

BILL NO. 2726

ORDINANCE NO. 2543

**AN ORDINANCE PROVIDING FOR THE ACQUISITION, BY PURCHASE OR CONDEMNATION, OF TEMPORARY CONSTRUCTION EASEMENT COMPRISING APPROXIMATELY 3,667 SQ. FT. OF 620 STONEBROOK COURT IN CHESTERFIELD, MISSOURI 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 temporary construction easement as being necessary for the installation of said storm water culvert and associated grading, said easement comprised of approximately 3,667 square feet of that parcel of real property commonly known and numbered as **620 Stonebrook Court**, Chesterfield, Missouri 63005, titled in the name of **Ronald D. and Sheila L. Wilkinson**.

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 temporary construction easement containing approximately 3,667 square feet on property located at **620 Stonebrook Court**, Locator No. **18T330499**, 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 easement from the current owners, **Ronald D. and Sheila L. Wilkinson**, 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 easement 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.

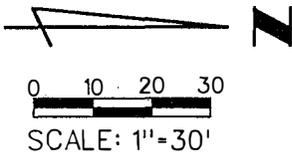
Passed and approved this 15th day of June, 2009.

  
MAYOR

ATTEST:

  
CITY CLERK

[FIRST READING HELD: \_\_\_\_\_ ]



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

R=114.00' ARC.L.=29.01'  
CH.B.=N26° 16'12"W  
CH.L.=28.93'

P.B. 347, PGS. 511 & 512  
EX. 15' ESMT.  
P.B. 347, PGS. 511 & 512

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

C.L. 10' W EX. ESMT.  
P.B. 347, PGS. 511 & 512

EX. 8' SDWK. ESMT.  
EX. 25' ESMT.  
P.B. 347, PGS. 511 & 512

**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

S71° 01' 08" N  
C.L. 10' EX. ESMT.  
P.B. 347, PGS. 511 & 512

**32C**  
18T330488  
PROPERTY OF N/F  
MCGEE WAYNE R  
BK 18037 PG 2557  
624 STONEBROOK CT, 63005

N18° 58' 52" W  
36.63'

N44° 39' 02" W  
47.28'

S32° 46' 45" E  
77.62'

S0° 37' 50" W  
25.84'

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

EASEMENT

LOT 33C  
ORIGINAL AREA 10459 SF  
RIGHT OF WAY TAKING 0 SF  
TEMPORARY ESMT. 3667 SF  
REMAINING AREA 10459 SF

EXHIBIT "A"

INITIAL: \_\_\_\_\_

**EASEMENT PLAT  
LOT 33C OF STONEHILL VILLAGE C  
PLAT BOOK 347, PAGES 511 & 512  
CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI**