

AN ORDINANCE APPROVING A SEWER SERVICE CONNECTION AGREEMENT FOR PROPERTY OWNED BY THE EMBERS BRANSON LLC LOCATED AT 139 IRISH LANE IN BRANSON AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT.

WHEREAS, the Owner desires to connect the above listed City public utilities for service to the Owner's property; and

WHEREAS, pursuant to City Code §90-36(b), the City is authorized to enter into contracts to provide City utility services beyond its city limits; and,

WHEREAS, the safe and adequate supply of potable water and the safe and adequate disposal of wastewater, within the close proximity of the City limits is of importance to the City in regards to protecting public health and the environment; and,

WHEREAS, the Owner desires to build new facilities or structures not originally intended to be served by the Damsite and Spring Creek South Sewer Services and Exclusive Territorial Agreement between the Taney County Commission, Taney County Regional Sewer District and City of Branson; and,

WHEREAS, the Owner desires to enter into this Sewer Service Connection Agreement which provides provisions and requirements for connection to City public utilities of the property; and

WHEREAS, it is to the mutual benefit of the parties hereto to enter into this Agreement; and,

WHEREAS, the Owner acknowledges that The Property shall be subject to City ordinances, resolutions and other regulations of the City as outlined and described herein, and as they may be amended from time to time so as to prevent disasters, protect lives and protect property.

WHEREAS, the Board of Aldermen desires to approve the Sewer Service Connection Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: The Board of Aldermen hereby approves the Sewer Service Connection Agreement with The Embers Branson LLC, owners of 139 Irish Lane in Branson, Missouri as specified in the related specifications and substantial conformity with the terms shown on Exhibit "1" attached and incorporated by this reference as set out here in full, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The Mayor, City Administrator, and other appropriate City officials are hereby authorized to execute the Agreement and such additional

documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.

Section 2: This ordinance shall be in full force and effect upon and after its passage and approval.

Read, this first time on this _____ day of _____, 20____.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this _____ day of _____, 20____.

Larry D. Milton
Mayor

ATTEST:

APPROVED AS TO FORM:



Hillary Briand
City Clerk

City Attorney