

## **BILL NO. 21-222**

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AN ORDINANCE APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND THE LEE'S SUMMIT R-7 SCHOOL DISTRICT FOR THE INSTALLATION AND UPSIZING OF A PUBLIC SANITARY SEWER MAIN ON CITY PROPERTY AND EASEMENTS FOR THE BAILEY ROAD MIDDLE SCHOOL AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, on November 10, 2020, the City Council passed Ordinance No. 8997 which approved a development agreement (Development Agreement) between the City of Lee's Summit (City) and the Lee's Summit R-7 School District (District) which provided for the development of the Bailey Road Middle School (Middle School); and,

WHEREAS, among other items, the Development Agreement set forth the expanding and upsizing of a public sanitary sewer main to serve the Middle School; and,

WHEREAS, in order for the District to expand and upsize the public sanitary sewer main contemplated in the Development Agreement, the District will need a license agreement to access real property owned by the City and current sewer easements granted to the City; and,

WHEREAS, the City desires to license to District and District desires to license from City the certain City property and easements for the purpose of expanding and upsizing a public sanitary sewer main for the Middle School; and,

WHEREAS, the City is granting this license based upon the District's agreements made in the License Agreement and in the Development Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The License Agreement which is attached hereto as Exhibit 1 and incorporated herein by reference, is hereby approved and the Mayor is authorized to execute the License Agreement in substantial compliance with the attached Agreement.

SECTION 2. Elected officials, City employees, and agents of the City are each hereby authorized to take such action and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*