

BILL NO. 247

ORDINANCE NO. 247

AN ORDINANCE OF THE CITY OF ST. MARYS, STE. GENEVIEVE COUNTY, MISSOURI, GRANTING TO MISSOURI NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT, INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, OWN, OPERATE, MAINTAIN, MANAGE AND CONTROL A GAS PLANT WITHIN THE CORPORATE LIMITS OF SAID CITY, AND A GAS DISTRIBUTION SYSTEM CONSISTING OF PIPES, CONDUITS, AND OTHER FIXTURES, IN, UNDER, ALONG AND ACROSS THE STREETS, LANES, AVENUES, SIDEWALKS, ALLEYS, BRIDGES AND PUBLIC GROUNDS OF SAID CITY FOR THE PURPOSE OF FURNISHING GAS FOR HEAT, POWER AND OTHER USEFUL PURPOSES TO SAID CITY AND ITS INHABITANTS.

BE IT ORDAINED by the Board of Aldermen of the City of St. Marys, Missouri, as follows:

Section 1. That there is hereby granted unto Missouri Natural Gas Company, a Missouri Corporation, its successors and assigns, herein called the Grantee, the right, permission and privilege, subject only to the laws of the state of Missouri as now or hereafter in force, and to the conditions and limitations hereinafter contained, to erect, install, construct, reconstruct, repair, own, operate, maintain, manage and control a gas plant, to be located on a site mutually agreed on by the City of St. Marys and the Grantee, and a gas distribution system consisting of pipes, conduits and other fixtures, within the limits of said City, necessary, convenient or proper for the production, transmission, distribution and delivery of gas for heat, power and other useful purposes to said City and its inhabitants.

Section 2. That said Grantee, its successors and assigns, are hereby granted the right-of-way in, under, along

and across the streets, sidewalks, alleys, bridges and public grounds of said City for the purpose of erecting, installing, constructing, reconstructing, repairing, owning, operating, maintaining, managing and controlling said gas plant and said gas distribution system.

Section 3. That said Grantee shall hold said City free and harmless of and from any and all liability, damages, actions and causes of action, caused by or through the neglect or mismanagement of the Grantee in the erection, installation, construction, reconstruction, repair, operation, maintenance, management and control of said gas plant and distribution system.

Section 4. That said Grantee shall not, during the erection, installation, construction, reconstruction, repairing, operating and maintenance of said plant or distribution system, unnecessarily impede public travel on the streets, sidewalks, alleys, bridges and public grounds of said City, and shall leave all of said streets, sidewalks, alleys, bridges and public grounds upon which it may enter for the purpose herein authorized in as good condition as they were at the date of said entry.

Section 5. That if any Section or portion of a Section of this Ordinance shall be declared null and void by any competent authority, the remaining portions hereof shall not be affected thereby.

Section 6. That all ordinances or resolutions or parts thereof heretofore adopted by said City in conflict with the terms hereof are hereby repealed.

Section 7. That the authority conferred upon and consent given to the Grantee shall be null and void if the construction of a gas distribution system in said City is not commenced within three (3) years from the date of the approval of this Ordinance by the Mayor.

Section 8. That this Ordinance shall take effect from and after its passage and approval by the Mayor.

Read three times and passed by the Board of Aldermen of the City of St. Marys, Missouri, this 27th day of October, 1953.

Louis C Myers  
President of Board of Aldermen

ATTEST:

Eugene A. Thomas  
City Clerk

APPROVED this 27th day of October, 1953.

J. E. DeLassen  
Mayor of the City of St. Marys,  
Missouri

ATTEST:

Eugene A. Thomas  
Clerk