

**FILED**

APR 25 2024

JEANNIE GOFF  
COUNTY CLERK, JEFFERSON COUNTY, MO

BILL NO.: 24-0413

ORDINANCE NO.: 24- 0190

INTRODUCED BY: COUNCIL MEMBER(S) Tullock

1           **AN ORDINANCE DECLARING THE PUBLIC NECESSITY OF**  
2           **CERTAIN SAFETY IMPROVEMENTS PROJECTS; AND AUTHORIZING THE**  
3           **EXERCISE OF EMINENT DOMAIN FOR THE ACQUISITION OF REAL**  
4           **PROPERTY, IN COUNTY COUNCIL DISTRICTS 3 & 7, FOR RIGHT OF WAY,**  
5           **TEMPORARY CONSTRUCTION EASEMENTS, AND VARIOUS OTHER**  
6           **EASEMENTS; AND TO AUTHORIZE THE COUNTY COUNSELOR TO**  
7           **COMMENCE CONDEMNATION PROCEEDINGS PURSUANT TO ARTICLE**  
8           **III, SECTION 3.4.2.8 OF THE HOME RULE CHARTER OF JEFFERSON**  
9           **COUNTY, MISSOURI, TO ACQUIRE THE NEEDED REAL PROPERTY ON**  
10          **BEHALF OF THE COUNTY.**

11           **WHEREAS,** Jefferson County, Missouri, (hereafter, the “County”) has secured  
12 funds to make certain safety improvements to various roadways, including Gravois Road  
13 and Old Lemay Ferry Road, in Jefferson County, Missouri; and

14           **WHEREAS,** these improvements are known, respectively, as the “Gravois  
15 Northwest School Improvement Project [,]” and the “Old Lemay Ferry Road-Vogel to  
16 Spring Forest” project (hereinafter sometimes, collectively the “Improvement Projects”),

17           **WHEREAS,** the Improvement Projects include, but are not limited to, work to (a)  
18 improve the safety of an approximately .96 mile stretch of Gravois Road from

19 approximately 450 feet north of Indian Springs Road to Dellwood Lane by adding a two  
20 way left turn lane through the project limits for motorists turning into the neighboring  
21 subdivisions, and (b) improve the safety of an approximately .55 mile stretch of Old  
22 Lemay Ferry Road from near the intersection of Vogel Road to Spring Forest Road by  
23 adding five foot shoulders, and adding a left turn lane at Adobe Drive, and improving  
24 horizontal and vertical alignments; and,

25 **WHEREAS**, to facilitate the Improvement Projects, it is necessary that the  
26 County acquire certain property interests in the real property which are summarized on  
27 Exhibit A attached hereto; and,

28 **WHEREAS**, the County sent correspondence, via certified mail, including a  
29 notice of intended acquisition and an offer, with supporting financial data, required by  
30 Sections 523.250 and 523.253, RSMo., to the owners of record of the properties shown in  
31 Exhibit A; and,

32 **WHEREAS**, the County and the owners cannot agree upon the proper  
33 compensation to be paid; and,

34 **WHEREAS**, the Jefferson County, Missouri, Council, pursuant to Article III,  
35 Section 3.4.2.8., of the Home Rule Charter of Jefferson County, Missouri, is empowered  
36 to acquire property by eminent domain in accordance with Missouri Law; and,

37 **WHEREAS**, in light of the current conditions of Gravois Road and Old Lemay  
38 Ferry Road, the County Council finds that there is a public necessity for the Improvement  
39 Projects; and

40           **WHEREAS**, authorization is needed, therefore, for the Jefferson County,  
41 Missouri, County Counselor to commence condemnation proceedings to acquire the  
42 needed property interests.

43           **NOW, THEREFORE, BE IT ENACTED BY THE JEFFERSON COUNTY,**  
44 **MISSOURI, COUNCIL, AS FOLLOWS:**

45           Section 1:   Having found that there is a public necessity for the Improvement  
46 Projects and that eminent domain is necessary; the Jefferson County, Missouri, County  
47 Council shall use the power of eminent domain through condemnation.

