

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, ACCEPTING A QUITCLAIM DEED FROM THE STATE OF MISSOURI, ACTING BY AND THROUGH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, TO CERTAIN PARTIAL TRACTS OF LAND SITUATED IN THE CITY OF RICHMOND HEIGHTS, MISSOURI, BEING PORTIONS OF LOTS WHICH WERE USED IN CONNECTION WITH THE NEW I-64 HIGHWAY, BUT ARE NO LONGER REQUIRED BY THE STATE.

WHEREAS, the State of Missouri through the Missouri Department of Transportation has completed its I-64 Highway improvement project; and

WHEREAS, the State of Missouri, through the Missouri Highways and Transportation Commission wishes to deed certain tracts of land situated in the City of Richmond Heights which were used in connection with the New I-64 Highway project to the City of Richmond Heights as City; and

WHEREAS, the Council of the City of Richmond Heights, Missouri finds and deems it in the best interest of the city to receive these tracts of land.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. In accordance with the provisions of the Quitclaim Deed, **Exhibit A**, the City of Richmond Heights, for the sum of ONE AND NO/100 DOLLAR (\$1.00), accepts partial tracts of land generally described in **Exhibits B & C & D** as attached.

SECTION 2. Further, these certain tracts of land are particularly described as follows:

Tract 1 (Everett)

A tract of land situated in part of Sheridan Hills, a subdivision recorded in Plat Book 48 Page 46, St Louis County Recorder's Office and being more particularly described as;

Beginning at the Southwest corner of Lot 5, Block 4 aforementioned subdivision; thence along a curve to the right, radius 1438.67', length 192.86', chord N71°53'00"W, 192.72'; thence, N64°55'34"W, 26.54'; thence along a curve to the right, radius 79.10', length 55.50', chord N42°15'14"W, 54.37'; thence, N01°51'15"E, 42.95'; thence, N88°08'45"W, 60.00'; thence, S01°51'15"W, 37.35'; thence along a curve to the left, radius 120.68', length 83.61', chord S43°02'11"E, 39.04'; thence, S39°54'44"W, 4.99'; thence,

S50°10'58"E, 6.43'; thence, N40°50'42"W, 4.98'; thence along a curve to the left, radius 157.02', length 39.14', chord S59°22'26"E, 81.95'; thence along a curve to the left, radius 1408.56', length 402.09', chord S75°18'52"E, 400.72'; thence, N05°18'46"E, 38.37'; thence, N81°08'32"W, 184.35' to the point of beginning and containing 20,329 square feet, more or less.

Tract 2 (Galleria Pkwy)

A tract of land situated in part of Lavinia Gardens, a subdivision recorded in Plat Book 34 Page 23, St Louis County Recorder's Office and being more particularly described as;

Beginning at the Southwest Corner of Lot 2, Block 4, Lavinia Gardens aforementioned; thence, S17°43'06"W, 43.31'; thence, N85°47'16"W, 4.32'; thence along a curve to the left, radius 7.99', length 13.78', chord S46°20'28"W, 12.14'; thence along a curve to the left, radius 1895.88', length 122.47', chord S08°18'12"E, 122.45'; thence along a curve to the left, radius 1895.88', length 85.21', chord S11°26'30"E, 85.21'; thence S13°18'42"E, 53.27'; thence along a curve to the left, radius 67.47', length 94.15', chord S56°30'54"E, 86.70'; thence along a curve to the left, radius 647.58', length 24.89', chord N60°28'43"E, 24.89'; thence S30°37'01"E, 40.00'; thence along a curve to the right, radius 687.58', length 26.42'; chord S60°28'43"W, 26.42'; thence along a curve to the right, radius 84.63', length 97.75', chord N81°30'11"W, 92.40'; thence along a curve to the right, radius 135.49', length 49.59', chord N31°28'27"W, 49.32'; thence along a curve to the right, radius 131.68', length 25.92, chord N17°38'07"W, 25.88'; thence along a curve to the right, radius 1928.00', length 372.92', chord N08°49'58"W, 372.34'; thence, N00°59'40"W, 32.20'; thence along a curve to the right, radius 263.61', length 66.04', chord N04°56'49"E, 65.87'; thence, S72°16'54"E, 33.76'; thence, S08°41'26"W, 19.03'; thence along a curve to the left, radius 185.62', length 36.94', chord S03°01'59"W, 36.88'; thence along a curve to the left, radius 1580.00', length 78.86', chord S03°47'45"E, 78.85'; thence along a curve to the left, radius 7.50', length 2.78', chord S20°11'55"E, 2.76'; thence S72°16'41"E, 33.17' to the point of beginning and containing 23,199 square feet more or less.

Tract 3A (Hawthorne)

A tract of land situated in part of Lot 5, Resubdivision of Lots B, C, D & E, Hawthorn Subdivision, Plat Book 62 Page 9 and Part of Lots 12 and 13, West Sunset Hill, Deed Book 150 Page 299, St. Louis County Recorder's Office and being more particularly described as;

COMMENCING at the Northeast corner of Lot 3, aforementioned Resubdivision of Hawthorn Subdivision; thence, S80°16'37"E, 9.33' to the POINT OF BEGINNING; thence, N09°44'00"E, 5.20'; thence along a curve to the left, radius 13.77, length 25.99', chord N39°25'33"W, 22.30', thence, N84°44'11"W, 59.29'; thence, N85°32'41"W, 19.71'; thence, N87°34'32"W, 23.64'; thence, S89°13'30"W, 24.54'; thence,

S88°21'40"W, 119.66'; thence along a curve to the right, radius 110.33', length 34.55', chord N81°07'31"W, 34.41'; thence, N70°40'20"W, 55.85'; thence, N33°09'26"E, 18.05'; thence, S72°08'00"E, 53.68'; thence along a curve to the left, radius 48.47', length 18.35', chord S83°15'14"E, 18.24'; thence, N88°18'50"E, 126.19'; thence, N89°34'17"E, 29.67'; thence, S87°42'21"E, 22.01'; thence, S84°40'54"E, 79.90'; thence along a curve to the right, radius 34.69', length 57.30', chord S38°04'38"E, 51.00'; thence, S09°44'00"W, 5.95'; thence, N80°16'37"W, 20.74' to the POINT OF BEGINNING and containing 7,643 square feet, more or less.

Tract 3B (Hawthorne)

Beginning at the Northeast Corner Lot 3, Resubdivision of Hawthorne Subdivision, Plat Book 62 Page 9, St Louis County Recorder's Office; thence, N80°16'37"W, 131.80'; thence, N28°35'00"E, 35.08'; thence, N88°19'43"E, 7.66'; thence, S87°48'41"E, 25.63'; thence, S85°15'39"E, 87.88'; thence, S09°44'00"W, 45.70 to the point of beginning and containing 5034 square feet, more or less.

SECTION 4. The City of Richmond Heights, Missouri, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property, whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under, and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

SECTION 5. All ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 7th day of March, 2011.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First Reading: February 22, 2011
Second Reading: March 7, 2011

Exhibit A

CCO FORM: RW01
Approved: 6/93 (TLP)
Revised: 03/10 (AR)
Modified:

COUNTY: St. Louis
ROUTE: I-64
PROJECT: J6I0978
PARCEL: RH Roads

QUITCLAIM DEED

THIS INDENTURE, made this ____ day of _____, 20__, between the State of Missouri, acting by and through the **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** (the grantor), 105 W. Capitol Avenue, Jefferson City, Missouri 65102, party of the first part and **THE CITY OF RICHMOND HEIGHTS, MO** (the grantee), 1330 S. Big Bend Blvd, Richmond Heights, MO 63117 of the County of St. Louis, State of Missouri, party of the second part,

WITNESSETH: In consideration of the payment of the sum of ONE AND NO/100 DOLLAR (\$1.00), the receipt of which is hereby acknowledged, the said party of the first part does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM to the said party of the second part, a tract of land, lying situated and being in the County of St. Louis, State of Missouri, to wit:

Tract 1 (Everett)

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GRANTEE, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property, whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under, and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

TO HAVE AND TO HOLD THE SAME, with all and singular rights, immunities, privileges, and appurtenances thereunto belonging, unto the said party of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first written above.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

By _____

ATTEST:

By _____
Secretary to the Commission

ACKNOWLEDGEMENT

STATE OF _____)
)SS
COUNTY OF _____)

On this _____ day of _____, 20__, before me appeared _____, to me personally known, who being by my duly sworn did say that *he/she* is _____ of Missouri Highways and Transportation Commission; that the seal affixed to the foregoing instrument is the official seal of said Commission; that said instrument was

signed and sealed in behalf of said Commission by authority of said Commission, and that said _____ acknowledged said instrument to be the free act and deed of said Commission.

