

III.A.



STEWART, MITTLEMAN, HEGGIE & HENRY L.L.C.
ATTORNEYS AT LAW

May 16, 2011

Handwritten signature
5/17/11

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

Re: Chesterfield Manor Nursing Home

Dear Mike:

At your request I met with Prosecuting Attorney Engelmeyer, Mr. Geisel, Lieutenant Ray, Lieutenant Lewis, Curtis Krusie, Code Enforcement Officer and Mrs. Libbey Tucker to discuss the ongoing code violations and unsafe conditions at Chesterfield Manor.

As the attached memorandums set out, Chesterfield Manor has gone from being an attraction for vandals and thrill seekers to an unsafe building that is dangerous to anyone entering the property. At a minimum continued trespassing and police calls to the site can be expected as summer arrives.

While the Code Enforcement Officers and Prosecuting Attorney Engelmeyer have been diligent about citing the property owners and bringing them to court, their attorney has moved the cases (as is allowed under the Missouri Court Rules) to the Circuit Court of St. Louis County. It is very easy for cases to be delayed in Circuit Court and frankly the penalties assessed in some of these cases are not sufficient to cause these types of property owners to properly care for the property.

There was a fire in August of 2010 at the building and we now believe that the building is unsafe. Accordingly the City could begin its administrative process to have the building declared a nuisance and then tear the building down. If the property owners failed to abate the unsafe conditions at the site, by tearing the building down, ultimately, after a hearing, the City could tear the building down and put a lien on the property for our costs. These costs are currently estimated at \$ 286,500.00. These funds would have to be paid by

Allan F. Stewart*††
Mark D. Mittleman
Robert M. Heggie*
Deborah C. M. Henry
Seth A. Albin*
Harold V. O'Rourke
Megan A. Koenig

OF COUNSEL
Joseph R. Niemann

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

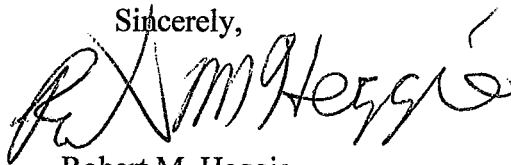
the City and then paid back to us if and when the property is sold. The lien does accrue interest.

The property owners and their attorney have made numerous promises to the City which so far have not solved the problems. They are also seeking to redevelop the property and have the site rezoned to accommodate a new use. Ultimately the building will have to be demolished. It is our view that we should initiate the administrative process needed to have the building torn down because of the current unsafe conditions, the slow pace of any redevelopment and high likelihood of continued trespassing at the site.

So that the Council can consider this matter please place this on the Planning and Public Works Agenda for May 19, 2011.

Please call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "R M Heggie". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert M. Heggie

Enclosure



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

ATTORNEYS AT LAW



Chesterfield Police Memorandum



Date: May 16, 2011

To: Captain Ed Nestor

From: Lieutenant David Ray 

RE: 14001 Olive Boulevard-Chesterfield Manor Nursing Home

At the City Attorney's request, attached is a memorandum submitted by Curtis Krusie, Code Enforcement Inspector, in reference to the property located at 14001 Olive Boulevard formerly known as the Chesterfield Nursing Home.

It should be noted Lieutenant Steven Lewis, Curtis, and I attended a meeting on April 26th, regarding the property. Also present at the meeting were City Attorney Rob Heggie, Prosecuting Attorney Tim Engelmeyer, Public Works Director Mike Geisel, and myself. The consensus of opinion at that meeting was, with council's approval, initiate the administrative process set forth by City Ordinance to eventually tear down the structure; however doing so would require a significant outlay of city funds.

After personally reviewing the entire case file regarding numerous code violations, law enforcement issues, and the apparent unwillingness of the owners to correct any problems, I recommend we initiate the administrative process outlined in City Ordinance #1055 and #1276 for eventual demolition of the building

Emd 107



Chesterfield Police Memorandum



Date: May 16, 2011

To: Lt. Dave Ray

From: Curtis Krusie, Code Enforcement Inspector

CK

RE: 14001 Olive Blvd. – Chesterfield Manor

As you are well aware, the vacant building at 14001 Olive Blvd, formerly known as the Chesterfield Manor Nursing Home, has been a nuisance to the City of Chesterfield since it closed in 1998. In the past thirteen years the property has been almost completely neglected, and its condition has deteriorated tremendously. The building sits on a lot of almost 30 acres, which is largely inaccessible and concealed by foliage, making it attractive to thrill seekers, vandals, and anyone wishing to engage in illicit activities. As a result of its history and current condition, the building has been noted as a "haunted house" by numerous websites, and is well known by the youth of Chesterfield and surrounding municipalities. Since 2001 the Police Department has responded to over 100 calls to the Chesterfield Manor property for various violations including trespassing, burglary, liquor violations and arson.

