

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF RICHMOND HEIGHTS, MISSOURI WITH MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION WHEREBY MODOT GRANTS PERMISSION TO ALLOW THE INSTALLATION, INCLUDING MAINTENANCE, OF ORNAMENTAL FENCING WITHIN THE CITY LIMITS OF RICHMOND HEIGHTS.

---

WHEREAS, the City of Richmond Heights, Missouri is desirous of entering into an Ornamental Maintenance Agreement marked as Exhibit B attached hereto, with RBM Hotel Richmond Heights, LLC, a limited liability company, pursuant to which an ornamental fence is to be installed and maintained on a State right-of-way on the west side of I-170 south of the Clayton Road overpass in Richmond Heights, Missouri whose cost for materials, installation and maintenance obligations will be borne by RBM Hotel Richmond Heights, LLC; and

WHEREAS, it is necessary to enter into an Agreement with MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION for consideration of this installation and maintenance of said ornamental fence on this Commission right-of-way.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. The Mayor is hereby authorized to execute an Agreement on behalf of the City of Richmond Heights, Missouri, with MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION (“Commission”), as outlined in the attached Agreement marked as Exhibit A and made a part hereof as though fully set out herein to allow the installation, including maintenance of ornamental fencing to be installed and maintained on Commission right-of-way as provided in this Agreement. Said Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

SECTION 2. This ordinance shall be in full force and effect on the thirty-first day from and after its passage.

PASSED and APPROVED this 1st day of July, 2013.

---

JAMES J. BECK  
MAYOR

ATTEST:

---

PATRICIA S. VILLMER  
DEPUTY CITY CLERK

APPROVED AS TO FORM:

---

KENNETH J. HEINZ  
CITY ATTORNEY

First reading:            June 17, 2013  
Second reading:        July 1, 2013