

AGENDA ITEM

June 16, 2015

Subject: Dedication of Water Main in the Curtis Business Park

Department: Administration

Final Plat of Curtis Business Park and Development Agreement was approved by City Council in March 2014. At the time of approval no waterline was installed to service the lots and as per the Development Agreement (item 6) no building permits would be issued until a line is constructed and dedicated to the City.

In December 2020 a building permit was requested for lot 2 of the Curtis Business Park but was not issued due to no waterline ever being dedicated to the City. A Waterline was permitted by MoDNR and constructed to engineer plans, tested, flushed and disinfected on September 23, 2014.

This ordinance will accept title to the installed waterline and maintenance responsibilities.

Manager Note: I remember some past discussions and discrepancies related to this waterline dedication. As I recall an easement was never granted across the property west of Lot 3 where the State offices are currently constructed.

To not hold up development and so a building permit can be issued this acceptance is for the water line constructed in the platted easements of the Curtis Business Park.

In the Manager's report attached to this Agenda are the water line plans, approved plat and other related documentation.

Item 6: The Developer agrees to extend and dedicate for acceptance by the City, a public water line running from the current main located south of the Curtis Business Park north in the easement along County Road Mac Blvd to Lot 4 at the Developer's expense. **The City will not issue building permits on Lots 2, 3 and 4 until at the Developer's or future Developer's expense the water main has been fully constructed in the easement area depicted on Developer's plat and ownership for transfer to the City.** The line must meet City specifications and must be inspected in open trench for City approval and will be transferred to the city at the time of acceptance by forms approved by the City Attorney. – Ordinance 7955 - City of Nevada, Missouri development agreement Curtis & Sons Insurance Agency and Realty, Co. "Curtis Business Park"

BILL NO. 2021-003

ORDINANCE NO.

A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, ACCEPTING TITLE TO THE WATERLINE LOCATED IN LOT 5 and LOT 4 IN THE CURTIS BUSINESS PARK AND ACCEPTING MAINTENANCE RESPONSIBILITY THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. The City of Nevada, Missouri, Public Works Department, is hereby authorized and directed to assume maintenance responsibility and to accept title to the 8" water main as described in the dedication attached hereto and incorporated herein by reference.

Section 2. This special ordinance shall be in full force and effect upon its passage and approval.

PASSED, APPROVED and ADOPTED by the City Council of the City of Nevada, Missouri, this _____ day of _____, 2021.

(SEAL)

By: _____
George Knox, Mayor

Attest:

Michele Bailey, City Clerk

**WATER LINE DEDICATION
WITH WARRANTY OF TITLE**

KNOW ALL MEN BY THESE PRESENTS, that, the undersigned, in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION PAID, the receipt and adequacy of which is hereby acknowledged, does hereby bargain, sell, and delivery to The City of Nevada Missouri and its successors and assigns, the following described goods and chattels,

All water lines and supporting water transmission facilities and all wastewater lines and supporting wastewater facilities installed in the Curtis Business Park as finally dedicated in the plat recorded at plat cabinet 2 page 54 on March 7, 2014.

Grantor covenants that the Grantor is the lawful owner of said goods and chattels; that they are free and clear of all encumbrances, that Grantor has right to sell the same; that Grantor will warrant and defend the same against the lawful claims and demands of all persons, whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and affixed its seal the day and year hereinabove set forth.

Curtis and Sons Insurance Agency and
Realty Company Inc.

(SEAL)

Monte Curtis, President

Attest:

Corporate Clerk

CORPORATE ACKNOWLEDGMENT

STATE OF MISSOURI)

COUNTY OF VERNON) ss.
)

On this ____ day of _____, 2021, before me personally appeared Monte Curtis, to me personally known, who, being by me duly sworn did say that he is the President of Curtis and Sons Insurance Agency and Realty Company Inc. and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of the its board of directors and acknowledges the said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Vernon County, Missouri, the day and year first above written.

(SEAL)

Notary Public, State of Missouri