

BILL NO. 2727

ORDINANCE NO. 2544

AN ORDINANCE PROVIDING FOR THE ACQUISITION, BY PURCHASE OR CONDEMNATION, OF TEMPORARY CONSTRUCTION EASEMENT COMPRISING APPROXIMATELY 1,413 SQ. FT. OF 624 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 1,413 square feet of that parcel of real property commonly known and numbered as **624 Stonebrook Court**, Chesterfield, Missouri 63005, titled in the name of **Wayne R. McGee**.

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

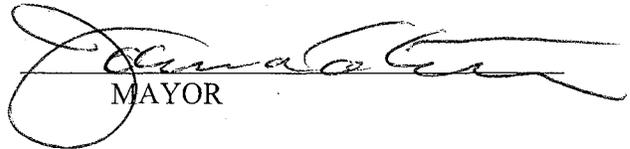
Section 1. The City has determined that it is necessary and proper for the City to acquire a temporary construction easement containing approximately **1,413** square feet on property located at **624 Stonebrook Court**, Locator No. **18T330488**, legally described as set forth on Exhibit A attached 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, **Wayne R. McGee**, 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.

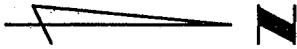
Passed and approved this 15th day of JUNE, 2009.


MAYOR

ATTEST:


CITY CLERK

[FIRST READING HELD: _____]



0 10 20 30

SCALE: 1"=30'

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

R=114.00' ARC.L.=34.19'
 CH.B.=N10° 23'19"W
 CH.L.=34.06'

EX. 8' SDWK. ESMT.

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

P.B. 347, EX. ESMT.
 C.L. 10' PGS. 511 & 512
 N71° 01'08"E

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

31C

18T330477
 PROPERTY OF N/F
 BRZENK DONNA C.
 & RICHARD S.
 BK 15033 PG 0929
 628 STONEBROOK CT
 63005

138.50'
 N89° 31'10"W

32C

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

33C

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

EASEMENT

N18° 58'52"W
 78.59'

3.72'

31.96'

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

S0° 37'50"W
 25.84'

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

LOT 32C
 ORIGINAL AREA 8432 SF
 RIGHT OF WAY TAKING 0 SF
 TEMPORARY ESMT. 1413 SF
 REMAINING AREA 8432 SF

EXHIBIT "A"

INITIAL:

**EASEMENT PLAT
 LOT 32C OF STONEHILL VILLAGE C
 PLAT BOOK 347, PAGES 511 & 512
 CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI**