

Bill Number: 23-063

Ordinance Number: 3993

AN ORDINANCE AUTHORIZING THE CITY COUNSELOR TO FILE A DECLARATORY JUDGMENT ACTION TO DETERMINE WHETHER CURRENT EASEMENT LANGUAGE LEGALLY AUTHORIZES PLACEMENT OF FIBER COMMUNICATIONS APPARATUS ON EXISTING ELECTRIC POLES WITHOUT A CONDEMNATION ACTION

Be it ordained by the Board of Aldermen of the City of St. Robert as follows:

SECTION 1. That the City Counselor is authorized to file on behalf of the City of St. Robert a declaratory judgment action to determine whether current easement language legally authorizes placement of fiber communications apparatus on City electric poles without a condemnation action.

SECTION 2. The City is also passing a condemnation action to condemn the necessary property interest to create a communications easement to the new wastewater treatment facility.

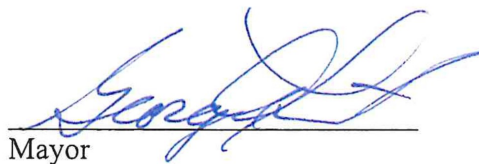
SECTION 3. The City's engineers thought the current language allowed the placement.

SECTION 4. Condemnation will take an excessive amount of time.

SECTION 5. There is a property owner who refuses to execute a new easement for fiber communication apparatus attachment to the electrical poles.

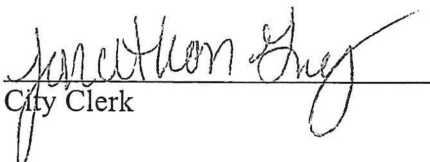
SECTION 6. This ordinance shall be in full force and effect from and after its passage and approval.

READ THREE TIMES AND PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ROBERT, MISSOURI ON OCTOBER 3, 2023.



Mayor

Attest:



City Clerk