On August 17, 2010 one such incident resulted in a fire which severely damaged structural members of the building. The building was subsequently declared "unfit" by the City of Chesterfield based on inspections conducted by the Monarch Fire Protection District and St. Louis County. The owners of the property, Adele and Tom Daake, were notified, and a meeting was held on November 19, 2010. Present at this meeting were the Daakes and their legal representatives, along with members of the Chesterfield Police Department and the Department of Planning and Public Works. The Daakes informed us of their plans to develop the site, and agreed to a timeline for abatement of the numerous property maintenance and public nuisance violations. A synopsis of that meeting is attached to this memo. Since that time no work has been done to honor this agreement, and the property continues to deteriorate.

Numerous summonses have been issued over the years for various property maintenance and public nuisance violations on the site. However, to avoid taking any kind of responsibility, the legal representative for the Daakes has begun certifying any new cases to St. Louis County. Essentially they will sit there indefinitely, and we no longer have the ability to prosecute them as a municipality. The only leverage the City of Chesterfield is left with is administrative action towards demolition of the unfit building. Our concerns surrounding this property are increasingly of a public health and safety nature. The building is collapsing in numerous places, and filled with broken glass, sharp edges, needles, nails, wires, etc. If we do not take administrative action the owners have little incentive to remove the dangerous building themselves. Eventually someone, likely a City of Chesterfield employee, is going to be severely hurt on this property.

The administrative process is set out in City of Chesterfield Ordinances 1055 and 1276:

- First, a notice stating that the building has been declared unfit must be posted on the building. This was done and documented shortly after the aforementioned fire.
- Then a "Notice of Declaration of Nuisance" must be served to all affected parties, which includes the owner and any other lienholders. I have already requested a title search from US Title for this information. This notice must also be posted on the site. The "Notice of Declaration of Nuisance" must allow at least 30 days for repair or demolition of the building, and will state a hearing date thereafter.
- Presiding over the hearing will be a hearing officer, who must be a registered professional engineer or architect. Evidence will be presented, and the hearing officer will determine whether the building is unfit and must be demolished. Any affected party aggrieved by the decision is entitled to a judicial review.
- Finally, if the affected parties have not complied with the orders of the hearing officer within 30 days, the city may take action to demolish the building, and place a lien on the property for the costs incurred.

The City of Chesterfield has requested a bid from Spirtas Wrecking Company for demolition of the nuisance building. Total costs for demolition are estimated at \$286,500.



MEMORANDUM

DATE: August 24, 2010

TO: Mike Geisel, Director of Planning and Public Works

FROM: Susan Mueller, Principal Engineer *S Mueller*

SUBJECT: 14001 Olive Blvd – Unfit Building and Public Nuisance

On August 17, 2010 in response to fire damage to the building at the above address, the Monarch Fire District classified the building as unsound and requested that an inspection of 14001 Olive Blvd be performed by the City of Chesterfield. In accordance with Ordinance 1276, and Ordinance 1055, Section 5 - Duty to Perform Inspection, the Department of Planning and Public Works requested a building inspection by St. Louis County and concurrently inspected the property with designated City staff to arrive at the findings attached herewith.

As a result of the inspection and findings, the building and grounds of this property were declared “unfit” and a public nuisance, being found inherently dangerous and constituting a public nuisance. Due to the extremely hazardous condition of the building and unsafe conditions found at the site, the building and grounds were posted as an “Unfit Building” on August 17, 2010, based upon verbal notification and subsequent approval by the Public Works Director to post this order.

The Director of Public Works hereby orders the owner of 14001 Olive Blvd. to vacate and repair or demolish the structure and remove all debris and trash from the grounds within thirty (30) days from receipt of notice by certified mail.

This case is ready to be forwarded to the Chesterfield Police Department for notification of the property owner and other parties in accordance with Ordinance 1276, Section 7, Notice of Nuisance.

