

INTRODUCED BY ALDERMAN OTTENAD

BILL NO. 24-2543

ORDINANCE NO. 24-2425

AN ORDINANCE AUTHORIZING THE GRANT TO THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION OF PERMANENT AND TEMPORARY EASEMENTS FOR SIDEWALK UPGRADES ALONG MANCHESTER ROAD AT GAYWOOD DRIVE AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE EASEMENTS DOCUMENT ON BEHALF OF THE CITY.

WHEREAS, the City of Manchester (the "City") is owner of certain real property known and numbered as 151 Gaywood Drive (the "Property"); and,

WHEREAS, the State of Missouri through the Missouri Highways and Transportation Commission (the "State") is undertaking a sidewalk improvement project referred to as the "MODOT Pedestrian Improvement Project" which, in pertinent part, will add sidewalk improvements (the "Project"); and,

WHEREAS, to provide property and working room for the Project, the City received a request from the State to grant two hundred and nine (209) square feet of permanent roadway improvement easement (the "Permanent Easement" legally described in Exhibit 1 attached hereto and incorporated herein); and,

WHEREAS, the City also received a request from the State to grant five hundred fifty-nine (559) square feet of temporary easement (the "Temporary License" or "TSCL" legally described in Exhibit 2 attached hereto and incorporated herein); and,

WHEREAS, the Board of Aldermen of the City of Manchester, after due investigation and consideration, has determined that because the MODOT Pedestrian Improvement Project will increase pedestrian safety and mobility along Manchester Road benefitting Manchester residents, visitors, and businesses it is in the best interests of the public for the City to grant the Permanent Easement and the Temporary License to the State as requested.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: That all parts of the easement area legally described on "Easement for Highway Purposes" marked as Exhibit 1 (the "Permanent Easement") and the "Temporary Easement for Highway Purposes" marked as Exhibit 2 (the "Temporary Easement"), which are attached hereto and incorporated herein by reference, are hereby granted to the State of Missouri, acting by and through the Missouri Highways and Transportation Commission over the real property legally described in the Easements, for the purpose of making cuts fills, and sloping embankments, constructing drives, sidewalks,

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temporary roadways, if any, providing working room and implementing any and all other construction items over the real property legally described in Exhibit B to the Easement.

Section Two: The City Administrator is authorized to execute the Permanent Easement and the Temporary Easement substantially in the form of Exhibits 1 and 2, respectively, on behalf of the City and to take all other actions necessary to convey the Permanent Easement and Temporary License to the State for the Project.

Section Three: This Ordinance shall be in full force and effect from and after its date of passage and being signed as provided by law.

PASSED AND APPROVED THIS 19th DAY OF AUGUST 2024.

CITY OF MANCHESTER, MISSOURI

By: Mike Clement
Mayor

ATTEST:

Matthew Metz
City Clerk

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Exhibit 1

CCO FORM: RW23
Approved: 06/96 (RMH)
Revised: 10/23 (JDS)
Modified:

COUNTY: St. Louis
ROUTE: 100
PROJECT: J6P3274
PARCEL: 04

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
EASEMENT FOR HIGHWAY PURPOSES**

THIS INDENTURE, made this ____ day of _____, 2024, by and between City of Manchester, of the County of St. Louis, and State of Missouri, 14317 Manchester Road, Ballwin, MO 63011, (grantor), and the State of Missouri, acting by and through the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, Jefferson City, MO 65102, (grantee).

WITNESSETH, that the said grantor, in consideration of the sum of One Dollar and other valuable considerations (\$1.00), to be paid by the said grantee, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto said grantee, its successors and assigns, the following described permanent easement and interests in real estate in the County of St. Louis, State of Missouri, and being more particularly described in Exhibit A – Property Description, attached hereto and made part hereof.:

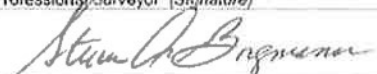

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and being more particularly described in Exhibit A as a permanent easement for highway purposes.

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MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

Title (name or identification of project) J6P3274 MO Route 100 (Manchester Rd) Parcel 4, PE	County St. Louis	
	City (if applicable)	State MO
Licensee Name (sole proprietor, partnership, corporation, LLC, or government) Engineering Design Source, Inc. 16141 Swingley Ridge Rd, Suite 300 Chesterfield, MO 63017 636-537-5585	Date Prepared	Sheet
	Apr 03, 2024	1 of 2
Professional Surveyor (Signature) 	Professional Surveyor Name (print) Steven A. Borgmann	
	Discipline Professional Land Surveyor	
	License or Certificate of Authority No. MO # LS-2583	
	Date 04-25-2024	
		
		Only the following property description contained in this "EXHIBIT" is authenticated by this seal.

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ORDINANCE NO. 24-2425

PARCEL 4 – PERMANENT EASEMENT

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and described as follows:

Beginning at the intersection of the South corridor boundary of Missouri State Route 100 (Manchester Road), variable width, with the East line of said parcel, being 60.00 feet left of station 1583+13.43; thence along said East line, South 00 degrees 33 minutes 47 seconds West, 4.37 feet to the South line of a Permanent Easement, as described herein, being 64.37 feet left of station 1583+13.36; thence along said South line, North 88 degrees 02 minutes 06 seconds West, 50.01 feet to the West line of said parcel, being 63.98 feet left of station 1583+63.37; thence along said West line, North 00 degrees 33 minutes 47 seconds East, 3.98 feet to the South corridor boundary of Missouri Route 100 as aforementioned, being 60.00 feet left of station 1583+63.44; thence along said South corridor boundary, South 88 degrees 28 minutes 51 seconds East, 50.01 feet, to the Point of Beginning.

The above described Permanent Easement contains 209 square feet or 0.0048 acres.

CONSTRUCTION EAST BOUND CENTERLINE OF MISSOURI STATE ROUTE 100 JOB NO. J6P3274 – SEGMENT 4 DESCRIPTION

The basis of bearings used in this description are based on Grid North of the East Zone, Missouri Coordinate System of 1983, in St. Louis County, Missouri.

Commencing at the intersection of the West line of Lot 1 of McDonalds Commercial Center, according to Plat Book 249 Page 31 of the St. Louis County records, with the South corridor boundary of Missouri State Route 100, being a found iron pipe, Farnsworth LS 299; thence North 68 degrees 07 minutes 05 seconds East, 1232.53 feet to Station 1530+00.00 on the East bound centerline of Missouri State Route 100 – Job No J6P3274, being the Point of beginning of the herein described East bound centerline; thence South 70 degrees 42 minutes 33 seconds West, 3,538.72 feet to a point of curvature at Station 1565+38.72; thence along an arc of a curve to the right 693.72 feet having a radius of 1,910.00 feet with a chord bearing South 81 degrees 06 minutes 51 seconds West, 689.91 feet to a point of tangency at Station 1572+32.44; thence North 88 degrees 28 minutes 51 seconds West, 2,181.74 feet to Station 1594+14.18, being the Point of Ending.

Exhibit 2

CCO FORM: RW24
Approved: 06/96 (RMH)
Revised: 10/23 (JDS)
Modified:

COUNTY: St. Louis
ROUTE: 100
PROJECT: J6P3274
FED. PROJECT: _____
PARCEL: 04

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
TEMPORARY EASEMENT FOR HIGHWAY PURPOSES**

THIS INDENTURE, made this ____ day of _____, 2024, by and between City of Manchester, of the County of St. Louis, and State of Missouri, 14317 Manchester Road, Ballwin, MO 63011, (grantor), and the State of Missouri, acting by and through the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, Jefferson City, MO 65102, (*grantee*).

WITNESSETH, that the said grantor, in consideration of the sum of One Dollar and other valuable considerations (\$1.00), to be paid by the said *grantee*, the receipt of which is hereby acknowledged, does by these presents remise, release and quitclaim unto said *grantee*, the following described temporary easement in real estate in the County of St. Louis, State of Missouri, and being more particularly described in Exhibit B – Property Description, attached hereto and made part hereof.

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and being more particularly described in Exhibit B.

TO HAVE AND TO HOLD the same, with all rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining, unto said *grantee*, its successors and assigns; the said grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises from which temporary easement is herein conveyed; that it has good right to convey the same.

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BILL NO. 24-2543

ORDINANCE NO. 24-2425

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT B -PROPERTY DESCRIPTION

Title (name or identification of project) J6P3274 MO Route 100 (Manchester Rd) Parcel 4, TCE	County St. Louis		
	City (if applicable)	State MO	
Licensee Name <i>(sole proprietor, partnership, corporation, LLC, or government)</i>	Date Prepared	Sheet	
Engineering Design Source, Inc. 16141 Swingley Ridge Rd, Suite 300 Chesterfield, MO 63017 636-537-5585	Apr 03, 2024	1 of 2	
	Professional Surveyor Name (print) Steven A. Borgmann		
	Discipline Professional Land Surveyor		
	License or Certificate of Authority No. MO # LS-2583		
Professional Surveyor (Signature) 	Date 04-25-2024		
Only the following property description contained in this "EXHIBIT" is authenticated by this seal.			

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PARCEL 4 - TEMPORARY CONSTRUCTION EASEMENT

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Commencing at the intersection of the South corridor boundary of Missouri State Route 100 (Manchester Road), variable width, with the East line of said parcel, being 60.00 feet left of station 1583+13.43; thence along said East line, South 00 degrees 33 minutes 47 seconds West, 4.37 feet to the Point of Beginning of the herein described Temporary Construction Easement; being 64.37 feet left of station 1583+13.36, thence continuing along said East line, South 00 degrees 33 minutes 47 seconds West, 8.98 feet to the South line of said Temporary Construction Easement, being 73.35 feet left of station 1583+13.21; thence along said South line the following courses and distances: North 88 degrees 28 minutes 51 seconds West, 39.41 feet, being 73.35 feet left of station 1583+52.62; South 00 degrees 33 minutes 47 seconds West, 9.44 feet, being 82.79 feet left of station 1583+52.46; and North 88 degrees 28 minutes 51 seconds West, 10.60 feet to the West line of said parcel, being 82.79 feet left of station 1583+63.06; thence along said West line, North 00 degrees 33 minutes 47 seconds East, 18.81 feet to the north line of said temporary Construction Easement, being 63.98 feet left of station 1583+63.37; thence along said North line, South 88 degrees 02 minutes 06 seconds East, 50.01 feet to the Point of Beginning.

The above described Temporary Construction Easement contains 559 square feet or 0.0128 acres.

CONSTRUCTION EAST BOUND CENTERLINE OF MISSOURI STATE ROUTE 100 JOB NO. J6P3274 - SEGMENT 4 DESCRIPTION

The basis of bearings used in this description are based on Grid North of the East Zone, Missouri Coordinate System of 1983, in St. Louis County, Missouri.

Commencing at the intersection of the West line of Lot 1 of McDonalds Commercial Center, according to Plat Book 249 Page 31 of the St. Louis County records, with the South corridor boundary of Missouri State Route 100, being a found iron pipe, Farnsworth LS 299; thence North 68 degrees 07 minutes 05 seconds East, 1232.53 feet to Station 1530+00.00 on the East bound centerline of Missouri State Route 100 – Job No J6P3274, being the Point of beginning of the herein described East bound centerline; thence South 70 degrees 42 minutes 33 seconds West, 3,538.72 feet to a point of curvature at Station 1565+38.72; thence along an arc of a curve to the right 693.72 feet having a radius of 1,910.00 feet with a chord bearing South 81 degrees 06 minutes 51 seconds West, 689.91 feet to a point of tangency at Station 1572+32.44; thence North 88 degrees 28 minutes 51 seconds West, 2,181.74 feet to Station 1594+14.18, being the Point of Ending.

2024, meeting agenda for your consideration and requested approval. Should you have any questions regarding this project, please do not hesitate to ask.

Attachments

- MODOT Donation Letter
- Plan Sheet
- Permanent and Temporary Easement Documents
- Property Owners Guide for Land Acquisition Transportation Improvements

Missouri Department of Transportation

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

June 18, 2024

City of Manchester
14318 Manchester Road
Ballwin, MO 63011

SUBJECT: St. Louis County, Route 100, J6P3274, Parcel Number 04

Dear Property Owner,

The Missouri Highways and Transportation Commission has approved a project to improve Route 100 along your property. In order to complete this improvement, it is necessary that we acquire a **209 square feet** permanent easement and a **559 square feet** temporary easement from your property. The easements needed for the project are described in the enclosed deeds and presented to you on the engineering plans.

We do want to inform you that you do have the right to receive compensation for the permanent and temporary easements in question, as determined by an appraisal for your property rights needed from your property. We have enclosed a *Pathways for Progress* leaflet for your review. This will explain the process that must be followed to acquire right-of-way.

We are hopeful that because of the benefits to be derived from the project, we can reach an agreement with you to donate the permanent and temporary easements to accomplish the construction. If you choose to donate the easements, we would appreciate your signing this letter below, waiving your right to compensation. We will also need your signature on the easement document to comply with regulations.

Respectfully,

Nicole Kreisel
District Right-of-Way Manager

ACCEPTED BY PROPERTY OWNER

Signature

Print Name

Title

Date

Memo



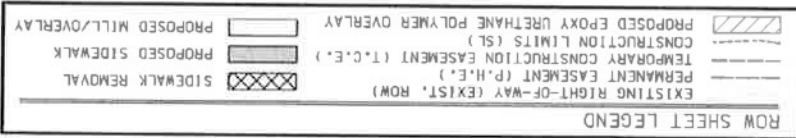
To: Mayor Clement & Board of Aldermen
CC: Justin Klocke, City Administrator, Errol Tate, Director of Public Works
From: Dave Pracht, Assistant Director of Public Works
Date: July 26, 2024
Re: MODOT Permanent & Temporary Easement Request for Manchester Road Sidewalk ADA Upgrades at Gaywood Drive

The Missouri Department of Transportation (MODOT) - Missouri Highways and Transportation Commission has a project planned to complete ADA sidewalk upgrades along Manchester Road that enters our city limits. MODOT recently contacted Public Works requesting that the City of Manchester grant them a small permanent and temporary right-of-way easement to complete a portion of these upgrades at Gaywood Drive (plans attached). Since Gaywood Drive is a city owned road, these easements are essential to widen the existing sidewalk ensuring ADA compliance, and so that their contractor is able to complete the work. The right-of-way acquisition process MODOT is using with us is the same process that we use on most of our federally funded projects including La Bonne Parkway, Manchester Road Phase I and II, Hanna Road I & II, Dougherty Ferry Road, Henry Avenue, etc.

This MODOT pedestrian improvement project only has positive implications for the city. These upgrades will seamlessly integrate into the city's planned Manchester Road Pedestrian Improvement Projects that we are receiving grant funding from Federal Highway Administration (FHWA) and cost share from MODOT on. Given our ongoing partnership with MODOT on various initiatives, including cost-share projects, we recommend that the city agree to donate both the permanent and temporary right-of-way easements, waiving compensation.

An ordinance to donate these easements to MODOT's Missouri Highways and Transportation Commission for Gaywood Drive at Manchester Road, waiving compensation, has been prepared and placed on the Board of Aldermen's August 5,

