



## Legislation Text

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**File #:** 19-0026R, **Version:** 1

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RESOLUTION AUTHORIZING AND ACCEPTING AN AMENDED AND RESTATED EASEMENT AGREEMENT WITH J & S PARTNERSHIP, LLP FOR STREET AND UTILITY PURPOSES OVER PROPERTY NEAR 44TH AVENUE WEST AT NO COST TO THE CITY.

### CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to execute and accept an amended and restated easement agreement for street and utility purposes, as more particularly described on the attached Exhibit 1, with J & S Partnership, LLP, at no cost to the city, over the real property legally described within Exhibit 1 and depicted on Exhibit A to Exhibit 1.

STATEMENT OF PURPOSE: This resolution authorizes the execution and acceptance of an amended and restated easement agreement for street and utility purposes with J & S Partnership, LLP, at no cost to the city, over vacated 44th Avenue West/Second Street between Grand Avenue and W. First Street. The exact area subject to this Amended and Restated Easement Agreement is described and depicted in Exhibit 1.

In 2011, the city accepted a street and utility easement over a portion of vacated 44th Avenue West/Second Street, but the easement agreement contained errors in the legal description for the owner's property, which resulted in recording errors and omissions with the St. Louis County Recorder and Registrar of Titles. In order to correct the errors in the original easement agreement and ensure that the city's easement is properly recorded, the city needs to execute and accept the amended and restated easement agreement.