48           Section 2:   Therefore, the Jefferson County, Missouri, County Council  
49 authorizes the County Counselor to exercise eminent domain through the commencement  
50 of condemnation proceedings in the name of the County against the owners shown in  
51 Exhibit A, or any of their heirs, successors, and assigns, and against all those persons and  
52 entities having an interest the parcels shown in Exhibit A.

53           Section 3:   Additionally, in accordance with state law, the County Counselor  
54 shall have the authority to through negotiation and settlement, purchase, gift,  
55 condemnation, or otherwise acquire for Jefferson County, Missouri, any property  
56 required and necessary to be acquired for the Improvement Projects.

57           Section 4:   The County Executive is hereby authorized to execute on behalf of  
58 the County any contract, agreement, or other document necessary to carry out the intent  
59 and purpose of this ordinance.

60            Section 5:    This Ordinance shall be in full force and effect immediately upon  
61 approval. If any part of this Ordinance is invalid for any reason, such invalidity shall not  
62 affect the remainder of this Ordinance.

**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE  
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 22 DAY OF April, 2024:

**PASSED**

**FAILED**

  
Charles Groeteke, County Council Chair

  
Cheryl Lynn Boyer, Council Executive Assistant

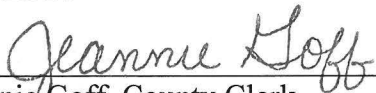
THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND EXACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 24 DAY OF April, 2024.

THIS BILL WAS \_\_\_\_\_ VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.



\_\_\_\_\_  
Dennis J. Gannon, Jefferson County, Missouri, Executive

**ATTEST:**

  
\_\_\_\_\_  
Jeannie Goff, County Clerk

By 

First Reading: 04-08-2024

Second Reading: 04-22-2024

Third Reading: 04-22-2024



**ORDINANCE NO.**

24-01910

## Exhibit A

### Gravois Northwest School

Parcel #	Owner Per Assessor
22	Robert and Carolyn Pickel

PROJECT: GRAVOIS ROAD / NORTHWEST SCHOOL IMPROVEMENTS

PARCEL NO.: PARCEL 22 - TCE

OWNER: ROBERT JR & CAROLYN PICKEL

PAGE 1 OF 1

#### NEW TEMPORARY CONSTRUCTION EASEMENT

New Temporary Construction Easement being a part of a tract of land in the Southwest Quarter Section of Section 34, Township 43 North, Range 4 East and Part of Lot 2 of the Northwest Fraction Quarter of Section 3, Township 42 North, Range 4 East, Jefferson County, Missouri being more particularly described as follows:

BEGINNING at the intersection of the northerly line of land now or formerly of Robin S. and Jody M. Kessinger as recorded in deed book 715 page 1916, Jefferson County records with the easterly Right-Of-Way of Gravois (60'W); Thence along said easterly Right-Of-Way line, North 41 degrees 00 minutes 52 seconds East, a distance of 204.83 feet to the southerly line of land now or formerly of Christopher and Katie Hoffman as recorded in Doc #2011R-023000, Jefferson County records; Thence South 50 degrees 08 minutes 47 seconds East, a distance of 40.01 feet; Thence South 41 degrees 00 minutes 52 seconds West, a distance of 18.14 feet; Thence North 69 degrees 46 minutes 17 seconds West, a distance of 26.74 feet; Thence South 41 degrees 00 minutes 52 seconds West, a distance of 55.51 feet; Thence South 28 degrees 39 minutes 30 seconds East, a distance of 28.79 feet; Thence South 41 degrees 00 minutes 52 seconds West, a distance of 25.00 feet; Thence, North 58 degrees 55 minutes 34 seconds West, a distance of 28.94 feet; Thence South 41 degrees 00 minutes 53 seconds West, a distance 82.23 feet to the aforementioned northly line of Kessinger; Thence North 50 degrees 08 minutes 47 degrees West, a distance of 13.50 feet to the POINT OF BEGINNING.

The above described Temporary Construction Easement contains 4388 square feet or 0.101 acres, more or less.

<b>Parcel #</b>	<b>Owner Per Assessor</b>
24	Malapert LLC

PROJECT: GRAVOIS ROAD / NORTHWEST SCHOOL IMPROVEMENTS  
 PARCEL NO.: PARCEL 24 – PERMANENT EASEMENT  
 OWNER: MALAPERT LLC  
 PAGE 1 OF 1

**NEW PERMANENT EASEMENT #1**

New Permanent Easement being a part of a tract of land in the Northwest Fractional Quarter of Section 3, Township 42 North, Range 4 East, Jefferson County, Missouri being more particularly described as follows:

BEGINNING at the intersection of the southerly line of land now or formerly of Robin S. and Judy M. Kessinger with the easterly Right-Of-Way line of Gravois Road (60’W); Thence along the southerly line of said Kessinger, South 50 degrees 08 minutes 47 seconds East, a distance of 23.00 feet; Thence South 40 degrees 57 minutes 51 seconds West, a distance of 12.37 feet; Thence North 48 degrees 59 minutes 08 seconds West, a distance of 23.02 feet to a point on the aforementioned easterly Right-Of-Way of Gravois Road; Thence North 41 degrees 00 minutes 52 seconds East, a distance of 11.90 feet to the POINT OF BEGINNING.

The above described permanent easement contains 279 square feet or 0.006 acres, more or less.

PROJECT: GRAVOIS ROAD / NORTHWEST SCHOOL IMPROVEMENTS  
 PARCEL NO.: PARCEL 24 - TCE  
 OWNER: MALAPERT LLC  
 PAGE 1 OF 1

**NEW TEMPORARY CONSTRUCTION EASEMENT**

New Temporary Construction Easement being a part of a tract of land in the Northwest Fractional Quarter of Section 3, Township 42 North, Range 4 East, Jefferson County, Missouri being more particularly described as follows:

COMMENCING at the intersection of the southerly line of land now or formerly of Robin S. and Judy M. Kessinger with the easterly Right-Of-Way line of Gravois Road (60’W); Thence South 41 degrees 00 minutes 52 seconds West along said East Right-Of-Way line of Gravois Road, a distance of 11.90 feet to the POINT OF BEGINNING; Thence South 48 degrees 59 minutes 08 seconds East, a distance of 23.02 feet; Thence South 40 degrees 55 minutes 59 seconds West, a distance of 16.81 feet; Thence North 49 degrees 31 minutes 59 seconds West, a distance of 22.95

feet to a point on said easterly Right-Of-Way line; Thence along a curve to the right having a radius of 925.40 feet, an arc distance of 13.24 feet and a chord bearing North 40 degrees 36 minutes 16 seconds East, 13.24 feet; Thence North 41 degrees 00 minutes 52 seconds East, a distance of 3.79 feet to the POINT OF BEGINNING.

The above described Temporary Construction Easement contains 389 square feet or 0.009 acres, more or less.

## Old Lemay Ferry—Vogel to Spring Forest

Parcel #	Owner Per Assessor
35	Domenico S. and Monica Tricamo

### PARCEL 35

A PERMANENT ROADWAY DEDICATION (PRD) being part of Lot 4 of Brouk Hills, a subdivision recorded in plat book 88 page 27 and being property now or formerly owned by Domenico S. Tricamo and Monica Tricamo, husband and wife, as recorded by Deed Document # 050041843 of the Jefferson County, Missouri records and being more particularly described as follows:

Beginning at the intersection of the centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive) with the centerline of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 55 degrees 58 minutes 25 seconds West, 15.39 feet to the northwest line of said 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said northwest line of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road) the following courses and distances: North 46 degrees 58 minutes 14 seconds East, 227.99 feet to a point of curve; Thence along a curve to the right having a radius of 1165.00 feet, an arc length of 34.78 feet and whose chord bears North 47 degrees 49 minutes 34 seconds East, 34.78 feet to a point on the west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive); Thence along said west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive), South 10 degrees 41 minutes 05 seconds East, 17.47 feet to a point of non-tangential curve on said centerline of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said centerline of a 30 feet wide Prescriptive



Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road), the following courses and distances: along a curve to the left having a radius of 1150.00 feet, an arc length of 25.43 feet and whose chord bears South 47 degrees 36 minutes 15 seconds West, 25.43 feet to a point of tangency; Thence South 46 degrees 58 minutes 14 seconds West, 224.55 feet to the Point of Beginning, and containing 3,846 square feet, more or less, according to calculations by EFK Moen, LLC.

#### PARCEL 35

A RIGHT-OF-WAY (ROW) DEDICATION being part of Lot 4 of Brouk Hills, a subdivision recorded in plat book 88 page 27 and being property now or formerly owned by Domenico S. Tricamo and Monica Tricamo, husband and wife, as recorded by Deed Document # 050041843 of the Jefferson County, Missouri records and being more particularly described as follows:

Beginning at the intersection of the centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive) with the northwest line of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 55 degrees 58 minutes 25 seconds West, 15.39 feet to a point; Thence leaving said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 46 degrees 58 minutes 14 seconds East, 231.44 feet to a point of curve; Thence along a curve to the right having a radius of 1180.00 feet, an arc length of 44.10 feet and whose chord bears North 48 degrees 02 minutes 28 seconds East, 44.09 feet to a point on the west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive); Thence along said west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive), South 10 degrees 41 minutes 05 seconds East, 17.39 feet to a point of non-tangential curve on said northwest line of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said northwest line of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road), the following courses and distances: along a curve to the left having a radius of 1165.00 feet, an arc length of 34.78 feet and whose chord bears South 47 degrees 49 minutes 34 seconds West, 34.78 feet to a point of tangency; Thence South 46 degrees 58 minutes 14 seconds West, 227.99 feet to the Point of Beginning, and containing 4,037 square feet, more or less, according to calculations by EFK Moen, LLC.

#### PARCEL 35

A TEMPORARY CONSTRUCTION EASEMENT (TCE) being part of Lot 4 of Brouk Hills, a subdivision recorded in plat book 88 page 27 and being property now or formerly owned by Domenico S. Tricamo and Monica Tricamo, husband and wife, as recorded by Deed Document # 050041843 of the Jefferson County, Missouri records and being more particularly described as follows:

Commencing at the intersection of the centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive) with the northwest line of a 30 feet wide Prescriptive Road Easement claimed by Jefferson County, Missouri (Old Lemay Ferry Road); Thence along said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 55 degrees 58 minutes 25 seconds West, 15.39 feet to the Point of Beginning of the tract of land described herein; Thence continuing along said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 55 degrees 58 minutes 25 seconds West, 10.26 feet to a point; Thence leaving said centerline of a 50 feet wide Private Road and Utility Easement (Pin Oak Drive), North 46 degrees 58 minutes 14 seconds East, 233.74 feet to a point of curve; Thence along a curve to the right having a radius of 1190.00 feet, an arc length of 50.28 feet and whose chord bears North 48 degrees 10 minutes 52 seconds East, 50.28 feet to a point on the west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive); Thence along said west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive), South 10 degrees 41 minutes 05 seconds East, 11.55 feet to a point of non-tangential curve; Thence leaving said west line of a 50 feet wide Private Road and Utility Easement (Black Oak Drive), along a curve to the left having a radius of 1180.00 feet, an arc length of 44.10 feet and whose chord bears South 48 degrees 02 minutes 28 seconds West, 44.09 feet to a point of tangency; Thence South 46 degrees 58 minutes 14 seconds West, 231.44 feet to the Point of Beginning, and containing 2,798 square feet, more or less, according to calculations by EFK Moen, LLC.