

AN ORDINANCE CLOSING WASHINGTON STREET BETWEEN SECOND AND THIRD STREETS AS PLATTED IN THE CITY OF CANTON, MISSOURI, AND PRESERVING ALL UTILITY EASEMENTS LOCATED WITHIN THAT PORTION OF WASHINGTON STREET BEING CLOSED

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CANTON, MISSOURI, as follows:

SECTION ONE. Closing a portion of Washington Street. That portion of Washington Street described as follows is hereby closed and vacated pursuant to the provisions of Section 88.673 RSMo:

That part of Washington Street from its intersection with the East line of Third Street continuing Easterly to its intersection with the West line of Second Street.

SECTION TWO. Easements and rights retained by the City of Canton. The City of Canton does specifically reserve unto itself, and all of its successors and assigns, a perpetual easement and rights in, on, over, across, and below the above described portion of Washington Street as follows:

A. A perpetual easement for the location, construction, operation, maintenance, alteration, repair, and patrol of an underground waterline, said easement being 15 feet either side of the current location of said water line, together with the right to trim, cut, and remove all trees, underbrush, obstructions, and other vegetation, structures, or other obstacles within limits of the right-of-way.

B. A perpetual easement for the passage of sewage and the construction, operation, maintenance, alteration, repair, and patrol of an underground sewer line 15 feet either side of the sewer line as presently located, with the right to trim, cut, and remove all trees, underbrush, obstructions, and other vegetation, structures or obstacles within the limits of the right-of-way.

C. A perpetual easement for the maintenance of surface water run off in a surface water drainage system including construction, operation, maintenance, alteration, repair, and patrol of the surface water drainage system, as it now exists, with the right to trim, cut, and remove all trees, underbrush, obstructions, and other vegetation, structures or obstacles within the limits of the right-of-way.

SECTION THREE. Prior inconsistent ordinances repealed. All prior ordinances or parts thereof in conflict with or inconsistent with the terms of this ordinance are hereby repealed.

SECTION FOUR. Severability. Each of the provisions of this ordinance are severable, and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.

SECTION FIVE. Effective date. This ordinance shall take effect from and after it has been made available to the general public by posting a copy thereof in the City Office, 400 Lewis Street, Canton, Missouri, as provided by law, after it has been read by title two times before the Board of Aldermen of the City of Canton, Missouri, after it has been adopted by the Board of Aldermen of the City of Canton, Missouri, and approved by the Mayor of the City of Canton, Missouri.

Adopted this 15th day of May, 2023.



Presiding Officer

Approved this 15th day of May, 2023.



Mayor

ATTEST:



City Clerk