Concurrence: _____
Brian McGownd, Public Works Director

attachments

cc: Aimee Nassif, Planning and Development Services Director
Tim Engelmeyer, Prosecuting Attorney
Ray Johnson, Chief of Police

November 19, 2010

Meeting with the owners of 14001 Olive Boulevard Chesterfield MO
(FKA Chesterfield Manor Nursing Home)

Present at the Meeting:

Lt. Steven Lewis - Chesterfield Police	Curtis Krusie – Code Enforcement Inspector
Brian McGownd- City of Chesterfield	Tom Daake – Property Owner
Aimee Nassif – City of Chesterfield	Adele Daake – Property Owner
Joshua Schindler – Attorney for the property owners	

In addition to the above listed attendees, the property owners brought with them two architect's for the purposes of reviewing plans, which did not occur at this meeting. There was also one citizen who was in attendance at the meeting.

Content of the Meeting:

The meeting began at twelve o'clock noon. Lieutenant Lewis opened the meeting by giving all persons present a listing of priority issues with the listed property as well as a timeline for the abatement of all outstanding ordinance violations. Discussion was held between all interested parties, and the attorney and owners for the property indicated that their intent was to maintain a reasonable approach to the adherence of the concerns of the City of Chesterfield and subsequent ordinance violations. They concurred that addressing the high priority ordinance violations will be a priority for them, as well as the overall improvement to the property to address health and safety issues. An overall plan was discussed which involved the addressing of all issues on the property and their desire to move towards the planning phase of improving the property for subsequent development. They agreed on several issues and clarifications on expectations were discussed.

Issues:

The property owners agreed to move on all of the listed ordinance violations within the time frame specified of forty-five days however there were two points of contention which were discussed.

1. *Violation of Ordinances 1055, 1932, and 2498 Building Structural Integrity. The main requirement detailing the compromised structural integrity of the building was questioned as the property owners have contracted with a structural engineer who has deemed the property to be structurally sound. They agreed to provide within ten days an engineering report which verifies the structural integrity of the property. Lt. Lewis agreed that upon receipt of that documentation he would provide that information to the City Engineer and St. Louis County for verification of the structural integrity, and if all experts agree that the property is structurally sound then they would no longer be in violation of the ordinance.*

2. *Violation of Ordinance 2219 the presence of Barbed Wire Fencing. The owners contend that the barbed wire fencing has been around the property prior to the enactment of the ordinances pertaining to the fencing and therefore is not a violation due to the grandfathering clause of the ordinances. Curtis Krusie has possession of photographs prior to 1995 that show no such barbed wire fencing. The owners contend that they have proof and photos that the barbed wire was in existence well prior to twenty years. The owners will present proof of their case to Curtis Krusie who will review the information and make a ruling on violation of the ordinance.*

Expectations:

The owners and attorney agreed that within ten days of the meeting date, November 19, 2010, that they will begin work on the abatement of the high priority issues. Additionally they will provide the listed proofs cited under the Issues section of this review. Upon the initiation and continuation of the work to abate the ordinance violations, they will additionally request a pre-application meeting with the Chesterfield Planning Director to explore possible site development. Contact will be maintained between the owners, their representatives, the police department and inspectional services as well as the planning and zoning departments to move forward with the conclusion of this issue. While it was made clear that failure to follow the timeline set forth to address the ordinance violations would result in the City of Chesterfield seeking demolition of the site, it was agreed that forward progress would stay this pursuit and the goal of all involved was to maintain a safe and secure environment.

Further meetings will be scheduled and include monitoring by Curtis Krusie for future ordinance violations as well as ongoing communication between all departments and the property owners or their representatives. A reasonable expectation has been established that within forty-five days the majority of issues will be remedied pending weather and other environmental factors.

The meeting concluded at 12:50pm.

14001 Olive Blvd.
Chesterfield, MO 63017

Chesterfield Manor: Municipal Code Violations
4-26-2011

High Priority

- Compromised structural integrity of the building: **Violation of Ordinances 1055, 1932 & 2498**
- Tall weeds and overgrown foliage surrounding the building: **Violation of Ordinance 2498**
- Various garbage and debris surrounding the building (Any synthetic item not permanently and securely affixed to the building or other location on the property will be considered debris, including the various railings which have become unattached from their intended locations around the building): **Violation of Ordinances 2498 & 1932**
- Various collections of dead brush located around the building: **Violation of Ordinance 2498**
- One door which is not safely secured in the rear of the building: **Violation of Ordinances 1055, 1932 & 2498**

Medium Priority

- 100+ Sealed and inoperable windows: **Violation of Ordinances 1932, 1055 & 1276**
- 15+ Sealed and inoperable doors: **Violation of Ordinances 1932, 1055 & 1276**
- Barbed wire fence: **Violation of Ordinance 2219**

Low Priority

- Driveway and parking areas are in disrepair: **Violation of Ordinance 1932**
- Detached fascia and gutters hanging from roof: **Violation of Ordinance 1932**

Work Order

#Name?

