188

STATE OF MISSOURI

ea.

August Session of the August Adjourned

**Term. 20** 02

20

**County of Boone** 

In the County Commission of said county, on the

 $22^{nc}$ 

day of

August

02

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

Now on this day, the County Commission of the County of Boone does hereby approve the following:

**Whereas**, the County has examined the roadway for that part of Crownview Road located across the northeasterly dam for Lake Chaparral, and

Whereas, the Lake Chaparral Landowners' Association owns the land upon which the roadway lies, and

Whereas, the Lake Chaparral Landowners' Association has issued a Right of Use Permit to the County, and

Whereas, the county finds that the above described roadway is in a condition acceptable to the Boone County Director Public Works, as attested by the Roadway Maintenance Acceptance Certificate for said roadway,

Now therefore it is ordered, that the Boone County Commission, authorize the Presiding Commissioner's signature of acceptance of the Right of Use Permit issued to the County by the Lake Chaparral Landowners' Association on behalf of the County Commission; that the Boone County Commission authorize the Presiding Commissioner to sign the Roadway Maintenance Acceptance Certificate for said part of Crownview Drive on behalf of the County Commission and further assume responsibility for the maintenance and control of this road from and after the date of this order for so long as there is compliance with the conditions of the Right of Use Permit are adhered to by both parties.

It is also ordered, that the above Right of Use Permit be attached to and made a part of this order and that this order be certified by the County Clerk and be recorded in the Office of the Recorder of Deeds.

Done this 22<sup>nd</sup> day of August, 2002.

STATE OF MISSOURI County of Boone  ss.	I,Wend	ly S. Noren 189
of the County Commission, in and said County, herel	by certify the above and foregoin	g to be a true copy of the proceedings of our
said County Commission, on the day and year above	e written, as the same appears o	f record in my office.
IN TESTIMONY WHEREOF, I	have hereunto set my hand and a	ffixed the seal of said Commission, at office in
towns At July	Wendy S. Noren  D.C.	day of August  Clerk County Commission

(Lake Chaparral Landowners' Association)

Roadway Maintenance - A Portion of Crownview Drive

In the Matter of

**Term, 20**02

August

Certified Copy of Order

No. 372-2002

of BOONE COUNTY COMMISSION, Made at

#### RIGHT OF USE PERMIT

368-200Z

#### KNOW ALL PERSONS BY THESE PRESENTS:

THAT WE, The Lake Chaparral Landowners' Association, a not for profit corporation, of Boone County, Missouri, herein the Grantor, in consideration of the sum of Ten Dollars(\$10) and other valuable considerations to us in hand paid, does hereby permit the County of Boone a Political Subdivision of the State of Missouri (hereafter referred to as Grantee or permittee), (Grantee mailing address: Boone County Public Works, 5551 Hwy 63 S., Columbia, MO 65201) to enter upon the following described roadway area located in the County of Boone, State of Missouri, to wit:

A 30-foot wide strip of land in the southeast 1/4 of the Southeast 1/4 of Section 34, Township 51 North, Range 12 West and in the northeast 1/4 of the Northeast 1/4 of Section 3, Township 50 North, Range 12 West, the centerline of which is described as follows:

Starting at an iron pipe, shown on the plat of Benson Subdivision recorded in Plat Book 32, Page 67 as the southeast corner thereof; thence along the south line of said subdivision N80° 34' 00"W 42.06 feet; thence leaving said south line S9° 26' 00"W 30.00 feet to the beginning of this described centerline; thence from the beginning S80° 34' 00"E 25.00 feet to the beginning of a 200-foot radius curve to the right; thence along said curve 134.33 feet, a chord bears S61°19' 00"E 131.82 feet; thence S42° 05' 00"E 288.50 feet to the beginning of an 800.00-foot radius curve to the right; thence along the last said curve 277.16 feet, a chord bears S32° 09' 30"E 275.77 feet; thence S22° 14' 00"E 170.69; thence S20° 14' 00"E 360.50 feet to the beginning of a 350-foot radius curve to the right; thence along the last said curve 128.84 feet, a chord bears S9° 41' 15"E 128.12 feet; thence S0° 51' 30"W 256.80 feet to the end of this described centerline on the north line of the right-of-way for Chaparral Drive at S84° 35' 00"E 30.09 feet from an iron pipe at the northwest corner of that tract shown and described by Boone County Survey No. 7929.

