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**AN ORDINANCE VACATING AN ALLEY WHICH TRAVELS FROM ESSEX STREET TO DONALDSON STREET IN BETWEEN NORTH FIFTH STREET AND NORTH FOURTH STREET WITHIN THE CITY OF DE SOTO, JEFFERSON COUNTY, MISSOURI**

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**WHEREAS**, there is a tract of land previously used as an alley between Essex Street and Donaldson Street in between North Fifth Street and North Fourth Street within the City of De Soto, more particularly described in a document marked as Exhibit A, which is attached to this ordinance and is hereby incorporated herein by reference; and

**WHEREAS**, the legal description set forth in Exhibit A accurately describes both the Platted right-of-way recorded with the Jefferson County Recorder of Deeds, as well as the “As-Travelled” description of said roadway; and

**WHEREAS**, the City intends to vacate those portions of the alley described in Exhibit A, both as Platted and As-Traveled as described in Exhibit A; and

**WHEREAS**, certain portions of this alley are at this point useless to the effective movement of vehicular traffic and a portion of this alley has been previously vacated such that the alley does not currently traverse the entire distance from Essex Street to Donaldson Street; and

**WHEREAS**, the Kurt and Eva Mayer Trust owns the real estate adjoining both sides of the alley described in Exhibit A; and

**WHEREAS**, the City of De Soto, Missouri has the power to vacate streets and revert that property to the owners of adjacent lots of the streets pursuant to Section 88.637 RSMo. and Section 405.080 of the City of De Soto, Missouri’s ordinances; and

**WHEREAS**, the City Council of the City of De Soto, Missouri believes that the requested vacation would be in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE CITY COUNCIL OF THE CITY OF DE SOTO, MISSOURI, AS FOLLOWS:**

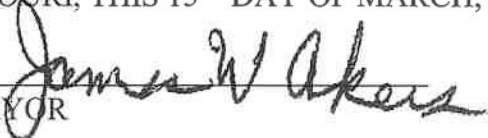
**SECTION 1.** The portion of the alley, which originally traversed the distance between Essex Street and Donaldson Street in between North Fifth Street and North Fourth Street, more particularly described in Exhibit A, is henceforth vacated pursuant to the provisions of Section 88.637 of the Revised Statutes of the State of Missouri and Section 405.080 of the ordinances of the City of De Soto, Missouri and shall revert to the Kurt and Eva Mayer Trust, owner of the lots adjacent to the alley.

**SECTION 2.** If any section, sentence, clause or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 3.** This ordinance shall be in full force and effect from and after the date of its passage.

**SECTION 4.** This ordinance shall not be codified.

READ BY TITLE ONLY TWO (2) TIMES, COPIES OF THE PROPOSED ORDINANCE HAVING BEEN AVAILABLE FOR PUBLIC INSPECTION PRIOR TO THE TIME THE BILL WAS UNDER CONSIDERATION BY THE CITY COUNCIL, AND PASSED BY THE CITY COUNCIL OF THE CITY OF DE SOTO, MISSOURI, THIS 15<sup>th</sup> DAY OF MARCH, 2021.

  
MAYOR

ATTEST:  
  
CITY CLERK



Exhibit A

SECTION 1. The following alley within the City Limits of De Soto is hereby vacated:

That 15 foot X 325 foot section of alley in Rathburn Block 13 of as shown on plat filed in Plat Book 001, Page 51 City of De Soto, Jefferson County, Missouri located between N. Fifth St and N. Fourth Street.