Reporte 9/30/2009

WO#: 47711

Disposition: Development Services

Problem: Public Nuisance

Chesterfield Manor is not secure and grass is getting tall again.

Solution:

10/5/09 - Grass is tall again. Will check security tomorrow.

10/6/09 - 3 unsecured openings.

10/12/09 - Letter sent giving until 10/26/09 to abate or city will abate and put lien on property. For openings, a summons will be issued.

10/26/09 - Site visit found grass not cut and 1 opening not secured. City will have grass cut and issue summons for unsecured opening.

10/27/09 - Raining to hard to cut grass. Contractor will attempt to cut tomorrow.

10/28/09 - Grass cut by contract. Lien placed on property.

11/3/09 - Summons not issued for opening. It was finally secured. ABATED

Location:

14001 OLIVE BLVD
BRIARCLIFFE VILLAS

Rpt. By: Muhs, Bill

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 10/5/2009

Sched. Comp:

Completed: 11/3/2009

Priority: No

Work Order

#Name?

Reporte 7/14/2009

WO#: 47016

Disposition: Development Services

Problem: Other

Chesterfield Management has placed a barbed wire fence around the vacant Chesterfield Manor. Please investigate and take appropriate action.

Solution:

Per Prosecuting Attorney Tim Engelmeyer (letter 8-13-09), the barbed wire is to be removed and the case is set for trial on Sept. 22, 2009.

9/22/09 - Per T. Engelmeyer, taken off docket. Will give me update on situation.

10/27/09 - Still haven't heard anything, but they are on the docket for tonight.

7/26/2010 - in hands of court

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: P&PW, Dooley

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 7/14/2009

Sched. Comp:

Completed: 7/26/2010

Priority: No

Work Order

#Name?

Reporte 5/28/2009

WO#: 46485

Disposition: Development Services

Problem: Public Nuisance

Opening in building to the right of the main entrance.

Solution:

5/27/09 - Site visit for re-sinspection of previous violation, noticed plywood over window opening has been pried off.

5/28/09 - Letter sent giving until 6/3/09 to secure.

6/10/09 - Site visit found opening still not secured.

6/11/09 - Per M. Dooley, during meeting with owners, they will have it secured in 5 days (6/16/09).

6/16/09 - Per e-mail from Ms. Daake to M. Dooley, opening is secured. ABATED

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: P&PW,

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 5/27/2009

Sched. Comp:

Completed: 6/16/2009

Priority: No

Work Order

#Name?

Reporte 5/12/2009

WO#: 46272

Disposition: Development Services

Problem: Property Maintenance

Tall grass and open/broken windows @ front of building.

Solution:

5/13/09 - Site visit found tall grass and an opening that needs to be secured at back of building.

5/14/09 - Letter sent giving until 5/20/09 to secure opening and attend hearing on 5/19/09 @ 1:30 pm for tall grass.

5/19/09 - Grass not cut. Has 5 days to abate or City will take action (5/26/09).

5/20/09 - Opening still not secured. Giving until 5/26/09 or summons will be issued.

5/27/09 - Site visit found opening secured but grass not cut. Summons issued for grass in excess of 12".

6/11/09 - As agreed to in the meeting today, we looked at ordinance and determined that all turf grass on the site needs to be cut when exceeds 12 inches. I called Mr. Daake to inform him (314-401-1400) to let him know as he requested, he did not answer so I left a message for him to call me. AN

6/11/09- Mr. Daake returned call. I explained his property is not considered agricultural and ordinance requires all turf grass on site cannot exceed 12 inches. Mr. Daake confirmed that his cell number listed above is the number to be called with future property concerns/issues. AN

6-23-09-Court Hearing - given continuence until 7-14-09.md

7/14/09 - T. Engelmeyer informed that he met with Chesterfield Management and their lawyer previously this week. They have requested a list of what they need to do to be in compliance. E-mail sent to Engelmeyer containing grass and fence. Engelmeyer will be meeting with them again to go

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Resident,

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 5/13/2009

Sched. Comp:

Completed: 8/27/2009

Priority: No

Work Order

#Name?

