouri, through its County Commission, Grantor, and the City of Columbia, Missouri, a municipal corporation, Grantee, whose mailing address is P.O. 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, 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, under, across and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to wit:

(1) A strip of land, 20 (twenty) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows:

Starting at the southwest corner of Section 31-48-13, thence S 85°32'10"E, along the section line, 485.73 feet to the centerline of the abandoned M.K.&T. railroad; thence along said centerline, N 44°45'E 388.4 feet; thence along a curve to the left having a radius of 2864.79 feet, a distance of 399.6 feet, the chord being N 40°45'30"E 399.2 feet, to the southerly line of Parcel I of a survey recorded in book 838 page 634; thence along the lines of said Parcel I, S 53°24'E 50.0 feet; thence S 64°07'30"E 311.0 feet; thence N 44°57'30"E 36.1 feet; thence N 23°15'E 154.2 feet; thence N 48°04'E 92.8 feet; thence N 70°24'E 134.4 feet; thence N 64°13'E 357.6 feet; thence S 83°00'30"E 205.8 feet; thence N 77°31'E 195.3 feet; thence N 84°38'30"E 203.4 feet; thence N 80°34'E 372.8 feet; thence N 76°16'E 786.0 feet; thence S 62°22'E 164.9 feet; thence N 79°25'E 265.5 feet; thence N 70°14'E 307.2; thence along a curve to the left having a radius of 200 feet, a distance of 348.9 feet, the chord being N 20°15'E 306.3 feet; thence N 29°44'W 567.4 feet; thence N 24°16'W 123.24 feet to the point of beginning.

From the point of beginning, leaving the lines of said Parcel I, S 41°32'40"W 109.62 feet to the end of the centerline at a point on the line of said Parcel I, being N 24°16'00"W 83.09 feet from a corner thereof.

(2) A strip of land, 20 (twenty) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows:

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From the point of beginning, leaving the southerly line of said Parcel I, N 31°45'E 60.26 feet to the end of the centerline at a point on the northerly line of said Parcel I, being N 64°07'30"W 82.00 feet from a corner thereof.

(3) A strip of land, 20 (twenty) feet wide, located in the southeast quarter of Section 29 T48N R13W in Boone County, Missouri, being part of Tract B of a survey recorded in book 986 page 776, and described by warranty deeds recorded in book 903 page 627 and book 2643 page 68, the centerline described as follows:

Starting at the northwest corner of Tract B of a survey recorded in book 986 page 776, shown by said survey as being N 0°46'30"E 1397.29 feet and N 84°43'00"W 1043.92 feet from the southeast corner of Section 29-48-13; thence S 21°32'30"W, along the westerly line thereof, 122.22 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract B of said survey, S 84°43'30"E 59.79 feet; thence S 71°46'00"E 1012.87 feet to the end of the centerline, at a point on the westerly right-of-way of Scott Boulevard, being S 2°52'00"W 87.91 feet from the 55 foot right-of-way at Station 23+60.

Said easement being the right to construct, operate, replace, repair and maintain water mains, including the necessary pipes, valves, manholes, hydrants, and other appurtenances, under or across said easement, and right of access thereto over the above-described tract of land across the Grantor's adjacent property.

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 judgement of the City may endanger the safety of or interfere with the operation and maintenance of said 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 this Grant of Easement on behalf of said corporation.

IN WITNESS WHEREOF, the said Grantor has been duly authorized to hereunto set its hand and seal the day and year first above mentioned.

ATTEST:

Boone County, Missouri  
By Its County Commission

By Wendy S. Noren  
Wendy S. Noren, County Clerk

By Keith Schnarre  
Keith Schnarre, Presiding Commissioner

STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF BOONE     )

On this 29 day of NOVEMBER, 2005, before me appeared Keith Schnarre, who being by me duly sworn, acknowledged that he is the presiding commissioner of the Boone County Commission and that the within instrument was signed in behalf of said County Commission and further acknowledged that he executed the same for the purposes therein stated and that he has been granted the authority by said County Commission on behalf of Boone County, Missouri, to execute the same.

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

My commission expires: 14 OCT 2009.

