

<p>INTRODUCED BY: ALDERWOMAN PARKER TICE ALDERWOMAN SIMS ALDERMAN GOULD ALDERMAN ERGER</p>	<p>ALDERMAN PLUFKA ALDERMAN WEGGE ALDERMAN LOCHMOELLER ALDERWOMAN HARTER</p>
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AN ORDINANCE APPROVING AN AGREEMENT AND EASEMENT WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

WHEREAS, the Metropolitan St. Louis Sewer District needs an easement through the Brentwood Wetland Arboretum for their Webster Groves Trunk E Sanitary Relief Project;

NOW, THEREFORE BE IT ORDAINED, by the Board of Aldermen of the City of Brentwood, Missouri, as follows:

SECTION 1: The Board of Aldermen approves an agreement and easement with MSD in substantial conformity with the terms shown on Exhibit A attached hereto and incorporated herein by this reference as if set out here in full, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this Ordinance and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The Mayor, City Administrator and other appropriate City officials are hereby authorized to execute the Agreement and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this Ordinance.

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval according to law.

PASSED BY THE BOARD OF ALDERMEN THIS 20TH DAY OF MAY 2024.



David A. Dimmitt, Presiding Officer

ATTEST:



Kelle Silvey, Deputy City Clerk

APPROVED BY THE MAYOR THIS 20TH DAY OF MAY 2024



David A. Dimmitt, Mayor

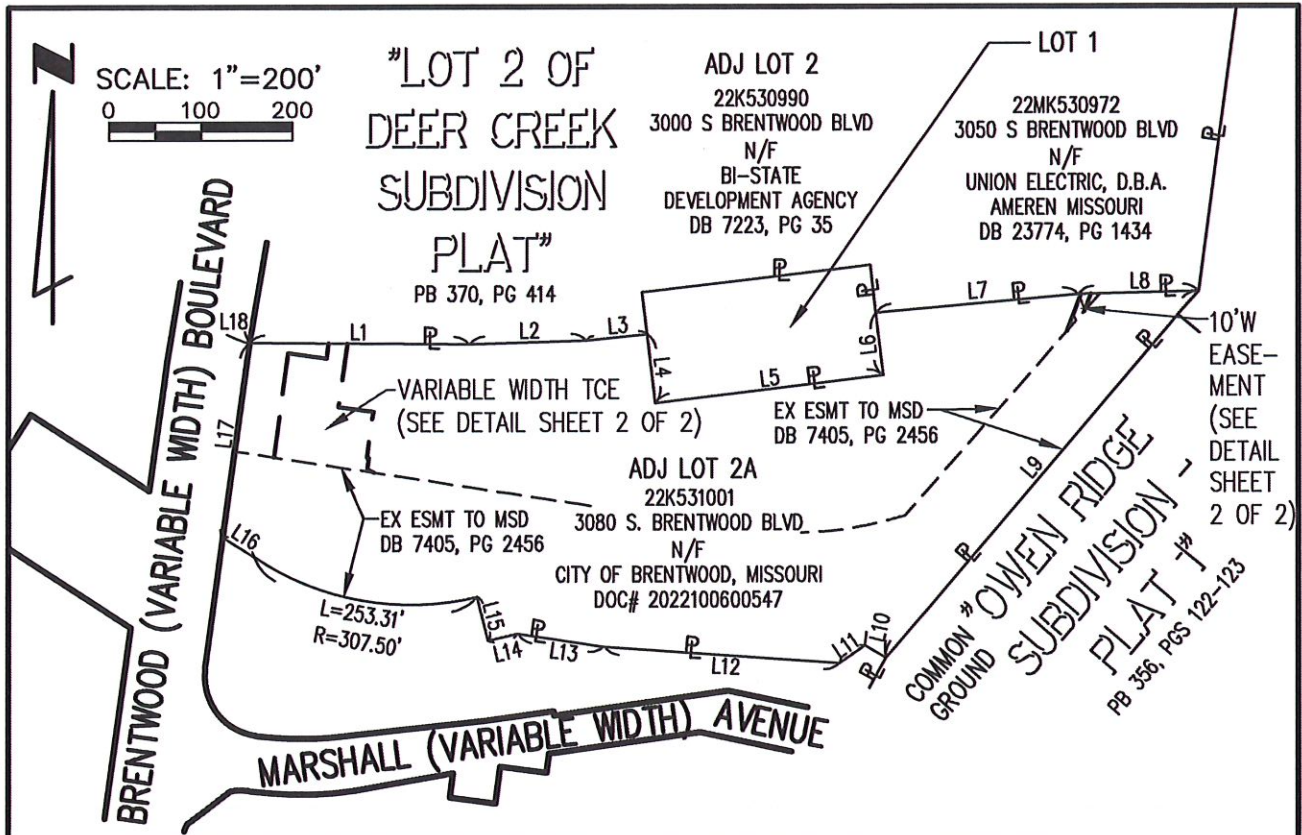
ATTEST:


Kelle Silvey, Deputy City Clerk

1st Reading: May 20, 2024
2nd Reading: May 20, 2024



Plotted by SABUR591 on March 27, 2024 at 10:23:11 PM
 C:\Users\SABUR591\Desktop\My Projects\22-106_Webster Trunk E\dwg\Esmt Files\10794-78-22K531001-[E-TCE].dwg



LINE#	DIRECTION	DISTANCE
L1	S89°27'49"E(C) N88°09'25"E(R)	239.27'
L2	N88°11'04"E(C) N88°09'25"E(R)	126.97'
L3	N84°03'06"W(C) N84°01'27"W(R)	66.22'
L4	S06°42'17"E(C)	74.54'
L5	N83°17'43"E(C)	250.00'
L6	S06°42'17"E(C)	67.79'
L7	N84°44'57"E(C) N84°43'18"E(R)	220.41'
L8	N88°43'46"E(C) N88°42'07"E(R)	130.01'
L9	S40°38'01"W(C) S40°42'53"W(R)	519.95'(C) 519.45'(R)

LINE#	DIRECTION	DISTANCE
L10	N60°18'25"W(C) N60°20'04"W(R)	26.20'(C) 25.00'(R)
L11	S55°22'18"W(C) S55°20'39"W(R)	33.61'(C) 34.37'(R)
L12	N85°56'52"W(C)	256.61'(C)
L13	N81°27'34"W(C)	95.24'(C)
L14	S77°26'28"W(C)	32.72'(C)
L15	N14°09'26"W(C)	48.34'(C)
L16	N57°53'35"W(C)	40.28'
L17	N07°49'09"E(C)	211.05'
L18	N10°10'00"E(C)	1.19'

LEGEND
 (C)—CALCULATED
 (R)—RECORD
 TCE—TEMPORARY CONSTRUCTION
 EASEMENT

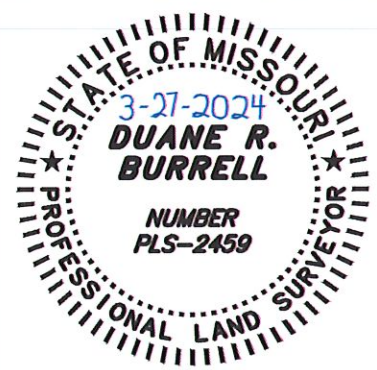
(SHEET 1 OF 2)
EXHIBIT "A"

INITIAL:

EASEMENT PLAT
 ADJ. LOT 2A OF "LOT 2 OF DEER CREEK
 SUBDIVISION PLAT", PLAT BOOK 370, PAGE 414
 BRENTWOOD, ST. LOUIS COUNTY, MISSOURI

SABUR SURVEYING, INC.
 1751 ASHBY RD
 ST. LOUIS, MO
 63114
 (314) 428-1414
 Authority No.
 LS-293-D

Duane R. Burrell
 Duane R. Burrell, P.L.S. Missouri
 License No. 2459
 Date: 3/27/2024



3/27/24 **REVIEWED**
 By sjantosik at 9:48 am, Apr 02, 2024

10794-78-22K531001-[E-TCE]