Reporte 3/16/2009

WO#: 45462

Disposition: Development Services

Problem: Other

Inspect Chesterfield Manor for any violations.

Solution:

3/16/09 - Site visit found numerous forced entries. No violations for high grass as of yet. 2 windows with boards unscrewed to right of main entrance, multiple a/c units ripped out, some trash and large items (bath tub, etc.) scattered through out the property. Building is a nuisance, hazard and needs to be demo'd. Meeting with property owner, Adele Dake, from Chesterfield Management Assoc. at the site on 3/18/09 @ 2 pm. Will be discussing what is going on with the property (Hardesty still buying property and demo'ing the building?). If not, what she plans on doing.

3/18/09 - Site visit with Adele Daake and son. We walked around the site and she showed me anything she thought was a violation, asking if it was. Most pertained to dead trees, grass/weeds/bushes, etc. Additionally stated that the property will soon not be under contract for development. Her reason for wanting to take me to the site is record what condition it is in after Hardesty was maintaining it, so that she can not be treated unfairly after the contract is void. If there were violations she wanted to know what they were so that Hardesty would fix them before the contract was up or if there is not any violations she does want to get fined by us in the future for the state the property is in.

3/24/09 - Letter sent to Ms. Daake that stated at this time the city's concern is with the security of the building. She needs to get any open windows and a/c units secured. NO FURTHER ACTION TAKEN.

Location:

14001 OLIVE BLVD
BRIARCLIFFE VILLAS

Rpt. By: Olejniczak,

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 3/16/2009

Sched. Comp:

Completed: 3/24/2009

Priority: No

Work Order

#Name?

Reporte 2/17/2009

WO#: 45242

Disposition: Planning

Problem: Public Nuisance

The vacant Chesterfield Manor Nursing Home located next to Suburban Lawn Center on Olive Boulevard has brush and weeds overgrown at entrance. Ward 1

Solution:

2/17/09 - Site visit found no violations. NO ACTION TAKEN.

Location:

14001 OLIVE BLVD
BRIARCLIFFE VILLAS

Rpt. By: Anonymous,

Home Phone:

Work Phone:

INSP: CarolO

Man Hrs:

Sched. Start:

Started: 2/17/2009

Sched. Comp:

Completed: 2/17/2009

Priority: No

Work Order

#Name?

Reporte 2/9/2009

WO#: 45229

Disposition: Planning

Problem: Property Maintenance

Vacant building - holes in building kids there on the weekend with flashlights and lot of noise. Lot of overgrown vegetation.

Solution:

The police are monitoring this property and the courts have issued summons. This is not a code enforcement issue at this time. MD

Location:

14001 OLIVE BLVD
BRIARCLIFFE VILLAS

Rpt. By: anonymous,

Home Phone:

Work Phone:

INSP: MattD

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 2/12/2009

Priority: No

Work Order

#Name?

Reporte 5/21/2008

WO#: 42359

Disposition: Planning

Problem: Grass

Grass/weeds in excess of 12" at the old Chesterfield Manor Nursing Home property.
Ward 1

Solution:

5/22/08: Site visit found grass/weeds in excess of 12". 5/23/08: Notice mailed. 6/5/08: Site visit found grass/weeds have been cut. ABATED

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: RESIDENT,

Home Phone:

Work Phone:

INSP: ZMaury Fanger

Man Hrs:

Sched. Start:

Started: 5/22/2008

Sched. Comp:

Completed: 6/5/2008

Priority: No

Work Order

#Name?

Reporte 3/5/2008

WO#: 41541

Disposition: Planning

Problem: Property Maintenance

Complainant states that the former Chesterfield Manor Nursing Home is not secured. Kids gain entry on a regular basis and use it for partying. Loc. #16R 34 0151. Ward 1.

Solution:

3/10/08: Site visit found one door and one window unsecured as well as numerous openings in building that formerly housed window-unit air-conditioners. Contacted Mr. Piel with Hardesty Homes regarding the property being unsecured. He mentioned he was already aware of it and building was scheduled to be secured on 3/12/08. I asked him to contact me when secured. 3/14/08. Mr. Piel contacted me and stated the building was now secured. 3/17/08: Site visit found the window and door that were unsecured at time of previous site visit are now secured. The majority of window-unit air-conditioner housings that no longer contain units have been bent in such a way as to prevent entry. However, there is now another window where the plywood has been pried from the window opening. 3/19/08: Sergeant Cheryl Funkhouser informed me in person the P.D. is going to patrol this property on a daily/nightly basis and will contact the Property Owner/Hardesty Homes whenever the building is in need of being secured. No Further Action Taken At This Time.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: MUHS, SHARON

Home Phone: 314-304-3524

Work Phone:

INSP: ZMaury Fanger

Man Hrs:

Sched. Start:

Started: 3/10/2008

Sched. Comp:

Completed: 3/19/2008

Priority: No

Work Order

#Name?

Reporte 5/15/2007

WO#: 38529

Disposition: Planning

Problem: Property Maintenance

Property Maintenance. This is the old Chesterfield Manor Retirement (Nursing) home which has been neglected. There is graffiti, doors open, windows broken out, metal laying all around property. Caller wants to know what is going on with this property and how we can let something like this go? Loc. #16R 34 0151. Time of call: 9:12 a.m./Ward: 1.

Solution:

5/18/2007: Property has been rezoned for a residential development. Is currently going through process of Site Plan Development. Visited property to make sure buildings were secure and they are. All window and door openings are securely boarded. Did not observe metal lying around property. *No action taken as property is in process of development. 5/24/2007: Follow-up call @ 4:05 p.m. Operator states this number is no longer in service. ABATED.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: NEWMARK, JACK

Home Phone: 314-941-8982 C

Work Phone:

INSP: ZMaury Fanger

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 5/18/2007

Priority: No

Work Order

#Name?

Reporte 10/21/2005 **WO#:** 33729 **Disposition:** Planning

Problem: Property Maintenance

Property Maintenance. Building is unsecured. Time of call: 9:30 a.m. / Ward: 2.

Solution:

10/26/2005: Annissa McCaskill-Clay received a call from Sharon Muhs (314-542-2221) regarding the Chesterfield Manor property. Said her husband called on Friday and spoke to a gentleman (don't know who). Advised that the building is NOT secure and that the police were out multiple times over the weekend. Wants to know about securing the site.
I advised that the property is currently in the process of being rezoned. Tom has been speaking with the current property owner's attorney about getting the site secured. Ms. Muhs stated that the building has been unsecured for about 6 months and that teenagers get in all times of the day and that their next step is to go to their City Council members. Annissa advised Ms. Muhs that she would contact the proposed developer of the site, Brett Hardesty, to see if he could assist us. Annissa left him a phone message at 11 am and am waiting for a call back. 10/27/2005: 11:16 a.m. - Annissa spoke to Brett Hardesty, they try to go out once a week to check the building. As she was speaking to him, his crew called him on the walkie-talkie and advised that the door had been completely taken out on the site. Brett instructed them to do whatever necessary to the site to secure it and KEEP it secure before demolition. Annissa also had received a contact inquiry from Dave Ray. With Brett's permission, I provided his contact information to Lt. Ray if there are any further problems. 10/27/2005: Follow-up call to Sharon Muhs at 12:56 p.m. informing her of above information. She said to be sure and thank Annissa for all of the calls and thanked me for this latest information. Abated.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Muhs, Bill

Home Phone: 314-542-2221

Work Phone:

INSP: ZTom Pupillo

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 10/27/2005

Priority: No

Work Order

#Name?

Reporte 4/21/2005

WO#: 31906

Disposition: Planning

Problem: Grass

Tall grass. Complaint is regarding Chesterfield Manor Nursing Home. Said there is tall grass there over a foot high. She also said the nursing home is unsecured. There is a window open and curtains are blowing out and there are 3 doors unlocked (unsecured). Time of call: 8:45 a.m./Ward: 1. Note: Telephone number provided is her husband's, Bill, cell phone.

Solution:

4/29/2005: Site visit. Violation found. 5/3/2005: 5-Day Letter sent to cut the grass. 5/3/2005: Follow-up call to Bill Muhs @ 2:38 p.m., who said he is mainly concerned about the nursing home being unsecured. Is there some way it can be sealed up? There are people coming/going in it, and it is scaring his children. 5/4/2005: Letter to be sent directing them to secure the building. Follow-up call 3:18 p.m. informing Mr. Muhs that a letter is being sent to secure building and then instructed Mr. Muhs to call Police if he see anyone trespassing. He thanked me for the call. 5/9/2005: Site visit. Noticed grass was cut. Mike Kime, Attorney for this property, at 314-863-9100, called saying the grounds keeper will check doors and windows. 5/16/2005: Follow-up call @ 3:06 p.m. to Mr. Muhs, who thanked me for the call. ABATED.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 2

Rpt. By: Muhs, Sharon

Home Phone: 314-651-1724 c

Work Phone:

INSP: ZTom Pupillo

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 5/10/2005

Priority: No

Work Order

#Name?

Reporte 8/21/2003

WO#: 26666

Disposition: Planning

Problem: Grass

Property not being taken care of - high grass and weeds. Ms. Holder would like a call back letting her know what is happening with this piece of property (used to be Chesterfield Manor Nursing Home).

Time of Call: 3:30 p.m.

Solution:

Inspected Property. Still tall grass and weeds. Steve C. knows more about what is going to happen with this property.

Owners went to court. They will abate.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Holder, Jeanne

Home Phone:

Work Phone: 314-235-5321

INSP: SteveC

Man Hrs: 0.1

Sched. Start:

Started:

Sched. Comp:

Completed: 8/21/2003

Priority: No

Work Order

#Name?

Reporte 6/2/2003

WO#: 25737

Disposition: Planning

Problem: Grass

Chesterfield Manor has weeds & tall grass, doors unsecured, vandalism

Solution:

6/2 Called Chesterfield Mgmt. Group, Tom Daake, 314.361.1387 He will abate asap

6/3 Site visit. Doors secure.

6/10 Site visit. Weeds & grass still tall. Called Tom D, he will call landscapers again, will cut weather permitting.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Chesterfield FD,

Home Phone:

Work Phone: 314.514.0900

INSP: SteveC

Man Hrs: 1

Sched. Start:

Started:

Sched. Comp:

Completed: 6/2/2003

Priority: No

Work Order

#Name?

Reporte 5/10/2002

WO#: 22777

Disposition: Planning

Problem: Miscellaneous

tall grass and nuisance abandoned building

Solution:

5-10-02 letter sent

5-17-02 re-sent letter to updated address.

6-21-02 court date

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Beach, Doug

Home Phone:

Work Phone:

INSP: TimR

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 6/21/2002

Priority: No

Work Order

#Name?

Reporte 7/6/1999

WO#: 16206

Disposition: Planning

Problem: Grass

There are weeds over 2 feet tall at this abandoned Chesterfield Manor Nursing Home.

Solution:

Photos taken. Evidence someone is living in structure. Found weeds. Officer Moore's report complete.

10/8/99 Violation letter sent.

11/5/99 Abated.

Location:

14001 OLIVE BLVD
NO SUBDIVISION WARD 1

Rpt. By: Hansen, Mrs.

Home Phone:

Work Phone:

INSP: Bob Wilfing

Man Hrs:

Sched. Start:

Started:

Sched. Comp:

Completed: 11/5/1999

Priority: No



55 YEARS SPECIALIZING IN INDUSTRIAL AND COMMERCIAL DEMOLITION

November 10, 2010
Budget Estimate

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ST. LOUIS, MISSOURI
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TO: *Brian McGownd*
Public Works Director/City Engineer
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

636-537-4762(phone)
bmcgownd@chesterfield.mo.us

RE: *Structural Demolition and Asbestos Abatement*
Former Chesterfield Manor Nursing Home
Chesterfield, MO
SWCo Proposal No. 2010.217

Dear Mr. McGownd:

Spirtas Wrecking Company has prepared the following budget estimate to perform the requested structural demolition and asbestos abatement per bid discussion and walk through as detailed below. No formal specifications, drawings, or addenda have been noted.

1) Permitting

This proposal includes the acquisition of the following permits to complete the above work.

- *Plumbing related excavation permits.*
- *Structural demolition permits.*

2) Environmental

Spirtas Wrecking Company has included a budget estimate for the removal and disposal of the following environmental items.