By Shawna M. Victor  
SHAWNA M. VICTOR | Notary Public

SHAWNA M. VICTOR  
Notary Public - Notary Seal  
State of Missouri  
County of Boone  
My Commission Expires October 14, 2009  
Commission # 05401332

018726  
Permanent Record  
Filed in Clerk's Office

Introduced by Hindman

First Reading 9-19-05 Second Reading 10-3-05

Ordinance No. 018726 Council Bill No. B 368-05

AN ORDINANCE

declaring the need to acquire easements necessary to construct a 36-inch water transmission main from the McBaine Water Treatment Plant to Scott Boulevard; authorizing acquisition by negotiation or, if necessary, by condemnation; authorizing the City Manager to obtain and execute all instruments necessary for acquisition of such land; and fixing the time when this ordinance shall become effective.

WHEREAS, the Constitution and Statutes of the State of Missouri and the Home Rule Charter for the City of Columbia, Missouri, authorize the City Council to exercise the power of eminent domain, within or without the City, and among other things, to acquire, and maintain any property, real or personal within or without the City for all public uses or purposes, and to acquire, receive and hold any estate or interest in any such property; and

WHEREAS, the Council deems it necessary for the welfare and improvement of the City and in the public interest that certain private property be acquired by negotiation or by condemnation for public improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby declares the need to acquire easements necessary to construct a 36-inch water transmission main from the McBaine Water Treatment Plant to Scott Boulevard described as follows:

BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
PERMANENT EASEMENT

A strip of land, 20 (twenty) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows:

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From the point of beginning, leaving the lines of said Parcel I, S 41°32'40"W 109.62 feet to the end of the centerline at a point on the line of said Parcel I, being N 24°16'00"W 83.09 feet from a corner thereof.

BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
TEMPORARY EASEMENT

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BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
PERMANENT EASEMENT

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From the point of beginning, leaving the southerly line of said Parcel I, N 31°45'E 0.26 feet to the end of the centerline at a point on the northerly line of said Parcel I, being N 64°07'30"W 82.00 feet from a corner thereof.

BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
TEMPORARY EASEMENT

A strip of land, 70 (seventy) feet wide, located in the southwest quarter of Section 31 T48N R13W, in Boone County, Missouri, being part of Parcel I of a survey recorded in book 838 page 634, the centerline described as follows:

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From the point of beginning, leaving the southerly line of said Parcel I, N 31°45'E 0.26 feet to the end of the centerline at a point on the northerly line of said Parcel I, being N 64°07'30"W 82.00 feet from a corner thereof.

BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
PERMANENT EASEMENT

A strip of land, 20 (twenty) feet wide, located in the southeast quarter of Section 29 T48N R13W in Boone County, Missouri, being part of Tract B of a survey recorded in book 986 page 776, and described by warranty deeds recorded in book 903 page 627 and book 2643 page 68, the centerline described as follows:

Starting at the northwest corner of Tract B of a survey recorded in book 986 page 776, shown by said survey as being N 0°46'30"E 1397.29 feet and N 84°43'00"W 1043.92 feet from the southeast corner of Section 29-48-13; thence S 21°32'30"W, along the westerly line thereof, 122.22 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract B of said survey, S 84°43'30"E 59.79 feet; thence S 71°46'00"E 1012.87 feet to the end of the centerline, at a point on the westerly right-of-way of Scott Boulevard, being S 2°52'00"W 87.91 feet from the 55 foot right-of-way at Station 23+60.

BOONE COUNTY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI  
TEMPORARY EASEMENT

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GIANT OAK FARM, INC., A MISSOURI CORPORATION  
PERMANENT EASEMENT

A strip of land, 20 (twenty) feet wide, located in the south half of Section 29 T48N R13W, in Boone County, Missouri, being part of a tract described by a warranty deed recorded in book 473 page 862, the centerline described as follows:

Beginning at a point on the east line of Tract 1 of a survey recorded in book 1283 page 732, being S 82°54'20"E 326.85 feet and N 1°41'00"E 334.40 feet from the southwest corner of Section 29-48-13, and S 1°41'00"W, 1195.75 feet from the northeast corner of said Tract 1, thence, leaving the east line of said Tract 1, N 33°20'00"E 389.06 feet; thence N 51°20'00"E 354.43 feet; thence N 20°17'00"E 333.23 feet; thence S 84°44'00"E 2281.76 feet to the end of the centerline, at a point on the westerly line of Tract B of a survey recorded in book 986 page 776, being S 21°32'30"W 122.22 feet from the northwest corner thereof.