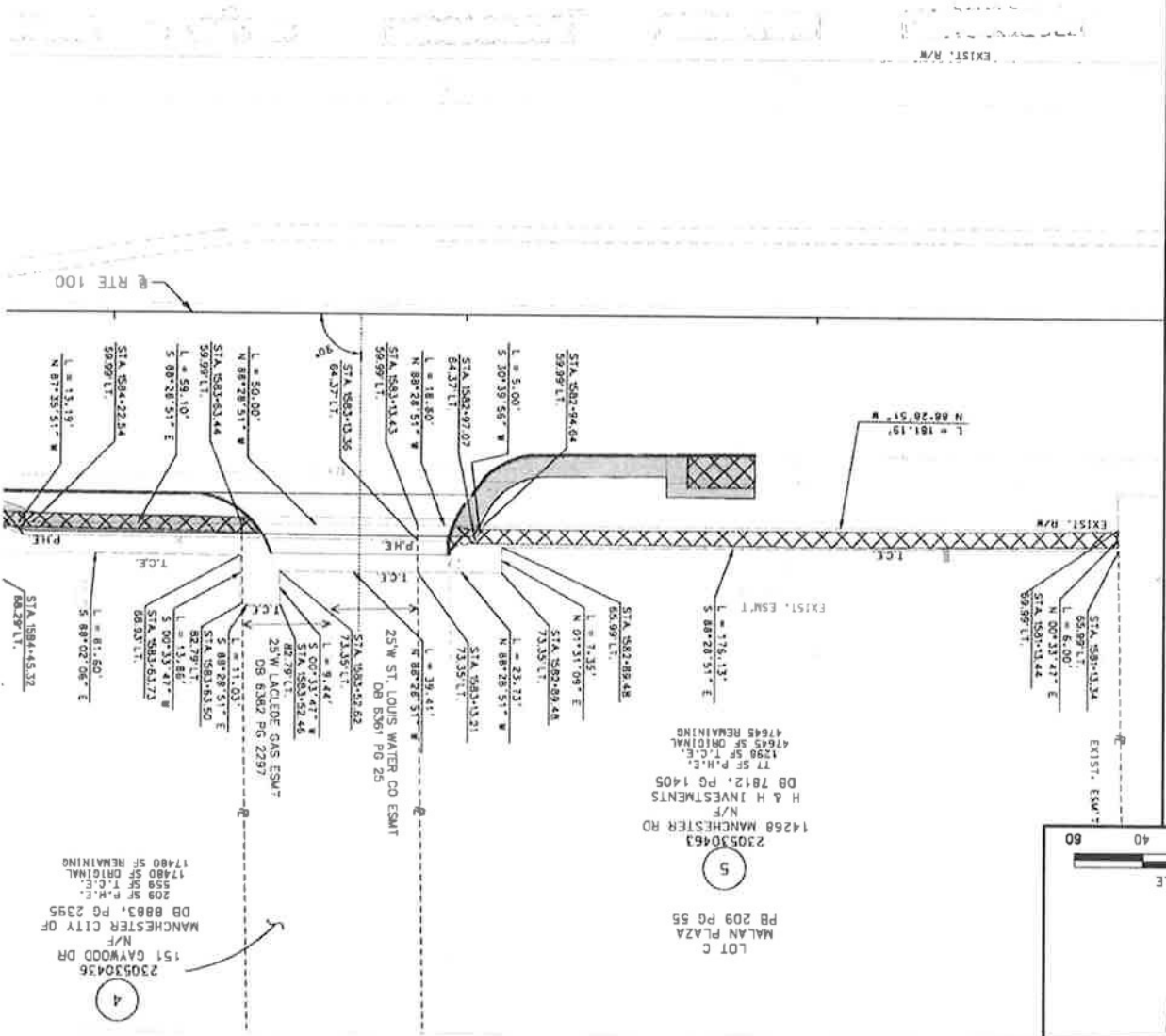
MATCHLINE STA. 1581+00.00



230530711 MANCHESTER RD
14275 MANCHESTER RD
N/F
TKG-MANCHESTER HIGHLANDS SHOPPING CENTER,
DB 20296, PG 4661
TRACT 2
59 SF P.H.E.
25 SF T.C.E.
478675 SF ORIGINAL
478675 SF REMAINING

READJUSTED LOT 3
MANCHESTER HIGHLANDS PLAT TWO
PB 356 PG 96

2



STA. 1581+00.00
L = 50.00'
N 88°28'51" W
STA. 1581+53.44
59.09' LT.
L = 59.10'
S 88°28'51" E
STA. 1581+112.54
59.09' LT.
L = 13.19'
N 87°25'51" W
P.H.E.

STA. 1582+00.00
L = 18.80'
N 88°28'51" W
STA. 1582+13.43
58.99' LT.
L = 39.41'
N 88°28'51" W
STA. 1582+52.82
73.35' LT.
L = 9.44'
S 00°33'47" W
L = 11.03'
S 88°28'51" E
STA. 1581+53.50
82.79' LT.
L = 11.88'
S 00°33'47" W
L = 88.35' LT.
STA. 1582+63.73
88.35' LT.
L = 81.50'
S 89°02'06" E
T.C.E.

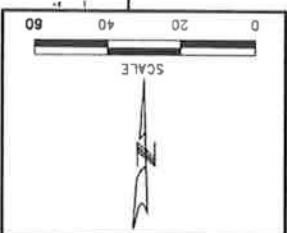
STA. 1582+94.64
58.99' LT.
L = 5.00'
S 30°39'58" W
STA. 1582+97.07
84.37' LT.
L = 23.31'
N 88°28'51" W
STA. 1583+13.21
73.35' LT.
L = 2.35'
N 07°51'09" E
STA. 1582+99.48
73.35' LT.
L = 176.13'
S 88°20'51" E
L = 65.09' LT.
STA. 1582+88.48
65.09' LT.
L = 2.35'
N 07°51'09" E
STA. 1582+99.48
73.35' LT.
L = 23.31'
N 88°28'51" W
STA. 1583+13.21
73.35' LT.
L = 176.13'
S 88°20'51" E
L = 65.09' LT.
STA. 1581+13.34
65.09' LT.
L = 6.00'
N 00°33'47" E
STA. 1581+13.44
99.09' LT.
EXIST. H/W

14268 MANCHESTER RD
230530463
N/F
H & H INVESTMENTS
DB 7812, PG 1405
1250 SF ORIGINAL
47645 SF ORIGINAL
47645 SF REMAINING

230530436
151 GAYWOOD DR
N/F
MANCHESTER CITY OF
DB 8883, PG 2395
209 SF P.H.E.
59 SF T.C.E.
17480 SF ORIGINAL
17480 SF REMAINING

5

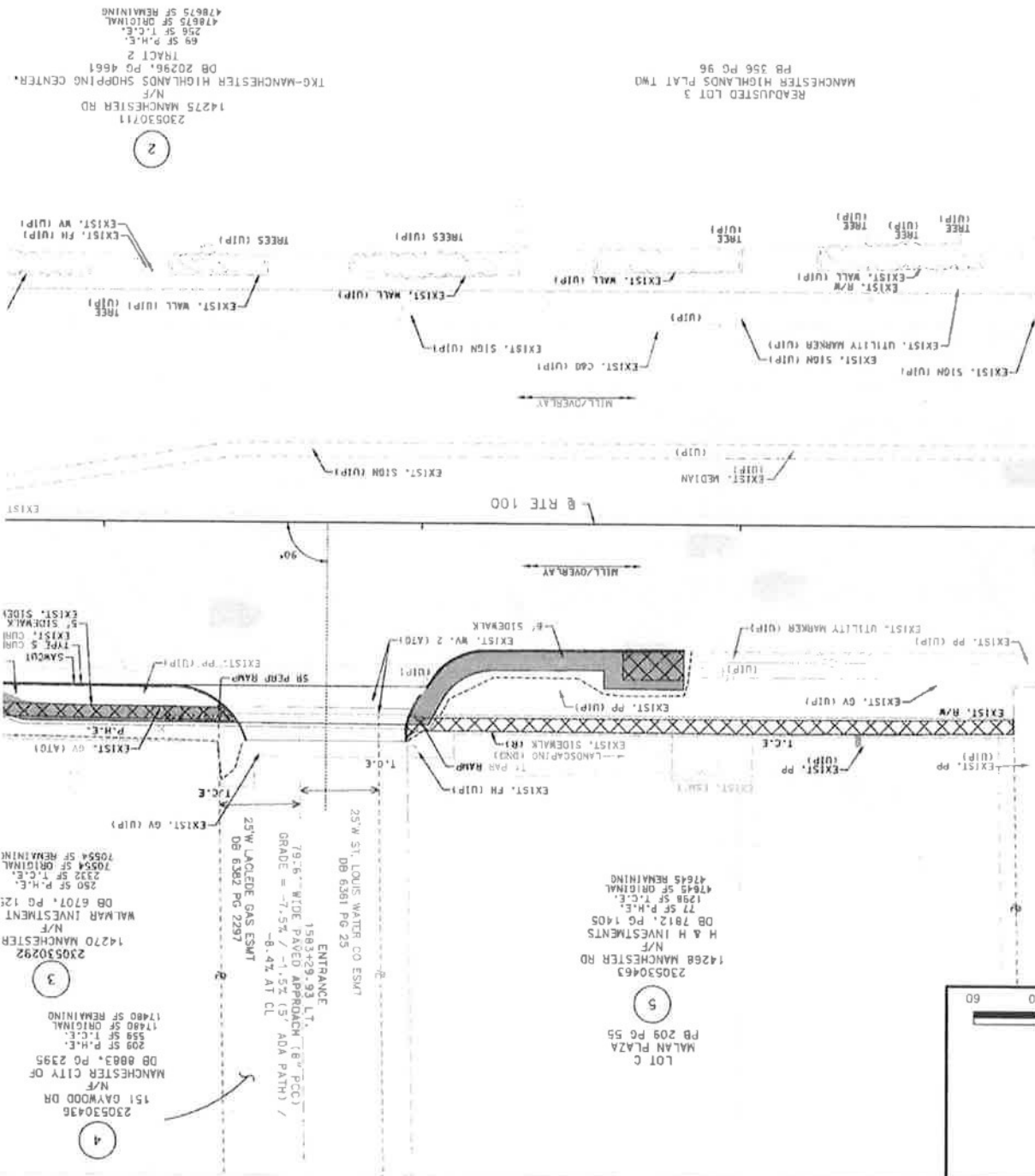
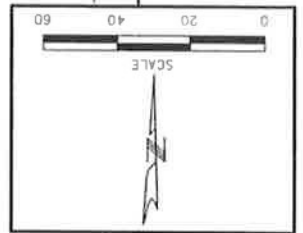
LOT C
MALAN PLAZA
PB 209 PG 55



PLAN SHEET LEGEND

	EXISTING RIGHT-OF-WAY (EXIST. ROW)
	PERMANENT EASEMENT (P.H.E.)
	TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
	CONSTRUCTION LIMITS (SL)
	PROPOSED MILL/OVERLAY
	PROPOSED EPOXY URETHANE POLYMER OVERLAY
	SIDEWALK REMOVAL
	PROPOSED SIDEWALK

MATCHLINE STA. 1581+00.00



2

3

4

MANCHESTER HIGHLANDS PLAT TWO
 REDJUSTED LOT 3
 PB 356 PG 96

14275 MANCHESTER RD
 N/F
 230530711
 MANCHESTER HIGHLANDS SHOPPING CENTER,
 DB 20296, PG 4661
 69 SF P.H.E.
 478675 SF ORIGINAL
 478675 SF REMAINING

14270 MANCHESTER
 N/F
 230530292
 WALMAR INVESTMENT
 DB 6707, PG 121
 260 SF P.H.E.
 2332 SF T.C.E.
 70554 SF REMAINING

151 GAYWOOD DR
 N/F
 23050436
 MANCHESTER CITY OF
 DB 0883, PG 2395
 209 SF P.H.E.
 558 SF T.C.E.
 17480 SF ORIGINAL

1428 MANCHESTER RD
 N/F
 230530463
 H & H INVESTMENTS
 DB 7812, PG 1405
 77 SF P.H.E.
 1298 SF T.C.E.
 47845 SF ORIGINAL

Missouri Department of Transportation

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

June 18, 2024

City of Manchester
14318 Manchester Road
Ballwin, MO 63011

SUBJECT: St. Louis County, Route 100, J6P3274, Parcel Number 04

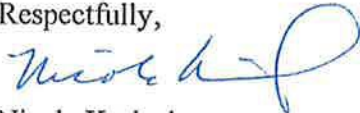
Dear Property Owner,

The Missouri Highways and Transportation Commission has approved a project to improve Route 100 along your property. In order to complete this improvement, it is necessary that we acquire a **209 square feet** permanent easement and a **559 square feet** temporary easement from your property. The easements needed for the project are described in the enclosed deeds and presented to you on the engineering plans.

We do want to inform you that you do have the right to receive compensation for the permanent and temporary easements in question, as determined by an appraisal for your property rights needed from your property. We have enclosed a *Pathways for Progress* leaflet for your review. This will explain the process that must be followed to acquire right-of-way.

We are hopeful that because of the benefits to be derived from the project, we can reach an agreement with you to donate the permanent and temporary easements to accomplish the construction. If you choose to donate the easements, we would appreciate your signing this letter below, waiving your right to compensation. We will also need your signature on the easement document to comply with regulations.