This use permit is subject to the following conditions and stipulations:

- 1. This permit is for the exclusive purpose of operating and maintaining the roadway upon and across the land described above.
- 2. This permit includes the right of the permittee its officers, agents and employees, to enter upon said real estate for the purpose of exercising any of the rights herein granted, including but not limited to maintenance, repair, snow or ice removal and the right at any time to remove from said roadway any tree, brush, snow, structure or obstruction of any kind or character whatsoever which, in the sole judgment of the Grantee, may endanger the safety of

or interfere with the operation of said roadway; also, the right of ingress and egress to and from the herein described premise from either end of said tract for the purpose of exercising any of the right herein granted. This permit includes the right of the permittee its officers, agents and employees, to enter upon said real estate for the purpose of closing the above described roadway precluding use thereof by the public if in the permittee's sole judgment closure is necessary to preserve or promote the public safety or public convenience or welfare.

- 3. Permittee will be responsible for the cost of any future repairs, maintenance or replacement of said roadway only which results from permittee's or the public use under this right of use permit, but the permittee shall in no circumstance be responsible or liable for the repair, maintenance or improvement of the dam upon which the road is situated.
- If said roadway is abandoned, all right herein granted shall cease and terminate and

Permittee shall have no further right of interest therein or thereto. Owner and Permittee expressly acknowledge that this right of use permit is applicable only to the roadway described herein and not any of the dam or ground or structures located beneath that roadway and that the Permittee has no duty or responsibility to inspect, repair or maintain any of the ground or structures located beneath that roadway; nor shall the Permittee be responsible for future repairs to the roadway itself which result from settlement or any structural change or deficiency of the ground located beneath that roadway. IN WITNESS WHEREOF, this permit has been executed this \_\_\_\_\_ August, 2002. LAKE CHAPARRAL LANDOWNERS' ASSOCIATION a not-for-profit corporation (State of Missouri ID#N00021788) Jum Pendleton Jum Pendleton, President ATITEST: Vietta Hale, Secretary and Treasurer STATE OF MISSOURI } SS COUNTY OF BOONE On this <u>30</u> day of <u>Quart</u>, 200 <u>Property</u> before me personally appeared <u>Jim Pensletow</u> to me known to be the president of the above corporation described in and who executed the foregoing instrument, and acknowledged that he was duly authorized by said corporation to execute the above instrument on behalf of said corporation for the purposes therein stated. above written. EVELYN RICHARD, Notary Public (SEAL) EVELYN RICHARD Notary Public - Notary Seal STATE OF MISSOURI My term expires 9-8-02BOONE COUNTY MY COMMISSION EXP. SEPT 8,2002



Recorded In Boone County, Missouri
Date and Time: 09/04/2002 at 12:09:09 PM

Instrument #: 2002025925 Book:01993 Page:0187

First Grantor: BOONE COUNTY COMMISSION

First Grantee: LAKE CHAPARRAL LANDOWNERS' AS...

Instrument Type: ODR Recording Fee: \$35.00

Bettle Johnson, Recorder of Deeds

# RECORDER OF DEEDS CERTIFICATE **BOONE COUNTY, MISSOURI EXEMPT DOCUMENT**

This document has been recorded under exempt status pursuant to RSMo 59.310.4 and this certificate has been added to your document in compliance with the laws of the State of Missouri.



Bettie Johnson Recorder of Deeds 801 E Walnut, Room 132 Columbia, Missouri 65201 573-886-4345

#### ROADWAY MAINTENANCE ACCEPTANCE CERTIFICATE

Road Names:

Crownview Drive (partial)

Subdivision Name:

Hight's Chaparral - Block # 6, located in Section 3, Township 50 North, Range 12 West and Section 34, Township 51 North, Range 12 West, Boone County, Missouri. The plat of said Block # 6 is recorded in Plat Book 12, Page 82, of the Boone County, Missouri Records.