GIANT OAK FARM, INC., A MISSOURI CORPORATION  
TEMPORARY EASEMENT

A strip of land, 20 (twenty) feet wide, located in the south half of Section 29 T48N R13W, in Boone County, Missouri, being part of a tract described by a warranty deed recorded in book 473 page 862, the centerline described as follows:

Beginning at a point on the east line of Tract 1 of a survey recorded in book 1283 page 732 (Point "C"), being S 82°54'20"E 1326.85 feet and N 1°41'00"E 334.40 feet from the southwest corner of Section 29-48-13, and S 1°41'00"W, 1195.75 feet from the northeast corner of said Tract 1, thence, leaving the east line of said Tract 1, along the centerline of a 70 (seventy) foot strip, N 33°20'00"E 389.06 feet; thence N 51°20'00"E 354.43 feet; thence N 20°17'00"E 333.23 feet; thence S 84°44'00"E 2127.42 feet; thence, said strip becoming 100 (one hundred) feet wide, S 84°44'00"E 154.34 feet to the end of the centerline, at a point on the westerly line of Tract B of a survey recorded in book 986 page 776, being S 21°32'30"W 122.22 feet from the northwest corner thereof.

Also, a strip of land 25 (twenty-five) feet wide, located east of and adjacent to the following described line. Beginning at Point "C", above described, thence S 1°41'00"W, along the east line of Tract 1 of a survey recorded in book 1283 page 732, 334.40; thence S 1°13'40"W 287.0 feet to the end of the line.



HOBO HILL FARM, LLC, A MISSOURI LIMITED LIABILITY COMPANY  
PERMANENT EASEMENT

A strip of land, 20 (twenty) feet wide, located in the northwest quarter of Section 32 T48N R13W, in Boone County, Missouri, being part of Tract 1 of a survey recorded in book 1283 page 732 and described by a quit-claim deed recorded in book 1578 page 918, the centerline described as follows:

Starting at the northeast corner of Tract 2 of a survey recorded in book 1283 page 732, also being a corner of Tract 1 of said survey, said corner shown by said survey as being S 82°54'20"E 1326.85 feet; thence S 1°13'40"W 1418.05 feet; thence N 62°07'30"W 266.25 feet; thence S 1°13'40"W 195.40 feet; thence S 62°07'30"E 266.25 feet; thence S 1°13'40"W 774.00 feet; thence N 84°07'30"W 1092.00 feet; thence N 8°53'10"E 640.00 feet; thence N 9°05'10"E 467.00 feet; thence N 10°23'10"E 1166.50 feet from the northwest corner of Section 32-48-13; thence S 10°23'10"W, along the line of Tract 1 of said survey, 180.18 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract 1 of said survey, S 75°31'50"E 77.15 feet; thence S 88°17'50"E 707.21 feet to Point "A" on the east line of said Tract 1 and the end of the centerline of said 20 foot strip.

Thence said 20 foot strip being west of, and adjacent to the following described line. From Point "A", previously described above, thence N 1°13'40"E 251.85 feet; thence N 1°41'00"E 345.0 feet to the end of the line, at a point on the east line of said Tract 1, at a point being S 1°41'00"W 1185.15 from the northeast corner thereof.

HOBO HILL FARM, LLC, A MISSOURI LIMITED LIABILITY COMPANY  
TEMPORARY EASEMENT

A strip of land, 70 (seventy) feet wide, located in the northwest quarter of Section 32 T48N R13W, in Boone County, Missouri, being part of Tract 1 of a survey recorded in book 1283 page 732 and described by a quit-claim deed recorded in book 1578 page 918, the centerline described as follows:

Starting at the northeast corner of Tract 2 of a survey recorded in book 1283 page 732, also being a corner of Tract 1 of said survey, said corner shown by said survey as being S 82°54'20"E 1326.85 feet; thence S 1°13'40"W 1418.05 feet; thence N 62°07'30"W 266.25 feet; thence S 1°13'40" W 195.40 feet; thence S 62°07'30"E 266.25 feet; thence S 1°13'40"W 774.00 feet; thence N 84°07'30"W 1092.00 feet; thence N 8°53'10"E 640.00 feet; thence N 9°05'10"E 467.00 feet;

thence N 10°23'10"E 1166.50 feet from the northwest corner of Section 32-48-13; thence S 10°23'10"W, along the line of Tract 1 of said survey, 180.18 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract 1 of said survey, S 75°31'50"E 77.15 feet; thence S 88°17'50"E 707.21 feet to Point "A" on the east line of said Tract 1 and the end of the centerline of said 70 foot strip.

