

AN ORDINANCE APPROVING THE SETTLEMENT OF THE LITIGATION BETWEEN ST. CHARLES TOWER, INC. AND THE CITY OF CHESTERFIELD

WHEREAS, St. Charles. Tower, Inc. filed suit against the City on March 5, 2007, claiming that the City's Ordinance had violated the Federal Telecommunications Act of 1996 and other federal and state rights; and

WHEREAS, the City and St. Charles Tower, Inc are now desirous of settling and resolving this dispute; and

WHEREAS, The City Council of Chesterfield, Missouri, after careful consideration of the matter and through discussion with the City's attorney, authorized the City Administrator of Chesterfield to enter into a Settlement Agreement similar in form to that attached;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Administrator is hereby authorized to sign the Settlement Agreement.

Section 2. The Mayor, City Administrator, City Attorney and Director of Planning are authorized to perform on behalf of the City all obligations required of the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 11th day of October, 2007.



[Handwritten Signature]
MAYOR

ATTEST:

[Handwritten Signature]
CITY CLERK

FIRST READING HELD: 10/1/07