Description of Roadway:

This section of Crownview Drive is a 22-foot wide rock roadway that was constructed across the top of a dam. It is approximately centered on a 30-foot wide strip of land in the southeast 1/4 of the Southeast 1/4 of Section 34, Township 51 North, Range 12 West and in the northeast 1/4 of the Northeast 1/4 of Section 3, Township 50 North, Range 12 West. The centerline of said strip is described as follows:

Starting at an iron pipe, shown on the plat of Benson Subdivision recorded in Plat Book 32, Page 67 as the southeast corner thereof; thence along the south line of said subdivision N80° 34' 00"W 42.06 feet; thence leaving said south line S9° 26' 00"W 30.00 feet to the beginning of this described centerline; thence from the beginning S80° 34' 00"E 25.00 feet to the beginning of a 200-foot radius curve to the right; thence along said curve 134.33 feet, a chord bears S61°19' 00"E 131.82 feet; thence S42° 05' 00"E 288.50 feet to the beginning of an 800.00-foot radius curve to the right; thence along the last said curve 277.16 feet, a chord bears S32° 09' 30"E 275.77 feet; thence S22° 14' 00"E 170.69; thence S20° 14' 00"E 360.50 feet to the beginning of a 350-foot radius curve to the right; thence along the last said curve 128.84 feet, a chord bears S9° 41' 15"E 128.12 feet; thence S0° 51' 30"W 256.80 feet to the end of this described centerline on the north line of the right-of-way for Chaparral Drive at S84° 35' 00"E 30.09 feet from an iron pipe at the northwest corner of that tract shown and described by Boone County Survey No. 7929

is approximately shown on the plat of survey recorded in Book 1655, Page 288 of the Boone County records, but is more appropriately described as follows:

30-foot wide strip of land in the southeast 1/4 of the Southeast 1/4 of Section 34, Township 51 North, Range 12 West and in the northeast 1/4 of the Northeast 1/4 of Section 3, Township 50 North, Range 12 West, the centerline of which is described as follows:

Starting at an iron pipe, shown on the plat of Benson Subdivision recorded in Plat Book 32, Page 67 as the southeast corner thereof; thence along the south line of said subdivision N80° 34' 00"W 42.06 feet; thence leaving said south line S9° 26' 00"W 30.00 feet to the beginning of this described centerline; thence from the beginning S80° 34' 00"E 25.00 feet to the beginning of a 200-foot radius curve to the right; thence along said curve 134.33 feet, a chord bears S61°19' 00"E 131.82 feet; thence S42° 05' 00"E 288.50 feet to the beginning of an 800.00-foot radius curve to the right; thence along the last said curve 277.16 feet, a chord bears S32° 09' 30"E 275.77 feet; thence S22° 14' 00"E 170.69; thence S20° 14' 00"E 360.50 feet to the beginning of a 350-foot radius curve to the right; thence along the last said curve 128.84 feet, a chord bears S9° 41' 15"E 128.12 feet; thence S0° 51' 30"W 256.80 feet to the end of this described centerline on the north line of the right-of-way for Chaparral Drive at S84° 35' 00"E 30.09 feet from an iron pipe at the northwest corner of that tract shown and described by Boone County Survey No. 7929

Variances:	Provided for acceptance for maintenance by the county in phases, and to the satisfaction of the Public Works Department.	
Other Comments:	A Right of Use Permit has been issued to the County of Boone by the Lake Chaparral Home Owners Association for the purpose of maintaining this roadway.	
The above roadways are her dawn Mank David Mink - Director of P	8/22/02	County for maintenance.  Date
Approved by County Comm		0-23-0 Date



#### **Boone County Public Works**

#### Memorandum

- 2002

Date:

August 14, 2002

To:

Don Stamper, Presiding Commissioner

Karen M. Miller, Associate Commissioner, District I Skip Elkin, Associate Commissioner, District II

From:

David W. Piest, County Surveyor

Subject:

Roadway Maintenance Acceptance Certificate for that portion of Crownview Drive in

Hight's Chaparral Subdivision across the northerly Dam

Attached is a Roadway Maintenance Acceptance Certificate for a part of Crownview Drive. This part of rownview runs northerly, northwesterly and westerly from the north line of the 60-foot wide right of way for Chaparral Drive at its west end.

