

BILL NO. 1988

SPECIAL ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF CUBA, MISSOURI, ON BEHALF OF SAID CITY, TO ENTER INTO AN AGREEMENT WITH JESSE MAHURIN TO REMOVE A SHED FROM CITY RIGHT OF WAY.

WHEREAS, the Board of Aldermen of the City of Cuba, Missouri (City), has determined that it is in the best interests of the City to enter into an agreement with Jesse Mahurin to remove a shed from city right of way.

BE IT ORDAINED, by the Board of Aldermen of the City of Cuba, Missouri, as follows:

Section 1: The City of Cuba, Missouri, shall enter into an agreement with Jesse Mahurin to remove a shed from city right of way. A copy of said Agreement is attached hereto as Exhibit "A".

Section 2: The Mayor of the City of Cuba, Missouri, is authorized to execute the Agreement on behalf of the City.

Section 3: This ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, THIS ____ DAY OF _____, 2021.

CODY LEATHERS, MAYOR

Attest:

CHRISTINE NASH, CITY CLERK

(City Seal)

Approved this _____ day of _____, 2021.

CODY LEATHERS, MAYOR

Attest:

CHRISTINE NASH, CITY CLERK

(City Seal)

Approved as to the form.
WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: _____
Lance B. Thurman, #51214
901 North Pine Street, Fourth Floor
Post Office Box 47
Rolla, Missouri 65402
(573) 341-2266

ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading On _____, 2021	Vote on Second Reading On _____, 2021
Kevin Copling		
Sam Black		
Debbie Martin		
Warren Graddy		
Curtis Holt		
Jeff Bouse		

CONTRACT FOR DEMOLITION OF BUILDING

This agreement entered into this _____ day of _____, 2021, between Jesse E. Mahurin, owner of the property located at 902 School Street, Cuba MO hereinafter referred to as "Owner" and the City of Cuba, Missouri, a municipal corporation hereinafter referred to as "City".

Whereas, Owner desires to have City to demolish building located on City Property; and

Whereas, the City desires to have building removed from its property; and

Whereas, the parties the parties have agreed that City will remove Owner's property at Owner's expense.

Now, therefore, for and in consideration of the premises hereinafter contained, the parties hereby agree as follows:

1. The City shall demolish the building at the above address and remove all debris.

2. Owner shall pay \$624.24 to the City. The owner agrees to pay the City \$100 for five months and \$124.24 on the 6th month, payable on the first of each month beginning April 1, 2021. Any payment's made after the 10th of each month, a 10% late fee will be added.

3. Owner agrees to indemnify and hold harmless the City and any of its employees for any damage to Owner's property during the course of demolition of the building and removal of debris.

4. This Agreement contains all of the covenants and agreements between the parties. Any modification of this Agreement shall be effective only if made in writing and signed by the parties hereto.

5. This Agreement shall inure to the benefit of and shall be binding upon the City and owner and their assignees. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

6. This Agreement shall be governed by and construed in accordance with the laws of the State of Missouri and the venue for resolution of any dispute shall be in the Circuit Court of Crawford County, Missouri.

In Witness Whereof, on the day and year first above written, the City and Contractor caused this Agreement to be executed in their names by their duly authorized representatives listed below.

Cody Leathers
Mayor of the City of Cuba

OWNER

Attested To:

Christine Nash, City Clerk

(City Seal)