

BILL NO. 2725

ORDINANCE NO. 2542

AN ORDINANCE PROVIDING FOR THE ACQUISITION, BY PURCHASE OR CONDEMNATION, OF 155 SQ. FT. OF PERMANENT AND 2,812 SQ. FT. OF TEMPORARY EASEMENT AT 616 STONEBROOK, CHESTERFIELD, MISSOURI 63005 TO FACILITATE THE INSTALLATION OF A STORMWATER CULVERT AND ASSOCIATED GRADING TO SUPPORT THE FUTURE CONSTRUCTION OF A RIPARIAN TRAIL AND LYDIA HILL DRIVE PAVEMENT EXTENSION.

WHEREAS, the City of Chesterfield is a political subdivision, City of the Third Class, located in St. Louis County, Missouri and duly incorporated under the Revised Statutes of Missouri; and,

WHEREAS, the City Council, having been duly elected and qualified, is empowered to, among other things, acquire and hold property within the City for, among other things, public recreational trails, public streets and other public purposes pursuant to the Revised Statutes of Missouri; and,

WHEREAS, the City, pursuant to Chapters 77, 88, 90, 258 and 523 of the Revised Statutes of Missouri has the power, authority, and privilege to acquire, by condemnation or otherwise, private property for public use; and,

WHEREAS, the City Council has determined that the City requires the acquisition of certain easements necessary to facilitate the installation of a storm water culvert and associated grading to support the future construction of a riparian trail and Lydia Hill Drive pavement extension; and,

WHEREAS, the City has identified certain easements as being necessary for the installation of said storm water culvert and associated grading, said easements being approximately **155** square feet of permanent utility easement and **2,812** square feet of temporary construction easement of that parcel of real property commonly known and numbered as **616 Stonebrook Court**, Chesterfield, Missouri 63005, titled in the name of **Miariam Louise Jeske**.

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

Section 1. The City has determined that it is necessary and proper for the City to acquire a permanent utility easement containing approximately **155** square feet and a temporary construction easement containing approximately **2,812** square feet on property located at **616 Stonebrook Court**, Chesterfield, MO Locator No. **18T330501**, legally described as set forth on Exhibit A attached hereto and incorporated herein by this reference, for the purpose of installing of a storm water culvert and associated grading to support the future construction of a riparian trail and Lydia Hill Drive pavement extension.

Section 2. The City's Attorney(s) and/or the City Administrator on behalf of the City Council are authorized to take such action as may be necessary to acquire said easements from the current owner, **Miriam Louise Jeske**, and any unknown heirs, beneficiaries and other persons, and legal entities claiming a legal interest in the subject property through negotiated purchase or by condemnation proceedings instituted by the City pursuant to the Revised Statutes of Missouri and Missouri Supreme Court Rule 86.

Section 3. In the event the City is unable to acquire the necessary easements through negotiated purchase, the City's Attorney(s) and/or the City Administrator on behalf of the City Council are authorized to take such action as may be necessary to institute condemnation proceedings to acquire said property pursuant to the City's eminent domain authority under the Revised Statutes of Missouri.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