Because this section of roadway is across a dam, and because Boone County does not wish to be responsible for the dam along with the road upon the dam, the owner of that underlying land, the Lake Chaparral Home Owners Association has issued to the County a Right of Use Permit, for the purpose of maintaining the rock roadway across the dam. The Right of Use Permit describes a width across the surface of the dam of only 30 feet. Enough to include the roadway but not the standard width for right of way that is prescribed by Boone County regulations.

This roadway has been determined to be in a condition acceptable to the Boone County Public Works Department.

The Boone County Public Works Department, recommends that the Commission authorize the Presiding Commissioner's signature of acceptance of the Right of Use Permit issued to the County by the Lake Chaparral Homeowners Association; that the Commission authorize the Presiding Commissioner's signature on the ROADWAY MAINTENANCE ACCEPTANCE CERTIFICATE for this section of Crownview Drive; and that they accept the roadway for county maintenance, all as detailed within the attached and proposed ORDER OF ACCEPTANCE OF ROAD AS COUNTY ROAD. If you concur with this recommendation, please make a motion to that effect.

c:

Stan Shawver

David Mink

Rick Harvey

John Patton

Natalie Eichor

Subdivision File

Road File

190

Don Stamper

Presiding Commissioner

ATTEST:

Wendy S Noren

Wendy S. Noren

Clerk of the County Commission

Karen M. Miller

District I Commissioner

Skip Elkin

District II Commissioner

#### ACKNOWLEDGMENT

State of Missouri

County of Boone

On this 22<sup>nd</sup>, day of August, 2002, before me, a Notary Public in and for the state of Missouri, personally appeared Don Stamper, Karen M. Miller, and Skip Elkin, who upon their oath and upon being duly sworn, did state, affirm and acknowledge that they are the Commissioners composing the County Commission of the County of Boone, a political subdivision of the State of Missouri, that they have executed the within Order of Acceptance of Road as County Road on behalf of said County as the free act and deed of said County, for the purposes therein stated and pursuant to the authority vested in them to execute said within instrument as Commissioners of said County, that said within instrument is binding in all respects upon said County, and that said County is duly empowered by law to accept the road described in the said within instrument as a county road by means of the said within instrument.

SHAWNA M. VICTOR
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires October 14, 2005

Shawna M. Victor, Notary Public

**SEAL** 

My Commission Expires: 14 October 2005

STATE OF MISSOURI

August Session of the August Adjourned

Term. 20 02

20

**County of Boone** 

ea.

In the County Commission of said county, on the

 $22^{nd}$ 

day of

August

02

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

Now on this day, the County Commission of the County of Boone does hereby approve the recommendation by the Boone County Public Works Department to post the speed limit on Dee Woods Road to 40 mph.

Done this 22<sup>nd</sup> day of August, 2002.

ATTEST:

Wendy S/ Noren

Clerk of the County Commission

ABJENT

Don Stamper

Presiding Commissioner

Karen M. Miller

District I Commissioner

Skip Elkin

District II Commissioner

# **Boone County Public Works**

# Memorandum

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-EFE

Date: 8/16/2002

To: Boone County Commissioners

From: Allison Anderson

Through: David Mink

Re: Speed Study – Dee Woods Road

Boone County Public Works recommends posting the speed limit as 40 miles per hour for Dee Woods Road.

Dee Woods Road has recently been paved; therefore, during the week of July 22nd, Boone County Public Works Department completed a speed study of the road. The 85<sup>th</sup> percentile speed was as follows:

- Westbound Lane = 44.06 miles per hour
- Eastbound Lane = 40.07 miles per hour

The Manual on Uniform Traffic Control Devices Section 2B.11 recommends that the posted speed limit should be the 85<sup>th</sup> percentile speed. The 85<sup>th</sup> percentile speed is approximately 40 miles per hour. In addition, the *Boone County, Missouri, Roadway Regulations, Chapter 1: Vehicular Traffic Regulations* establishes the speed limit for asphalts paved roads outside a recorded subdivision at 40 miles per hour. Therefore, it is recommended to post the speed limit on Dee Woods Road as 40 miles per hour.