WEBSTER GROVES TRUNK E SANITARY RELIEF (SKME-628) PHASE 1 (10794)



**Metropolitan St. Louis
Sewer District**

2350 Market Street
St. Louis, MO 63103-2555
314-768-6200
www.msdpjectclear.org

May 8, 2024

City of Brentwood
Bola Akande
2348 S. Brentwood Blvd
Brentwood, MO. 63144

RE: Sewer Easement
MSD Project #10794
Webster Groves Trunk E Sanitary Relief (SKME-628) Phase 1 and Phase II
For property located at: 3080 S Brentwood Blvd St. Louis MO 63144
Parcel #78 - County Locator #22K-53-1001

Dear Bola Akande:

In exchange for the granting of an easement across part of your property, the Metropolitan St. Louis Sewer District ("MSD") agrees to the following:

1. MSD's Contractor is required by the contract with MSD to protect and avoid damage to all private property along the line of work, and shall repair, replace or compensate for any damage to improvements; such as retaining walls, fences, pavements, landscaping, or any other property disturbed or damaged as a result of the construction on the above project. Normally, however, trees, shrubs and plants within the easement lines may be removed and not replaced unless otherwise shown on the plans or provided in the Project Specifications. MSD will enforce these and all other provisions of its contract with the Contractor.
2. MSD will need to use this property for both the Webster Groves Trunk E. Sanitary Relief (SKME-628) Phase I (anticipated construction time August 2024 – July 2025) and Webster Groves Trunk E. Sanitary Relief (SKME-628) Phase II (anticipated construction start time Winter 2025/Spring 2026)
3. **Phase I**
 - a. **Notice & Contractor Communication:**
 - i. MSD's Contractor shall meet with you no less than thirty (30) days prior to commencing construction activities on the Property.
 - ii. MSD's Contractor shall notify you no less than seven (7) days prior to commencing construction activities on the Property.
 - iii. Upon commencement of construction activities on the Property, MSD's Contractor shall be required to provide you with monthly status reports.

b. Fencing

- i. MSD's Contractor shall install and maintain a 60" chain link fence shown at the location on attached "**EXHIBIT A**"

c. Spoils protection

- i. If any excavated dirt is stored/stockpiled longer than two (2) weeks and will be reused onsite, it shall be cover cropped with a seed mix approved by the City of Brentwood.

d. Use of Temporary Construction Easement (TCE)

- i. MSD's Contractor shall only use the portion of TCE shown on "**EXHIBIT A**" for ingress/egress. No stockpiling of materials or equipment will be allowed in this area.

4. Phase II

a. Notice & Contractor Communication:

- i. MSD's Contractor shall meet with you no less than thirty (30) days prior to commencing construction activities on the Property.
- ii. MSD's Contractor shall notify you no less than seven (7) days prior to commencing construction activities on the Property.
- iii. Upon commencement of construction activities on the Property, MSD's Contractor shall be required to provide you with monthly status reports.

b. Fencing

- i. MSD's Contractor shall install and maintain a 60" chain link fence shown at the location on attached "**EXHIBIT B**"

c. Spoils protection

- i. If any excavated dirt is stored/stockpiled longer than two (2) weeks and will be reused onsite, it shall be cover cropped with a seed mix approved by the City of Brentwood.

5. **Restoration – Phase I & Phase II**

i. **Temporary Restoration**

1. MSD's Contractor shall Seed & Straw all the impacted areas disturbed as part of this project.
2. The Seed Mix shall be approved by the City of Brentwood.

ii. **Permanent Restoration**

1. MSD shall pay the City of Brentwood \$27,215.00 to purchase the desired seed mix and plant the seed mix over the area disturbed by these projects, at a time deemed appropriate by the City of Brentwood
2. Total area = 59,711sf

6. **Payment**

- a. MSD will make a one-time payment to you in the amount of \$17,162.00 for the necessary easement rights.
- b. Restoration Payment Phase I & II = \$27,215.00
- c. Total Payment \$44,377.00

If you have any questions or if I can be of assistance, please call me at 314-768-6268.

