

St. Louis City Ordinance 65092

FLOOR SUBSTITUTE
BOARD BILL NO. 79 [00]

INTRODUCED BY ALDERMAN TERRY KENNEDY

AN ORDINANCE recommended by the Board of Public Service authorizing and directing the Mayor and the Comptroller of the City of St. Louis (hereinafter called "City") to execute and deliver to the Howard Bend Levee District (hereinafter called "District"), its successors and assigns, an Assignment of Easement Agreement for a strip of land running from the back road of the City of St. Louis Howard Bend Water Treatment Plant North to the Missouri River a distance of approximately twenty six hundred feet (2600'), located on the North side of said back road. The original easement, which was granted to the City of St. Louis, is filed for record with the St. Louis County Recorder of Deeds Office in Book 1014 Page 291, and

WHEREAS, the City is the owner of an easement of a strip of property located in the County of St. Louis in which the District is interested in improving for development, and

WHEREAS, it is deemed to be in the public interest to permit the improvements of land for development, and

WHEREAS, the City is willing to assign the easement as described in **EXHIBIT 1** to Howard Bend Levee District,

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

SECTION ONE. The Mayor and the Comptroller, acting on behalf of the City of St. Louis, are hereby authorized and directed to execute and deliver to the Howard Bend Levee District, its successors and assigns, the Assignment of Easement as described in Exhibit 1 of the Ordinance, located in St. Louis County Missouri.

SECTION TWO. This being an Ordinance relating to a public work and improvement and to provide for the preservation of the public health, it is hereby declared to be an emergency measure as defined by Article IV, Section 20 of the City Charter, and shall become effective immediately upon its passage and approval by the Mayor.

EXHIBIT 1

ASSIGNMENT OF EASEMENT

THIS ASSIGNMENT OF EASEMENT is made and entered into this _____ day of _____, 2000, by and between the City of St. Louis (hereinafter called the "Assignor") and the Howard Bend Levee District, a Missouri statutory levee district (hereinafter called Assignee"), with a mailing address of Ziercher & Hocker, P. C., 231 S. Bemiston, 8th floor, St. Louis, Missouri 63105, Attention: Daniel L. Human, Esq.

WHEREAS, the Assignor obtained a perpetual right-of-way and drainage ditch easement, from Frederick W. Reising and Laverne Reising, H/W, and Mary E. Puellmann and Roland F. Puellmann, H/W, dated June 18, 1929 (original easement date) as recorded in Book 1014 Page 291 of the St. Louis County Records; and

WHEREAS, Assignor now wished to assign to the Assignee all of its rights and benefits arising from the Easement Deed; and

WHEREAS, this assignment shall be subject to the terms and conditions of the original Easement Deed; and

WHEREAS, Assignee wishes to accept the assignment from the Assignor.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor hereby sells, assigns, transfers and conveys unto Assignee the following described Easement as set forth in Book 1014, Page 291 of the St. Louis County Records:

An Easement and perpetual right of way for the purpose and use of building and maintaining a drainage ditch sufficient in size and character to effectually drain the lands of all parties. Said ditch shall begin at a point at the Missouri River located in United States Survey One Hundred Twenty (120), Lot Seven (7) of the Moss Hunton Subdivision, Bonhomme Township, and there the ditch shall follow the

common property line of Frederick W. Reising and Laverne Riesing, his wife, and Mary E. Puellmann and Roland F. Puellmann, her husband, to the right-of-way of the City of St. Louis Property, a distance of twenty-six hundred feet (2,600'), more or less. Said Easement has been filed for record with the St. Louis County Recorder of Deeds Office, in Book 1014 Page 291.

IN WITNESS WHEREOF, the Assignor has executed this Assignment of Easement as of the day and year first above written.

THE CITY OF ST. LOUIS

BY: _____
CLARENCE HARMON, MAYOR

BY: _____
DARLENE GREENE, COMPTROLLER

Approved as to form:

CITY COUNSELOR

ATTEST:

REGISTER

STATE OF)
MISSOURI)
CITY OF ST.)
LOUIS)

On this ____ day of _____, 2000, before me personally appeared Clarence Harmon and Darlene Green, respectively being by me duly sworn did state that he is the Mayor and she is the Comptroller of the City of St. Louis, a Municipal Corporation of the State of Missouri, and that said instrument was signed and sealed

on behalf of the City of St. Louis by authority of Ordinance No. _____, approved on the ___— day of _____, 2000 acknowledged said instrument to be the free act and deed of said City of St. Louis.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last written above.

 Notary Public
 My Commission expires:

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/09/00	06/09/00	PU		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
11/03/00			11/09/00	11/09/00
ORDINANCE	VETOED	VETO OVR	SIGNED BY MAYOR	
65092			11/22/00	