- *Asbestos containing materials: Floor tile & mastic, boiler or basement pipe insulation, possible window caulk, and possible spray on acoustical ceilings.*
- *Freon refrigerants*
- *Fluorescent bulbs and PCB containing ballast*
- *Third Party Air Monitoring*

No other environmental items are included in this proposal. Please note that other materials may be found to contain asbestos but cannot be determined without a NESHAP Asbestos Inspection.

Final cost to remove other potential asbestos containing materials or other environmental items can be provided pending an environmental assessment to determine the presence and quantities of these items.

Charter Member



National Association of Demolition Contractors

AN EQUAL OPPORTUNITY EMPLOYER

Environmental (continued)

Spirtas Wrecking Company assumes painted concrete, brick, and block can be utilized as clean fill per MDNR regulations.

This proposal does not include any mold prevention means and methods or abatement.

3) Utilities

Spirtas Wrecking Company will coordinate with the utility companies disconnection of the utilities from the structure, (one electric service, one gas service, one local 2" or smaller water service and one sewer destroy).

Demolition Work

This proposal includes razing the above listed structure, including basement walls, slabs, and foundations, hauling away the building materials, and sloping the excavated areas for safety purposes leaving them in a toothed like condition. The building materials will be separated and disposed of as follows: the concrete, brick and block will be hauled offsite and disposed of as clean fill and the remaining wood, roofing material and debris will be hauled and disposed of at a demolition landfill.

4) Construction Services

This proposal does not include any new construction services.

Clarifications:

- *This contractor considers the scrap index as listed in the following publications for scrap credit purposes. Iron Age Magazine and the American Metal Market as of the date, 11/10/2010, reflects Spirtas' scrap credit pricing included in the base bid. Only radical changes in the market would cause Spirtas to discuss industry scrap value swings.*
- *Commercial general liability insurance and/or pollution liability insurance will be provided for the duration of the job.*
- *All work will be performed during normal working hours.*
- *All scrap and salvageable materials generated from the above work become the property of this contractor to dispose of, as he desires.*
- *All work will be completed in a first class manner, in full cooperation with the Owner's personnel.*
- *All agreements are contingent upon strikes, adverse weather conditions, or other delays beyond our control.*
- *All federal, state and local codes will be complied with in the completion of this work.*
- *Progress payments due upon receipt and final payment is due upon completion.*
- *This bid remains in force for 30 days. If bid acceptance is delayed beyond 30 days Spirtas Wrecking Company reserves the right to revise the Bid Proposal.*
- *This proposal is based on mutually agreeable contract terms.*

Exclusions (The following items are excluded from this proposal unless otherwise noted):

Construction

Concrete Drilling, Coring or Sawcutting
Drilled Pier Removals
Security Locks or Temporary Partitions
Patching, Relocating, Repairs or Replacement
Save Items
Temporary Weather Protection or Weatherproofing

Exclusions (continued)

Engineering

Engineering, Layout or Surveying
Testing Services

Environmental

Aboveground or Underground Storage Tank Removal
Lead Abatement
Environmental Work, including Contaminated Materials
and/or Hazardous Material Management
Grout Removal
PCB or Transformer Removals
Mold Damage or Claims, Related To Pre And/Or Post Demolition Condition.

Site Work

Asphalt or Concrete Pavement Removal
Backfill
Barricades, Construction Fencing or Lights
Tracing or Re-Routing of Utilities
Dewatering or Pumping
Earthwork, Site Grading or Utility Excavation
Erosion or Siltation Control
Exterior Fence Installation
Landscaping, Mulching, Seeding or Topsoil
Rock Excavation
Septic Destroy
Soil/Earth Undercutting of Unsuitable Soil
Tree Removal
Well Capping

Other

Performance and Payment Bond
Railroad Protective Insurance

*Please note that any or all of the above items can be provided if requested.

**Unless otherwise noted above.

Base Bid:

➤ **Demolition as noted..... \$126,000.00**
➤ **Environmental work as noted..... \$160,500.00**

Total..... \$286,500.00

THIS IS FOR BUDGET PURPOSES ONLY. PLEASE CALL AGAIN FOR BEST AND FINAL PRICING WHEN YOU ARE READY TO PROCEED WITH THE PROJECT.

Respectfully submitted,
Sirtas Wrecking Company



Bill Thurmond
Project Manager/Estimator

BT/sd

Acceptance of Proposal

The above terms regarding the Base Bid are hereby accepted on _____ 20_____

By: _____ (seal) Signed this _____ day of _____ 20_____

Notary Public

My commission expires: _____