

BILL NO. 2784

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A
DONATION OF LAND FOR RECREATIONAL AND
EDUCATIONAL USES**

WHEREAS, the City of Chesterfield wishes to provide recreational, educational and park facilities for the use of the residents; and,

WHEREAS, the Rockwood R-VI School District owns certain land on Wilson Road that was given to the School District and is desirous of giving the land to the City for use recreational and educational uses; and,

WHEREAS, the City of Chesterfield, can use the land as a park to provide recreational and educational uses for the children in the Rockwood R-VI School District and its residents; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS
FOLLOWS:**

Section 1. The Mayor of the City of Chesterfield is hereby authorized accept, by quit-claim deed in a form similar to that which is attached hereto and marked Exhibit 1, certain property on Wilson Road and undertake all other actions as are needed to fulfill the City's obligations under the deed.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2010.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

QUITCLAIM DEED

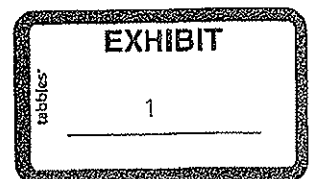
THIS DEED, made and entered into as of this _____ day of _____, 2010, by and between Rockwood R-VI School District, a school district of the State of Missouri, Grantor, mailing address: 111 East North Street, Eureka, Missouri 63025 and The City of Chesterfield, a municipality located within the County of St. Louis, State of Missouri, Grantee, mailing address: 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

WITNESSETH, that the Grantor, for and in consideration of the sum of ten dollars and other valuable consideration paid by the Grantee, the receipt of which are hereby acknowledged, does by these presents REMISE, RELEASE AND QUITCLAIM unto the Grantee, the real estate situated in the County of St. Louis and State of Missouri (the "Property"), and described in Exhibit A attached hereto and incorporated herein by reference.

SUBJECT TO building lines, easements, conditions and restrictions, if any, of record.

SUBJECT ALSO TO the following conditions and restrictions: (a) That the Property is to be used for recreational and/or educational purposes; and (b) That the Grantor shall have the right of first access to the Property for any educational uses made of the Property by the Grantee.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantee, and the heirs and assigns of such parties forever, so that neither the Grantor nor its heirs, nor any other person or persons for them or in their names 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 caused these presents to be executed by its President the day and year first above written.

GRANTOR:

ATTEST:

ROCKWOOD R-VI SCHOOL DISTRICT

Kathy Chitwood, Secretary
Rockwood Board of Education

By: Rao Kaza, President
Rockwood Board of Education

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS)

ON THIS _____ DAY OF _____, 2010, before me personally appeared RAO KAZA, to me known, who, being by me duly sworn, did say that he is the President of the Rockwood Board of Education, and that the seal affixed to the foregoing instrument is the seal of Rockwood R-VI School District, and that said instrument was signed on behalf of said School District, and he acknowledged said instrument to be the free act and deed of said School District.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in the County of St. Louis, State of Missouri, the day and year last above written.

Notary Public

My Commission Expires: _____

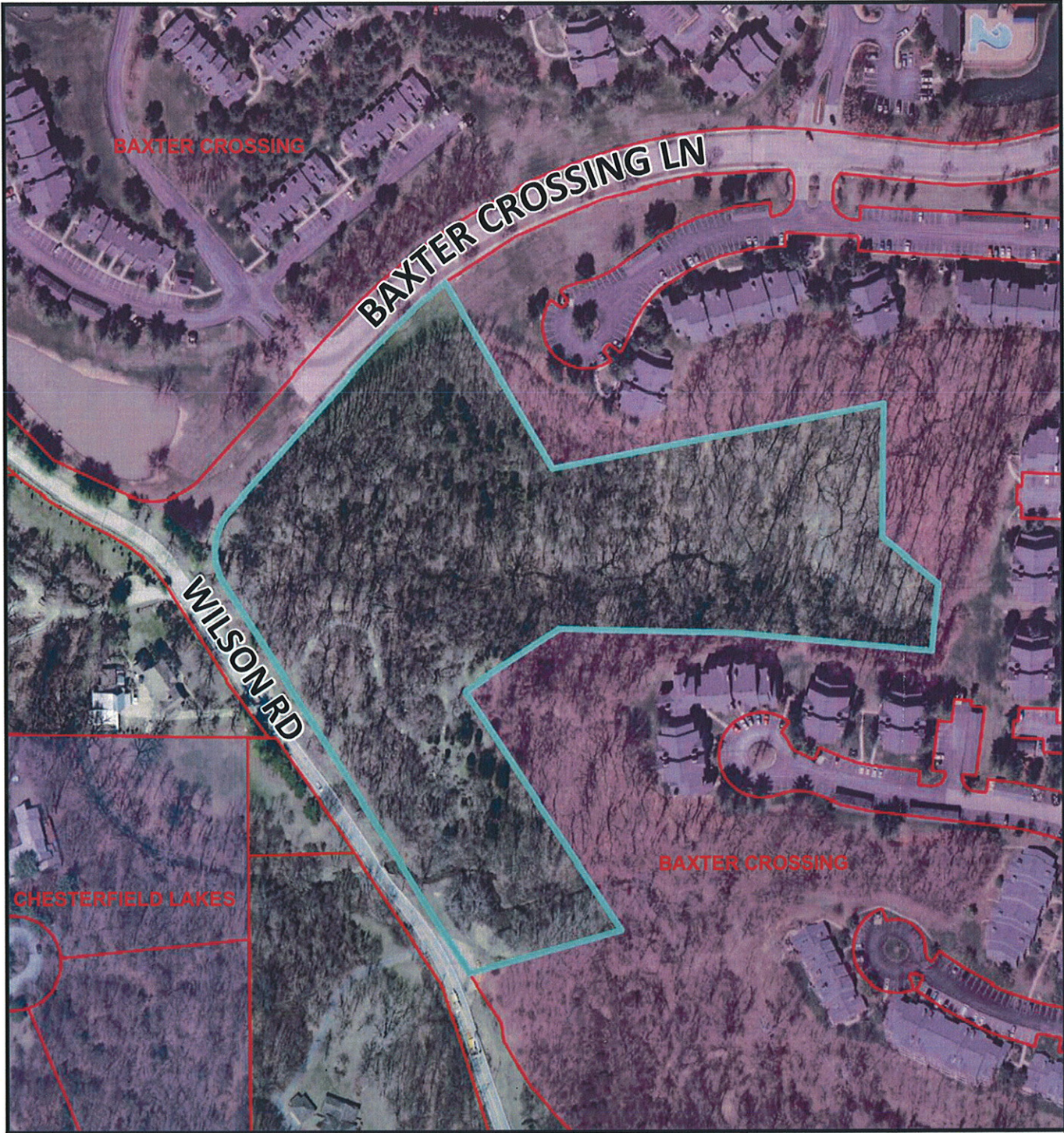
Notary Seal:

EXHIBIT A

A tract of land being in U.S. Surveys 2002 and 2760 and in Sections 9 and 16 Township 45 North, Range 4 East of the 5th Principal Meridian, St. Louis, County, Missouri being part of that tract shown as Future Development on Plat of Wilson Valley recorded in Plat Book 261, Page 53, and being more particularly described as follows:

Commencing for Reference at point in the South line of U.S. Survey 125, the North line of U.S. Survey 2760 and the Easterly line of Wilson Avenue (40 feet wide) as shown on said Plat of Wilson Valley recorded in Plat Book 261, Page 53; thence along the said Easterly line of Wilson Avenue South 42 degrees 02 minutes 09 seconds East 148.04 feet; thence South 10 degrees 37 minutes 09 seconds East 676.17 feet; thence South 61 degrees 12 minutes 09 seconds East 303.57 feet; thence South 44 degrees 02 minutes 09 seconds West 229.40 feet; thence South 64 degrees 32 minutes 09 seconds East 201.93 feet; thence South 33 degrees 32 minutes 09 seconds East 101.61 feet to the South right-of-way line of Wilson Avenue Spur the True Point of Beginning;

Thence along the South right-of-way line of Wilson Avenue Spur (60 feet wide) along a curve to the right along an arc of 119.90 feet, a radius of 90.00 feet and a chord bearing of North 04 degrees 37 minutes 44 seconds East 111.23 feet; thence North 42 degrees 47 minutes 35 seconds East 330.68 feet; thence along a curve to the right along an arc of 123.80 feet; a radius of 770.00 feet and a chord bearing of North 47 degrees 24 minutes 00 seconds East 123.67 feet; thence leaving said right-of-way line South 30 degrees 29 minutes 50 seconds East 305.80 feet; thence North 78 degrees 13 minutes 58 seconds East 479.62 feet; thence South 00 degrees 09 minutes 05 seconds West 103.47; thence South 50 degrees 57 minutes 20 seconds East 103.47 feet; thence South 04 degrees 51 minutes 23 seconds West 97.56 feet; thence North 85 degrees 08 minutes 37 seconds West 280.88 feet; thence North 89 degrees 13 minutes 46 seconds West 250.00 feet; thence South 56 degrees 05 minutes 01 seconds West 159.75 feet; thence South 33 degrees 32 minutes 09 seconds East 406.07 feet; thence South 73 degrees 26 minutes 35 seconds West 230.03 feet to said Easterly line of Wilson Avenue; thence along said line North 33 degrees 32 minutes 09 seconds West 655.33 feet to the True Point of Beginning, and also containing 9.98 acres more or less.

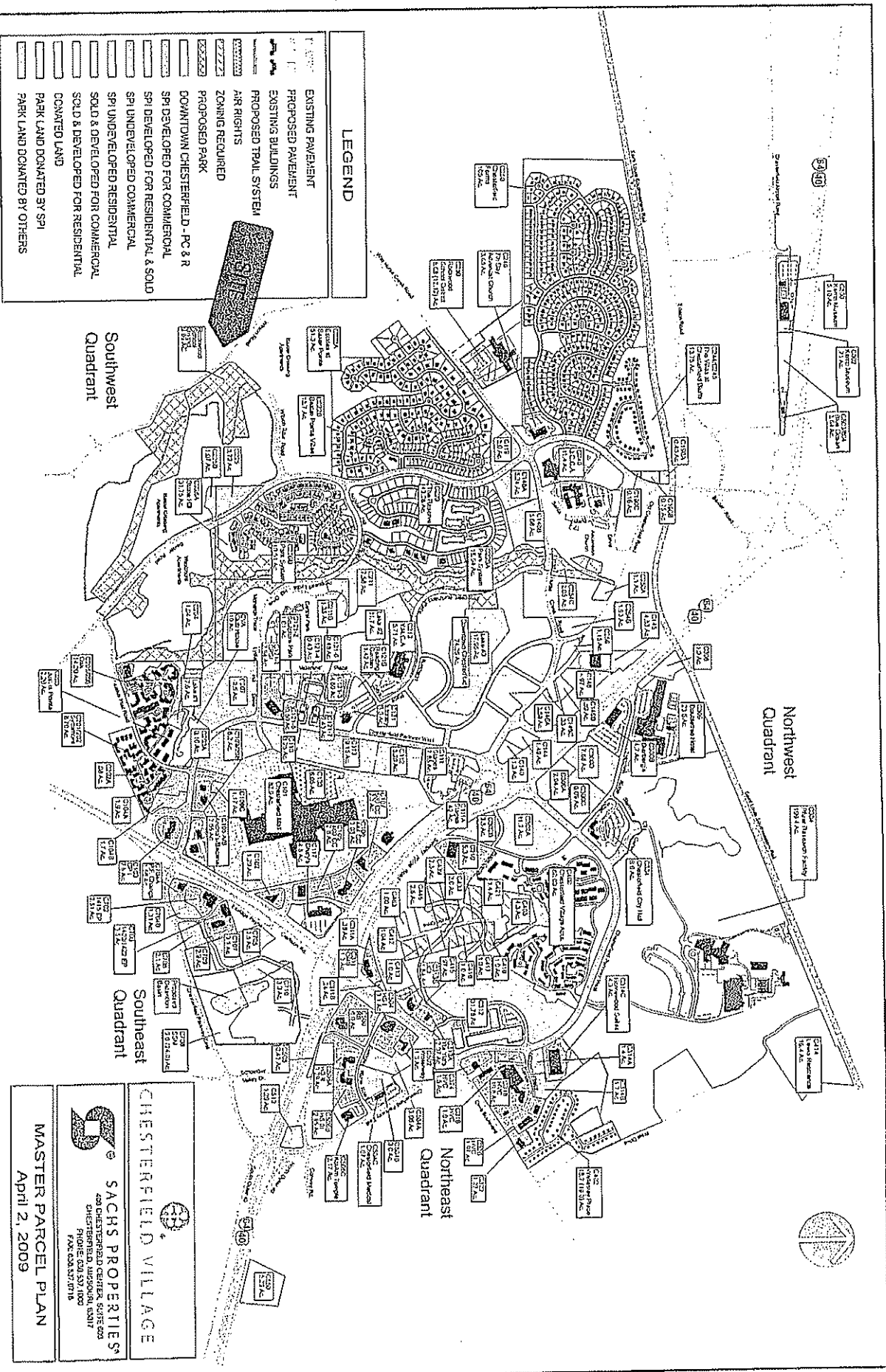


LOCATION MAP

A TRACT OF LAND BEING IN U.S. SURVEYS 2002 AND 2760 AND
IN SECTIONS 9 AND 16 TOWNSHIP 45 NORTH RANGE 4 EAST
OF THE 5TH PRINCIPAL MERIDIAN
ST. LOUIS COUNTY, MISSOURI
RECORDED IN PLAT BOOK 261, PAGE 53



1" = 200'



LEGEND

- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- EXISTING BUILDINGS
- PROPOSED TRAIL SYSTEM
- AIR RIGHTS
- ZONING REQUIRED
- PROPOSED PARK
- DOWNTOWN CHESTERFIELD - PC & R
- SPI DEVELOPED FOR COMMERCIAL
- SPI DEVELOPED FOR RESIDENTIAL & SOLD
- SPI UNDEVELOPED COMMERCIAL
- SPI UNDEVELOPED RESIDENTIAL
- SOLD & DEVELOPED FOR COMMERCIAL
- SOLD & DEVELOPED FOR RESIDENTIAL
- CONATED LAND
- PARK LAND DONATED BY SPI
- PARK LAND DONATED BY OTHERS

Northwest
Quadrant

Northwest
Quadrant

Southwest
Quadrant

Southwest
Quadrant

CHESTERFIELD VILLAGE

SACHS PROPERTIES
 420 CHESTERFIELD CENTER, SUITE 600
 CHESTERFIELD, MISSOURI 63017
 PHONE: 636.577.1000
 FAX: 636.577.0118

MASTER PARCEL PLAN
 April 2, 2009

PUBLIC NOTICE

Notice is hereby given that the Rockwood School District is planning to transfer and sell to the City of Chesterfield, real property, consisting of approximately 10 acres, located at 1410 Wilson Avenue, Chesterfield, Missouri 63005. Any inquiries should be directed to Mr. Dennis Griffith, Assistant Superintendant, Rockwood School District, 111 E. North Street, Eureka, Missouri 63025, phone number 636-938-2200, ext, 2212.



STEWART, MITTLEMAN, HEGGIE & HENRY L.L.C.

ATTORNEYS AT LAW

April 7, 2010

SEE BILL # 2784

✓ Jimmy
4/24/10

Mr. Michael G. Herring, ICMA-CM
City Administrator
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Re: Rockwood Donation of Land

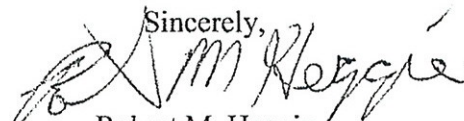
Dear Mike:

For some months you and the Mayor have been working with Craig Larson, Superintendent of the Rockwood School District, to secure the donation of an approximately ten acre parcel of land owned by Rockwood to the City for use as a City park on the northeast side of Wilson Road.

The land was given to the School District in 1988 when the neighboring property was developed. Rockwood has not needed the land and has no future plans to use the site. Pursuant to the 1988 deed, the land has to be used for educational purposes and Rockwood is reserving the right of first access to any educational programs the City conducts on the property. The City and Rockwood agree that the property can and will be used for recreational and educational purposes.

Rockwood School District is now prepared to give the land to the City and passage of the attached Ordinance will allow the City to accept this donation. The property is depicted on the attached map and it will make a wonderful city park.

Please call if you have any questions.

Sincerely,

Robert M. Heggie

Allan F. Stewart*†‡
Mark D. Mittleman
Robert M. Heggie*
Deborah C. M. Henry
Erica Leisenring
Harold V. O'Rourke

OF COUNSEL

Joseph R. Niemann

Enclosure

222 South Central Avenue Suite 501. St. Louis, MO 63105-3575 PHONE 314-863-8484 FAX 314-863-5312