Thence along the east line, of a 45 (forty-five) strip of land, being west of, and adjacent to the following described line. From Point "A", previously described above, thence N 1°13'40"E 251.85 feet; thence N 1°41'00"E 370.0 feet to the end of the line, at a point on the east line of said Tract 1, at a point being S 1°41'00"W 1160.15 from the northeast corner thereof.

LEAH FRANCES BAILEY, TRUSTEE OR SUCCESSOR TRUSTEE, OF THE LEAH FRANCES BAILEY TRUST, DATED NOVEMBER 1, 1999  
PERMANENT EASEMENT

A strip of land, 20 (twenty) feet wide, located in the northeast quarter of Section 31 T48N R13W and in the northwest quarter of Section 32 T48N R13W, in Boone County, Missouri, being part of Tract 2 of a survey recorded in book 1283 page 732, and described by a quit-claim deed recorded in book 1578 page 916, the centerline described as follows:

Starting at the northeast corner of Tract 2 of a survey recorded in book 1283 page 732, also being a corner of Tract 1 of said survey, said corner shown by said survey as being S 82°54'20"E 1326.85 feet; thence S 1°13'40"W 1418.05 feet; thence N 62°07'30"W 266.25 feet; thence S 1°13'40"W 195.40 feet; thence S 62°07'30"E 266.25 feet; thence S 1°13'40"W 774.00 feet; thence N 84°07'30"W 1092.00 feet; thence N 8°53'10"E 640.00 feet; thence N 9°05'10"E 467.00 feet; thence N 10°23'10"E 1166.50 feet from the northwest corner of Section 32-48-13; thence S 10°23'10"W, along the line of Tract 2 of said survey, 180.18 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract 2 of said survey, N 75°31'50"W 396.47 feet; thence N 83°38'30"W 506.97 feet; thence S 55°46'10"W 383.20 feet; thence S 84°21'40"W 171.48 feet to the end of the centerline at a point being S 1°17'30"W 14.33 feet from a corner of Tract 2 of said survey.

LEAH FRANCES BAILEY, TRUSTEE OR SUCCESSOR TRUSTEE, OF THE LEAH FRANCES BAILEY TRUST, DATED NOVEMBER 1, 1999  
TEMPORARY EASEMENT

A strip of land, 70 (seventy) feet wide, located in the northeast quarter of Section 31 T48N R13W and in the northwest quarter of Section 32 T48N R13W, in Boone County, Missouri, being part of Tract 2 of a survey recorded in book 1283 page 732, and described by a quit-claim deed recorded in book 1578 page 916, the centerline described as follows:

Starting at the northeast corner of Tract 2 of a survey recorded in book 1283 page 732, also being a corner of Tract 1 of said survey, said corner shown by said survey as being S 82°54'20"E 1326.85 feet; thence S 1°13'40"W 1418.05 feet; thence N 62°07'30"W 266.25 feet; thence S 1°13'40"W 195.40 feet; thence S 62°07'30"E 266.25 feet; thence S 1°13'40"W 774.00 feet; thence N 84°07'30"W 1092.00 feet; thence N 8°53'10"E 640.00 feet; thence N 9°05'10"E 467.00 feet; thence N 10°23'10"E 1166.50 feet from the northwest corner of Section 32-48-13; thence S 10°23'10"W, along the line of Tract 2 of said survey, 180.18 feet to the point of beginning.

From the point of beginning, leaving the lines of Tract 2 of said survey, N 75°31'50"W 396.47 feet; thence N 83°38'30"W 506.97 feet; thence S 55°46'10"W 383.20 feet; thence S 84°21'40"W 171.48 feet to the end of the centerline at a point being S 1°17'30"W 14.33 feet from a corner of Tract 2 of said survey.

SECTION 2. The City Manager is authorized to acquire the land described in Section 1 by negotiation.

SECTION 3. The City Manager is authorized to obtain, execute and record all deeds and other instruments necessary to acquire the land described in Section 1.

SECTION 4. If the City cannot agree with the owners, or those claiming an interest in the land described in Section 1, on the proper compensation to be paid for such land, or if the owner is incapable of contracting, is unknown, or cannot be found, or is a non-resident of the State of Missouri, the City Counselor is authorized to petition the Circuit Court of Boone County, Missouri, to acquire the land described in Section 1 by condemnation.

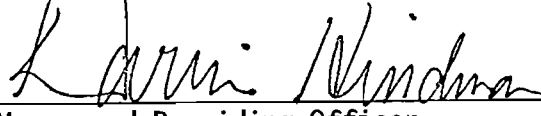
SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of October, 2005.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor