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July 24, 2013

Via Certified and Regular U.S. Mail and Electronic Transmission

Mr. Michael Stark
44 Sycamore Park Drive
Camdenton, MO 65020

FILED

SEP 15 2014

Missouri Public
Service Commission

RE: RSMo. Chapter 523 60-Day Notice -- Notice of Intended Acquisition of Gas Pipeline
Right-of-Way by Summit Natural Gas of Missouri, Inc.

Dear Mr. Stark:

Summit Natural Gas of Missouri, Inc. ("SNG") is a local distribution company regulated by the Missouri Public Service Commission ("Commission"). As a local distribution and transportation company, SNG distributes natural gas to homes and businesses within its certificated territory.

This letter represents the 60-day notice to which you may be entitled by Chapter 523 of the Revised Statutes of Missouri with regard to potential condemnation proceedings by SNG. Pursuant to RSMo. §523.250, at least 60 days before filing of a condemnation petition seeking to acquire an interest in real property, the condemning authority must provide the owner(s) of record of such property with a written notice concerning the intended acquisition. A copy of RSMo. §523.250 is enclosed for your reference.

By order dated July 17, 2012, effective July 27, 2012, the Commission granted a Certificate of Convenience and Necessity ("CCN") to SNG pertaining to SNG's construction and operation of a gas system and the provision of gas to customers in certain Missouri counties. Pursuant to the CCN granted to it by the Commission and other applicable law, SNG is installing a natural gas distribution system to provide natural gas sales and transportation service. SNG does not conduct oil or gas exploration. The gas lines that SNG is installing are part of the distribution system that provides natural gas service within various Missouri communities.

For the purposes of maintaining its pipeline and operating its gas distribution system, SNG seeks to acquire a permanent easement over your property. SNG seeks to acquire an easement over your property in the County of Camden, Missouri, as more fully described on the enclosed documents, incorporated herein by reference as if fully set forth.

Summit Exhibit No. 6
Date 9-4-14 Reporter msm
File No. GC-2014-0202

Summit
Exhibit 6 0130
9/4/14 mm

SNG is committed to engaging in good faith negotiations with you. By letter dated July 18, 2013, you offered to accept \$15,000 in settlement of your trespass allegations, but it's my understanding that you have not made an offer regarding the value of the easement which SNG seeks to acquire. At this time, SNG is willing and able to pay \$2,000 to you to fully settle the current dispute and to compensate you for the requested permanent easement. SNG believes this offer is at or above market value for the easement and would constitute fair compensation under the law.

Pursuant to RSMo. §523.253, SNG, as the condemning authority, or someone acting on behalf of SNG, will also present a formal written offer to you by certified mail at least thirty days before filing a condemnation petition. This formal offer will be held open for thirty days unless an agreement is reached sooner. Along with this formal offer, SNG will provide an appraisal or explanation with supporting financial data for SNG's determination of the value of the easement over your property.

Under Missouri law, property owners are entitled to just compensation for easements acquired for a project such as this. If SNG and you cannot reach an agreement on just compensation for the easement, legal condemnation by SNG may be necessary. As noted, this letter represents the 60-day notice to which you may be entitled by RSMo. Chapter 523. If SNG and you are unable to reach an agreement on just compensation for the easement, and if you would prefer to put these issues before a court more quickly, RSMo. §523.250 provides that you may waive certain statutory requirements, including the 60-day waiting period.

SNG regards condemnation as a last resort, but it sometimes does occur. We urge you not to delay, since property owners have important rights in this process. Under Missouri law, property owners are entitled to the following:

- a. To seek legal counsel at their own expense.
- b. When SNG makes an offer for the easement, to make a counter-offer and engage in further negotiations.
- c. To obtain your own appraisal of just compensation for the easement, at your own expense. (Please be advised that if we cannot reach a settlement and SNG must file a condemnation petition for the easements, this will not be done for at least 60 days from the date of this letter (unless the waiting period is waived by you). Please keep this timeframe in mind if you wish to submit your own appraisal for SNG's review.)
- d. To have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury.
- e. To seek assistance from the office of the ombudsman for property rights, as created under RSMo. §523.277. You may contact the ombudsman at:

Thomas Green - Property Rights Ombudsman
111 North 7th Street, Suite 929
St. Louis, MO 63101
Phone: (314) 340-4877

- f. To contest SNG's right to condemn in the condemnation proceeding.
- g. To exercise the rights to request vacation of an easement under the procedures and circumstances provided for in RSMo. §527.188.
- h. To propose, in writing and within 30 days of the date of this letter, an alternative location for the proposed easement. The alternative location must be on the same parcel and must be clearly defined for SNG.

If you are not represented by legal counsel regarding this matter, you may contact me by telephone at 573-635-7166 or by e-mail at DCarter@BrydonLaw.com. If you are represented by legal counsel in this matter, please provide a copy of this letter with my contact information to your attorney.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By: 
Diana C. Carter

Missouri Revised Statutes

Chapter 523 Condemnation Proceedings Section 523.250

August 28, 2012

Notice of intended acquisition--mailing requirements.

523.250. 1. At least sixty days before filing of a condemnation petition seeking to acquire an interest in real property, the condemning authority shall provide the owner of record of such property with a written notice concerning the intended acquisition. Such notice shall include:

- (1) Identification of the interest in real property to be acquired and a statement of the legal description or commonly known location of the property;
- (2) The purpose or purposes for which the property is to be acquired;
- (3) A statement that the property owner has the right to:
 - (a) Seek legal counsel at the owner's expense;
 - (b) Make a counteroffer and engage in further negotiations;
 - (c) Obtain such owner's own appraisal of just compensation;
 - (d) Have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury;
 - (e) Seek assistance from the office of the ombudsman for property rights created under section 523.277;
 - (f) Contest the right to condemn in the condemnation proceeding; and
 - (g) Exercise the rights to request vacation of an easement under the procedures and circumstances provided for in section 527.188.

An owner may waive the requirements of this subsection prescribed above in a writing executed by the owner.

2. The written notice required by this section shall be deposited in the United States mail, certified or registered, and with postage prepaid, addressed to the owner of record as listed in the office of the city or county assessor for the city or county in which the property is located. The receipt issued to the condemning authority by the United States Post Office for certified or registered mail shall constitute proof of compliance with this notice requirement; provided, however, that nothing in this section shall preclude a condemning authority from proving compliance with this notice requirement by other competent evidence.

(L. 2006 H.B. 1944)

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Missouri General Assembly

0133

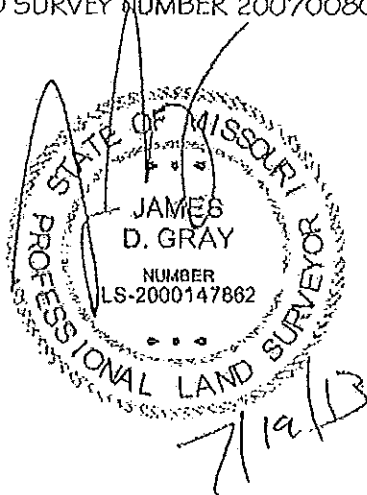
EXHIBIT A

A PERPETUAL GAS PIPELINE EASEMENT

BEING A PART OF A TRACT OF LAND RECORDED IN BOOK 491, PAGE 637, BEING THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 17 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN CAMDEN COUNTY, MISSOURI, SAID EASEMENT BEING 20 FEET IN WIDTH, 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT AN EXISTING 1-INCH IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE N89°52'49"E, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 227.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY 5; THENCE N40°12'18"E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 46.86 FEET FOR A POINT OF BEGINNING. THENCE N59°31'25"W, 27.26 FEET; THENCE N56°51'02"W, 33.46 FEET; THENCE N44°35'55"W, 32.66 FEET; THENCE N38°43'11"W, 39.87 FEET; THENCE N37°06'27"W, 72.30 FEET; THENCE N42°26'39"W, 51.87 FEET; THENCE N49°53'18"W, 35.71 FEET; THENCE N52°34'29"W, 53.04 FEET; THENCE N55°07'57"W, 88.79 FEET; THENCE N57°55'33"W, 87.60 FEET; THENCE N58°47'42"W, 112.34 FEET; THENCE N52°35'00"W, 71.56 FEET; THENCE N51°43'22"W, 149.28 FEET; THENCE N55°06'06"W, 60.76 FEET; THENCE N57°29'57"W, 48.06 FEET; THENCE N62°10'24"W, 40.19 FEET; THENCE N60°31'03"W, 50.25 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BLUE HAVEN BEACH ROAD FOR A POINT OF TERMINUS. CONTAINING 1,055.00 L.F. OF PIPELINE LENGTH WITHIN 21,104 SQUARE FEET OR 0.48 ACRES, MORE OR LESS.

THIS EASEMENT DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.

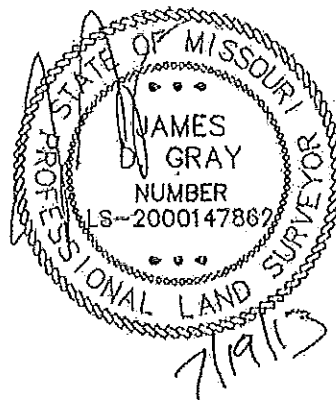


THIS EASEMENT EXHIBIT WAS CREATED FROM AN ACTUAL SURVEY, WITH METHODS MEETING OR EXCEEDING MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS; BUT ONLY THE PROPERTY LINES INTERSECTING THE CENTERLINE OF THE PROPOSED EASEMENT WERE DETERMINED.