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

Notary Public

My commission expires: _____

CCO Form: RW42
Approved: 10/06 (AR)
Revised: 02/10 (AR)
Modified:

ACCEPTANCE OF CONVEYANCE

The deed attached above, made on _____, 2011 by the State of Missouri, acting by and through the Missouri Highways and Transportation Commission (the "Grantor"), is hereby received and formally accepted by the City of Richmond Heights (the "Grantee" of the deed) on this _____ day of _____, 2011.

This Acceptance is executed by the undersigned _____ of the *City of Richmond Heights*, who is authorized by _____ (*ordinance #*) of the City of Richmond Heights dated _____ to accept conveyances of easements and real property for the City of Richmond Heights.

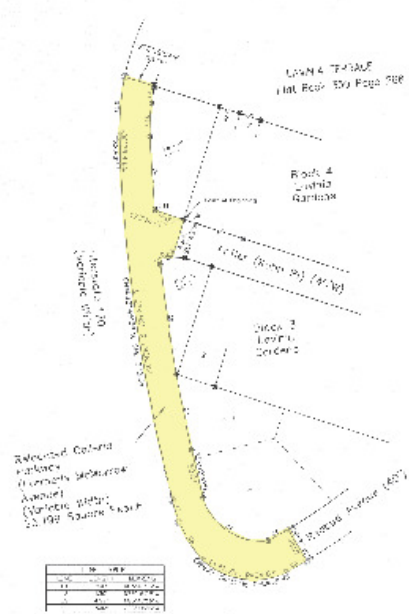
City of Richmond Heights
GRANTEE

By: *[Insert Title]*

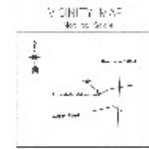
By: *[Insert Title]*

By: *[Insert Title]*

Dedication of Relocated Celler's Parkway (Formerly McMorrow Avenue) Part of Lavinia Gardens Subdivision City of Richmond Heights St. Louis County, Missouri



Lot No.	Area (Ac.)	Owner	Remarks
1	1.00	City of Richmond Heights	Public Square
2	0.50	City of Richmond Heights	Public Square
3	0.50	City of Richmond Heights	Public Square
4	0.50	City of Richmond Heights	Public Square
5	0.50	City of Richmond Heights	Public Square
6	0.50	City of Richmond Heights	Public Square
7	0.50	City of Richmond Heights	Public Square
8	0.50	City of Richmond Heights	Public Square
9	0.50	City of Richmond Heights	Public Square
10	10.00	City of Richmond Heights	Public Square



Project Description:
This project involves the relocation of Celler's Parkway (Formerly McMorrow Avenue) through the Lavinia Gardens Subdivision. The project area is shown in yellow on the site plan. The project is being undertaken by the City of Richmond Heights.

Project Description:
This project involves the relocation of Celler's Parkway (Formerly McMorrow Avenue) through the Lavinia Gardens Subdivision. The project area is shown in yellow on the site plan. The project is being undertaken by the City of Richmond Heights.

- Legend:**
- Lot 10
 - Lot 1-9
 - Public Square
 - ▭ Relocated Celler's Parkway
 - ▭ Public Square
 - ▭ Lavinia Gardens Subdivision



Project Description:
This project involves the relocation of Celler's Parkway (Formerly McMorrow Avenue) through the Lavinia Gardens Subdivision. The project area is shown in yellow on the site plan. The project is being undertaken by the City of Richmond Heights.

Project Location:
The project is located in the Lavinia Gardens Subdivision, City of Richmond Heights, Missouri. The project area is shown in yellow on the site plan.

Project Purpose:
The purpose of this project is to relocate Celler's Parkway (Formerly McMorrow Avenue) through the Lavinia Gardens Subdivision. The project is being undertaken by the City of Richmond Heights.

Project Status:
This project is currently in the planning phase. The project is being undertaken by the City of Richmond Heights.

Project Contact:
For more information about this project, please contact the City of Richmond Heights, Missouri. The project is being undertaken by the City of Richmond Heights.

Project Status:
This project is currently in the planning phase. The project is being undertaken by the City of Richmond Heights.