Don Stamper, Presiding Commissioner Karen M. Miller, District I Commissioner Skip Elkin District II Commissioner OUNTY OF BOOM

Boone County Government Center 801 E. Walnut, Room 245 Columbia, MO 65201

573-886-4305 • FAX 573-886-4311 E-mail: commission@boonecountymo.org

JUL 1 7 2002

Oppoint for 4 yr. term to expire 7-31-2006

BOONE COUNTY BOARD OR COMMISSION PLICATION FORM Current Township: Today's Date: Kanal Lip Code: 65 Business Address: Zip Code: Home Phone: (573) 696-2093 Work Phone: E-mail: id, clark 3@ verizon. net Fax: References: I have no objections to the information in this application being made public. To the best of my knowledge at this time I can serve a full term if appointed. I do hereby certify that the above information is true and accurate. Applicant Signature Return Application To: **Boone County Commission Office** Boone County Government Center 801 East Walnut, Room 245

Columbia, MO 65201 Fax: 573-886-4311

STATE OF MISSOURI

August Session of the August Adjourned

Term. 20 ()2

**County of Boone** 

ea.

In the County Commission of said county, on the

 $22^{nd}$ 

day of

August

20 02

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

Now on this day, the County Commission of the County of Boone does hereby appoint Jeanette Hartmann Clark to the Boone County Library Board for a term that will expire on July 31, 2006.

Done this 22<sup>nd</sup> day of August, 2002.

ATTEST:

Wendy S/Noren

Clerk of the County Commission

ABSENT

Don Stamper

**Presiding Commissioner** 

Karen M. Miller

District I Commissioner

Skip Elkin

District II Commissioner

STATE OF MISSOURI

ea.

August Session of the August Adjourned

Term. 20 02

**County of Boone** 

In the County Commission of said county, on the

 $22^{nd}$ 

day of

August

20

02

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

Now on this day, the County Commission of the County of Boone does hereby appoint John B. Miles to the City/County Energy and Environment Commission for a term that will expire on May 31, 2005.

Done this 22<sup>nd</sup> day of August, 2002.

ATTEST:

Wendy S. Noren

Clerk of the County Commission

Don Stamper

Presiding Commissioner

Karen M. Miller

District I Commissioner

Skip Elkin

District II Commissioner

Don Stamper, Presiding Commissioner Karen M. Miller, District I Commissioner Skip Elkin District II Commissioner



Boone County Government Center 801 E. Walnut, Room 245 Columbia, MO 65201

573-886-4305 • FAX 573-886-4311 E-mail: commission@boonecountymo.org

375-2002

# Boone County Commission Lever to expire 5-31-2005

#### **BOONE COUNTY BOARD OR COMMISSION** APPLICATION FORM

74 1 210/11/01/1 01/11/
Board or Commission: Every & Environment Term: May 2
Current Township: Columbia Today's Date: 12 Aug 02
Name: John B. Miles
Home Address: 1301 Torrey Pines Dr. Zip Code: 65203
Business Address: <u>E2403</u> EBE, UMC Zip Code: <u>65201</u>
Home Phone: 573 443-274/ Fax: 884-5090 Work Phone: 882-4048 E-mail: miles j @ M1550001. edu
Qualifications: Prof. Emeritus of Mech. Engr & Umd Sabbatica Leque with U.S. Solar Energy Research Inst (1980-81) background in Thermal Energy Systems.
Past Community Service: Board for Missouri Funduation Center Board Chairmon for Villas H. Homeowners Assoc, Financial Adv. Bd. for Woodcrest Chapel
References: Don Stamper (County Commissioner), Kewin Crano (Proseriting Atty)
I have no objections to the information in this application being made public. To the best of my knowledge at this time I can serve a full term if appointed. Leto hereby certify that the above information is true and accurate.  Applicant Signature
Return Application To: Boone County Commission Office

Boone County Government Center

801 East Walnut, Room 245

Columbia, MO 65201 Fax: 573-886-4311