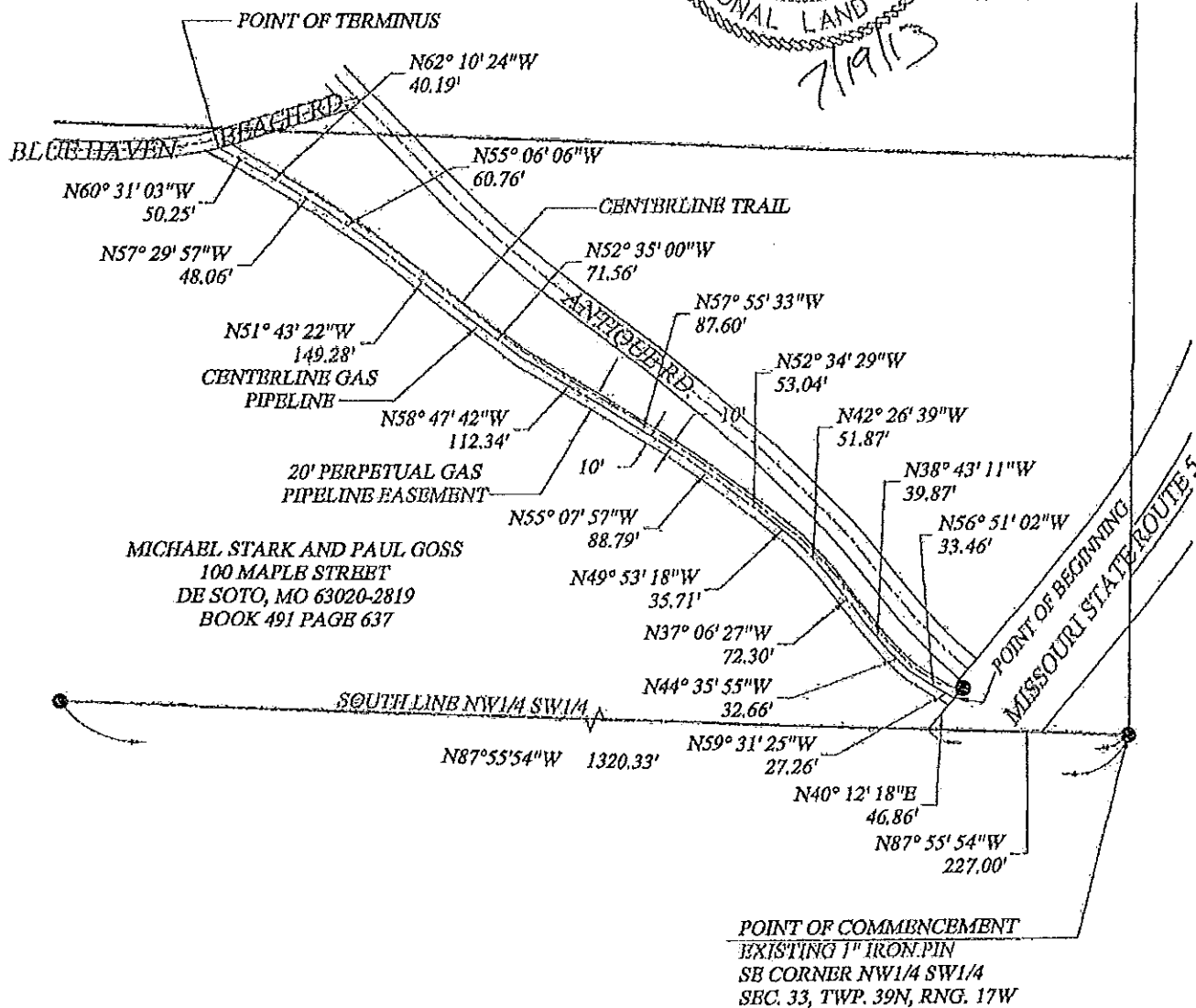
EXHIBIT "B"

PARCEL ALIGNMENT DATA

CENTERLINE LINEAR FBET	1,055.00 L.F.
PERMANENT BASEMENT	21,104 S.F. (0.48 ACRES)



SCALE: 1"=200'
BEARINGS: GRID NORTH
MCS 1983-CENTRAL



CJW Transportation Consultants, L.L.C.

5051 S. Millbrook
Suite 4-110
Springfield, MO 65810
Tel: 417.889.3400
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