Sincerely,

Craig Berry

Craig Berry
Right-Of-Way Agent

Exhibit A

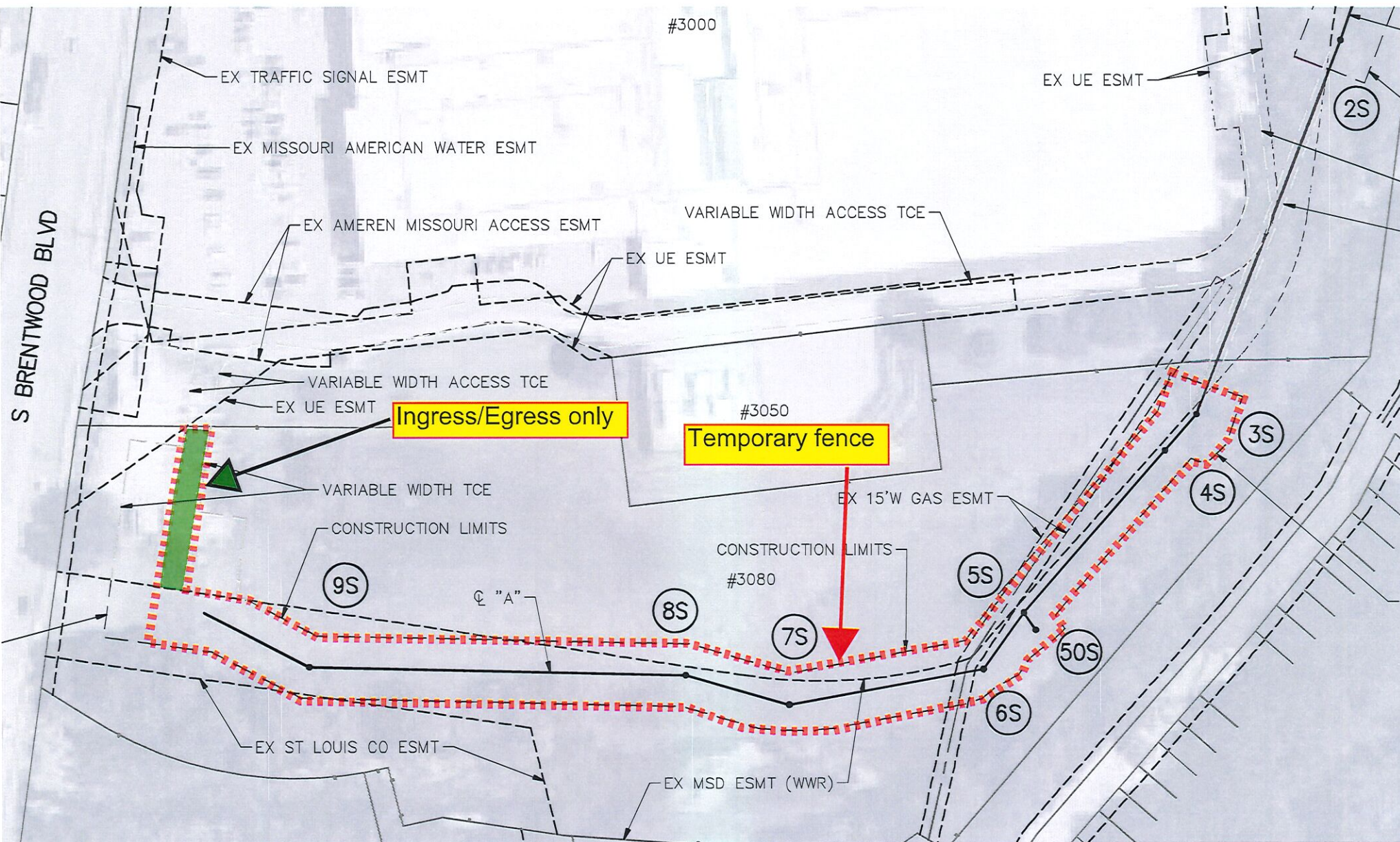


Exhibit B

