

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A QUIT CLAIM DEED BY AND BETWEEN THE CITY OF PERRYVILLE AND **LARRY W. AND CHARLYN D. WINKLER REVOCABLE TRUST** RELEASING **AN EASEMENT DEED RECORDED AT BOOK 283, PAGE 147 OF THE PERRY COUNTY LAND RECORDS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a Quit Claim Deed, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to execute said Quit Claim Deed;

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the Quit Claim Deed marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the **City of Perryville**, a municipal corporation, and **Larry W. and Charlyn D. Winkler Revocable Trust**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said Quit Claim Deed.

2. That the Mayor be and he is hereby authorized and directed to execute said Quit Claim Deed for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached Quit Claim Deed.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

5. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: _____.

SECOND READING: _____.

PASSED AND APPROVED this ____ day of _____, 2021, by a vote of ____ ayes, ____ nays, __ abstentions and __ absent.

CITY OF PERRYVILLE, MISSOURI

By: _____
Mayor

ATTEST:

City Clerk

Quit Claim Deed

THIS INDENTURE, made on the _____ day of _____, 2021, by
and between

CITY OF PERRYVILLE, MISSOURI, a municipal corporation, "Grantor"
215 North West Street, Perryville, MO 63775

of the County of Perry and State of Missouri, Party of the First Part, and

LARRY W. AND CHARLYN D. WINKLER REVOCABLE TRUST
Dated July 8, 2020

By LARRY W. WINKLER AND CHARLYN D. WINKLER, Trustees, "Grantee"

of the County of Perry and State of Missouri, Party of the Second Part.

WITNESSETH, that on the 5th day of April, 1989, the Grantor received an Easement Deed recorded at Book 283, Page 147 of the land records of the Recorder of Deeds of Perry County, Missouri, and that the Grantor hereby releases said Easement Deed, and

WITNESSETH, that the said Grantor, in consideration of the sum of Ten Dollars and other good and valuable consideration to it paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents Remise, Release, and forever Quit-Claim unto the said Grantees the following described Lots, Tracts, or Parcels of land, lying, being and situate in the County of Perry and State of Missouri, to-wit:

A permanent easement to construct, maintain, and repair utilities. Said easement being part of a tract as recorded in Book 282, Page 172 of the Perry County Deed Records and being more particularly described as follows:

Beginning at a point on the Northwest line of a 20 foot wide utility easement as recorded in Book 234, Page 872 of said Deed Records from which the Southeast corner of said tract bears South 45° 20' 13" East 137.04 feet; thence North 69° 00' 00" West 60.00 feet; thence North 21° 00' 00" East 50.00 feet; thence South 69° 00' 00" East 60.00 feet to the Northwest line of said 20 foot easement; thence South 21° 00' 00" West 50.00 feet to the point of beginning.

TO HAVE AND TO HOLD the same with all the rights, immunities, privileges and appurtenances thereto belonging unto the said Grantee and its heirs and assigns, **FOREVER**, so that neither the said Grantor nor its heirs, or any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

CITY OF PERRYVILLE, MISSOURI

(SEAL)

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

STATE OF MISSOURI)
) SS.
COUNTY OF PERRY)

On this ____ day of _____, 2021, before me personally appeared Ken Baer, to me known, who being by me first duly sworn did say that he is the Mayor of the City of Perryville, Missouri, a municipal corporation of the State of Missouri, and the seal affixed to the foregoing instrument is the seal of said city, and said instrument was signed and sealed on behalf of said city by authority of its Board of Aldermen, and said Ken Baer acknowledged said instrument to be the free act and deed of said city.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year first above written.

(SEAL)

_____, Notary Public
State of Missouri
County of Perry
Commission No. _____
My term expires: _____