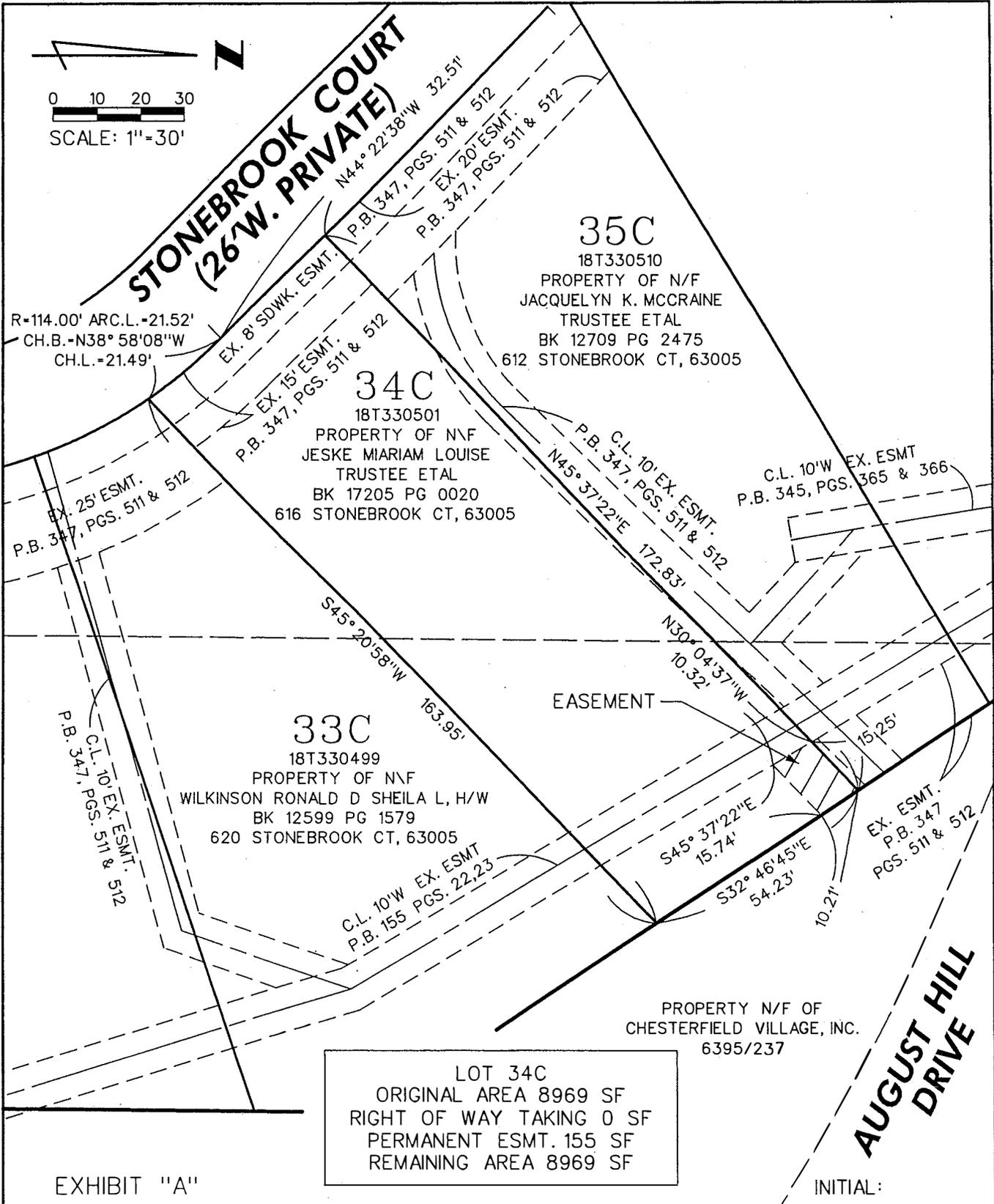
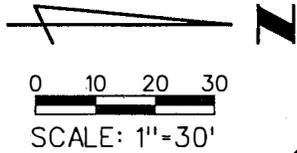
Passed and approved this 15th day of JUNE, 2009.


MAYOR

ATTEST:


CITY CLERK

[FIRST READING HELD: _____]

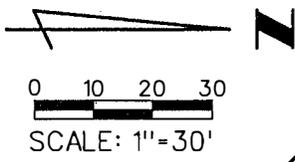


LOT 34C
 ORIGINAL AREA 8969 SF
 RIGHT OF WAY TAKING 0 SF
 PERMANENT ESMT. 155 SF
 REMAINING AREA 8969 SF

EXHIBIT "A"

INITIAL:

EASEMENT PLAT
LOT 34C OF STONEHILL VILLAGE C
PLAT BOOK 347, PAGES 511 & 512
CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



**STONEBROOK COURT
 (26' W. PRIVATE)**

R=114.00' ARC.L.=21.52'
 CH.B.=N38° 58'08"W
 CH.L.=21.49'

35C
 18T330510
 PROPERTY OF N/F
 JACQUELYN K. MCCRAINE
 TRUSTEE ETAL
 BK 12709 PG 2475
 612 STONEBROOK CT, 63005

34C
 18T330501
 PROPERTY OF N/F
 JESKE MIARIAM LOUISE
 TRUSTEE ETAL
 BK 17205 PG 0020
 616 STONEBROOK CT, 63005

33C
 18T330499
 PROPERTY OF N/F
 WILKINSON RONALD D SHEILA L, H/W
 BK 12599 PG 1579
 620 STONEBROOK CT, 63005

C.L. 10' W EX. ESMT
 P.B. 155 PGS. 22,23

EASEMENT
 PROPERTY N/F OF
 CHESTERFIELD VILLAGE, INC.
 6395/237

LOT 34C
 ORIGINAL AREA 8969 SF
 RIGHT OF WAY TAKING 0 SF
 TEMPORARY ESMT. 2812 SF
 REMAINING AREA 8969 SF

**AUGUST HILL
 DRIVE**

EXHIBIT "A"

INITIAL:

**EASEMENT PLAT
 LOT 34C OF STONEHILL VILLAGE C
 PLAT BOOK 347, PAGES 511 & 512
 CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI**