

Memorandum

Department of Public Works



TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

DATE: April 24, 2019

RE: Right of Way Transfer - Long Road at Edison Avenue

As you know, the Missouri Department of Transportation (MODOT) maintains the Long Road right of way within the City of Chesterfield. When Long Road was transferred from St. Louis County to MODOT, a portion of the right of way could not properly be conveyed to MODOT. This triangular piece of property, comprised of approximately 1,262 square feet, is located at the northwest corner of Long Road and Edison Avenue. The tract of land was originally owned by the Chesterfield Fire Protection District (now Monarch), and was conveyed to the City of Chesterfield in 1999.

As detailed in the attached letter, MODOT is requesting that the City of Chesterfield convey the triangular shaped property to MODOT via quitclaim deed. This will allow MODOT to effectively maintain the Long Road right of way, including the intersection at Edison Avenue. The City Staff recommends execution of the quit claim deed, as the property is contained within what is commonly considered the Long Road right of way and should be maintained by MODOT.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee for its consideration. Should the PPW Committee concur with Staff's recommendation, it should recommend authorizing the City Administrator to execute the attached quitclaim deed. The matter will then be forwarded to the full City Council for approval.

PLEASE FORWARD TO THE PLANNING AND PUBLIC WORKS COMMITTEE FOR REVIEW AND CONSIDERATION. ULTIMATELY, APPROVAL TO TRANSFER PROPERTY HAS TO BE APPROVED BY THE FULL COUNCIL.

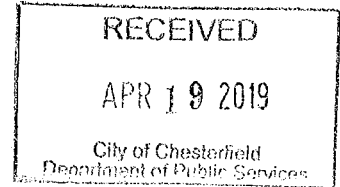
Michael O. Geisel 2019-4-24

Missouri Department of Transportation

1590 Woodlake Drive
Chesterfield, Missouri 63017-5712
314.275.1500
Fax: 573.522.6475
1.888.ASK MODOT (275.6636)

April 4, 2019

Jim Eckrich
690 Chesterfield Pkwy W
Chesterfield, MO 63017



RE: Donation of Tract of Land at the intersection of Long Rd. and Edison Ave.

Dear Jim Eckrich:

The Missouri Highways and Transportation Commission is seeking a donation of a tract of land located inside the intersection of Long Road and Edison Avenue. This tract of land was originally owned by the Chesterfield Fire Protection District. The fire district dedicated this land to the City of Chesterfield in June of 1999.

Since this time, the roadway was conveyed to St. Louis County, and the County has recently transferred Long Road to the Missouri Highways and Transportation Commission. However, the County did not include in the conveyance of Long Road to MHTC the tract of land in question because it was only recorded by plat and not by deed.

In order for the Missouri Highways and Transportation Commission to effectively take over the maintenance duties for this intersection, a quitclaim deed for the triangular shaped tract of land will be needed from the City of Chesterfield.

An aerial view of the land has been included with this letter, along with the quitclaim deed, legal description and plat on which the original conveyance was recorded.

If you have any questions, please contact Mitchell Doria, a representative with our department, by phone at (314) 453-5048 or by email at mitchell.doria@modot.mo.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell Doria".

Mitchell Doria
Right of Way Specialist, MoDOT



CCO FORM: RW02
Approved: 6/93 (TLP)
Revised: 03/17 (AR)
Modified:

COUNTY: St. Louis
ROUTE: Long Road
PROJECT:
PARCEL:

QUITCLAIM DEED

THIS INDENTURE, made this ____ day of _____, 20____, between the **City of Chesterfield**, of the County of St. Louis, State of Missouri, (hereinafter, "Grantor"), and the STATE OF MISSOURI, acting by and through the MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, (hereinafter, "Grantee").

Grantor's Address: 690 Chesterfield Pkwy W, Chesterfield, MO 63017

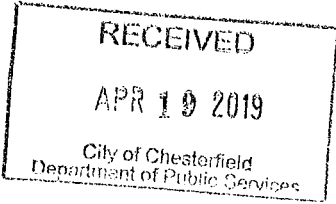
Grantee's Address: 105 W. Capitol Avenue, Jefferson City, MO 65102

WITNESSETH:

The said Grantor, in consideration of the sum of **ONE AND NO/100 DOLLARS (\$1.00)**, to it paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto said Grantee, its successors and assigns, the real estate and interests in real estate in the County of St. Louis, State of Missouri, and being more particularly described in **EXHIBIT A – LEGAL DESCRIPTION**, attached hereto and made part hereof.

A tract of land being part of Lot 2 of Damian Kroenung Estates in U.S. Survey 1010, Township 45 North, Range 4 East, City of Chesterfield, St. Louis County, Missouri, and being more particularly described in the attached **EXHIBIT A – LEGAL DESCRIPTION**.

TO HAVE AND TO HOLD THE SAME, with all and singular rights, immunities, privileges, and appurtenances thereunto belonging, unto the said Grantee, its heirs, successors and assigns forever.



**EXHIBIT A
LEGAL DESCRIPTION**

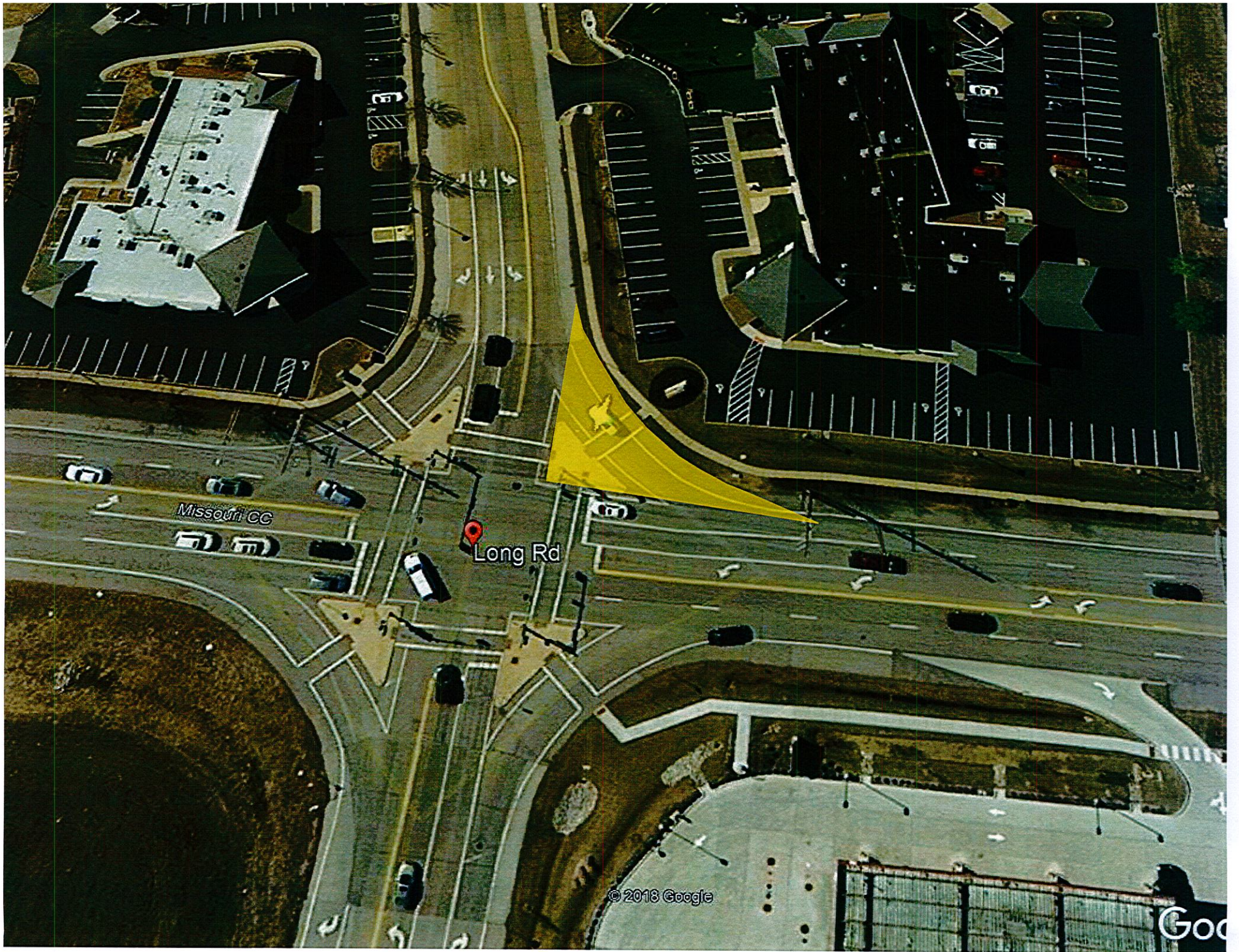
A TRACT OF LAND BEING PART OF LOT 2 OF DAMIAN KROENUNG ESTATES IN U.S. SURVEY 1010. TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT A OF "A SUBDIVISION OF A TRACT OF LAND BEING PART OF LOT 2 OF DAMIAN KROENUNG ESTATES", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 350, PAGE 93 OF THE ST. LOUIS COUNTY RECORDER'S OFFICE; THENCE ALONG THE EASTERN LINE OF SAID LOT A AND THE WESTERN LINE OF LONG ROAD SOUTH 01 DEGREES 25 MINUTES 42 SECONDS WEST, A DISTANCE OF 204.46 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE LEAVING SAID WESTERN LINE OF LONG ROAD AND CONTINUING ALONG THE NORTHERN LINE OF EDISON AVENUE AND A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 134.00 FEET, AN ARC LENGTH OF 102.75 FEET, A CHORD BEARING OF SOUTH 42 DEGREES 14 MINUTES 53 SECONDS WEST, AND A CHORD LENGTH OF 100.25 FEET TO A POINT; THENCE NORTH 76 DEGREES 36 MINUTES 05 SECONDS EAST, A DISTANCE OF 67.79 FEET TO A POINT; THENCE NORTH 01 DEGREES 25 MINUTES 42 SECONDS EAST, A DISTANCE OF 58.52 FEET TO THE POINT OF BEGINNING, BEING THE SAME PARCEL SHOWN AS HATCHED ON "EDISON AVENUE ROAD DEDICATION AND EASEMENT PLAT" A PLAT RECORDED IN PLAT BOOK 347, PAGE 606 OF THE ST. LOUIS COUNTY RECORDER'S OFFICE, AND CONTAINING 1262 SQUARE FEET MORE OR LESS

By: 
Christopher Endraske

Title: Professional Land Surveyor





Missouri CC

Long Rd

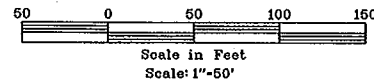
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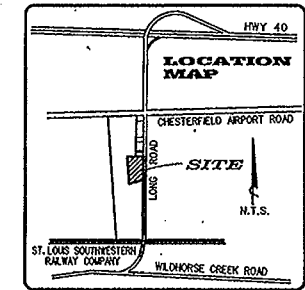
BOOK 347 PAGE 606
FILED FOR RECORD

SEP 22 1999
11:11 O'clock A.M.
RECORDER OF DEEDS
ST. LOUIS COUNTY, MO

449



EDISON AVENUE ROAD DEDICATION AND EASEMENT PLAT OF PART OF LOT 2 OF DAMIAN KROENUNG ESTATES IN U.S. SURVEY 1010 TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.



2 Pages 347-606

We have during the month of February, 1999, by order of Chesterfield Fire Protection District, made a Road Dedication and Easement Plat of a tract of land being part of lot 2 of Damian Kroenung Estates in U.S. Survey 1010, Township 45 North - Range 4 East, St. Louis County, Missouri, and the results of said Road Dedication and Easement Plat are correctly represented on this plat. This Road Dedication and Easement Plat was executed in compliance with the current Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers and Land Surveyors and the Missouri Department of Natural Resources, and meets the accuracy requirements set forth for Urban Property.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 22 day of September, 1999.

VOLZ INCORPORATED

Thomas E. Smith
Thomas E. Smith, R.L.S.
Mo. Reg. L.S. #1462

We, the undersigned owners of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused a Road Dedication and Easement Plat to be made in the manner shown on this plat, which plat shall hereinafter be known as "Edison Avenue Road Dedication and Easement Plat." The Edison Avenue rounding, which for better identification is shown hereupon on this plat, is hereby dedicated to the City of Chesterfield, Missouri, their successors and assigns as their interest may appear, for public use forever.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to St. Louis County, Missouri, City of Chesterfield, St. Louis County Water Company, Laclede Gas Company, Union Electric Company, Southwestern Bell Telephone Company, Metropolitan St. Louis Sewer District, cable company, their successors and assigns as their interests may appear for the purpose of constructing, maintaining, and repairing of public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of said utilities, sewers and drainage facilities.

The Permanent Roadway Improvement, Maintenance, Utility, Sewer and Sidewalk Easements are hereby dedicated to the City of Chesterfield, Missouri forever.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 2nd day of July, 1999.

CHESTERFIELD FIRE PROTECTION DISTRICT

By: *Michelle Sleet*
Secretary, Board of Directors

STATE OF MISSOURI }
COUNTY OF ST. LOUIS }

On this 2nd day of July, 1999, before me personally appeared Michelle Sleet, who being by me duly sworn did say that he/she is the Secretary of Board of Directors of Chesterfield Fire Protection District, a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Michelle Sleet acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:

Pat. J. Aho
Notary Public
Tamara Lynn Swanson
Notary Public
My Commission Expires 10/20/2000

This is to certify that the plat of "Edison Avenue Road Dedication and Easement Plat" was approved by the City Council of the City of Chesterfield by Ordinance Number 233 on September 1, 1999, and thereby authorizes the recording of this plat with the office of the St. Louis County Recorder of Deeds.

ATTEST:

Nancy Greenwood
MAYOR, Nancy Greenwood
Martha L. Demas
CITY CLERK, Martha L. Demas



RECEIVED
APR 19 2019
City of Chesterfield
Department of Public Services

STATE OF MISSOURI }
County of St. Louis }

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the foregoing and annexed instrument of writing was filed for record in my office the 22nd day of SEP A.D. 1999 at 11:11 o'clock A.M. and is truly recorded in Plat Book 347 Page 606

Witness my hand and official seal on the day and year first above written.
Daniel T. O'Leary
By: *Daniel T. O'Leary*
Deputy Recorder



VOLZ INCORPORATED
LAND SURVEYORS - ENGINEERS - LAND PLANNERS -
10449 INDIAN HEAD INDUSTRIAL BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212