Respectfully,



Nicole Kreisel
District Right-of-Way Manager

ACCEPTED BY PROPERTY OWNER


Signature

Justin Klocke City Admin 08-26-2024
Print Name Title Date



Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.
www.modot.org

CCO FORM: RW24
Approved: 06/96 (RMH)
Revised: 10/23 (JDS)
Modified:

COUNTY: St. Louis
ROUTE: 100
PROJECT: J6P3274
FED. PROJECT: _____
PARCEL: 04

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
TEMPORARY EASEMENT FOR HIGHWAY PURPOSES**

THIS INDENTURE, made this 26 day of August, 2024, by and between City of Manchester, of the County of St. Louis, and State of Missouri, 14318 Manchester Road, Ballwin, MO 63011, (*grantor*), and the State of Missouri, acting by and through the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, Jefferson City, MO 65102, (*grantee*).

WITNESSETH, that the said grantor, in consideration of the sum of One Dollar and other valuable considerations (\$1.00), to be paid by the said grantee, the receipt of which is hereby acknowledged, does by these presents remise, release and quitclaim unto said grantee, the following described temporary easement in real estate in the County of St. Louis, State of Missouri, and being more particularly described in Exhibit B – Property Description, attached hereto and made part hereof.

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and being more particularly described in Exhibit B.

TO HAVE AND TO HOLD the same, with all rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining, unto said grantee, its successors and assigns; the said grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises from which temporary easement is herein conveyed; that it has good right to convey the same.

The grantee's interest in this temporary easement will be extinguished immediately at the completion of Highway Project No. J6P3274.

IN WITNESS WHEREOF, the said grantor has executed the above the day and year first above written.

City of Manchester

By:



(Signature) (Owner(s))

Justin Kloocke

(Print Name)

(Print Name)

City Administrator

(Title, if applicable)

ACKNOWLEDGEMENT BY CITY

STATE OF Missouri)
)SS
COUNTY OF St. Louis)

On this 20 day of August, 2024, before me appeared Justin Klocke, personally known to me, who being by me duly sworn, did say that he/she is the City Administrator (title) of the City of Manchester and that the foregoing instrument was signed and sealed on behalf of the City of Manchester and that he/she acknowledged said instrument to be the free act and deed of the City of Manchester and that it was executed for the consideration stated therein and no other.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid the day and year first written above.



Notary Public

My Commission Expires: June 21, 2025

MICHELLE MELUGIN
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES JUNE 21, 2025
JEFFERSON COUNTY
COMMISSION #13404190

PARCEL 4 - TEMPORARY CONSTRUCTION EASEMENT

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and described as follows:

Commencing at the intersection of the South corridor boundary of Missouri State Route 100 (Manchester Road), variable width, with the East line of said parcel, being 60.00 feet left of station 1583+13.43; thence along said East line, South 00 degrees 33 minutes 47 seconds West, 4.37 feet to the Point of Beginning of the herein described Temporary Construction Easement; being 64.37 feet left of station 1583+13.36; thence continuing along said East line, South 00 degrees 33 minutes 47 seconds West, 8.98 feet to the South line of said Temporary Construction Easement, being 73.35 feet left of station 1583+13.21; thence along said South line the following courses and distances: North 88 degrees 28 minutes 51 seconds West, 39.41 feet, being 73.35 feet left of station 1583+52.62; South 00 degrees 33 minutes 47 seconds West, 9.44 feet, being 82. 79 feet left of station 1583+52.46; and North 88 degrees 28 minutes 51 seconds West, 10.60 feet to the West line of said parcel, being 82. 79 feet left of station 1583+63.06; thence along said West line, North 00 degrees 33 minutes 47 seconds East, 18.81 feet to the north line of said temporary Construction Easement, being 63.98 feet left of station 1583+63.37; thence along said North line, South 88 degrees 02 minutes 06 seconds East, 50.01 feet to the Point of Beginning.

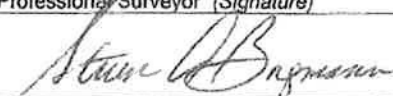
The above described Temporary Construction Easement contains 559 square feet or 0.0128 acres.

CONSTRUCTION EAST BOUND CENTERLINE OF MISSOURI STATE ROUTE 100 JOB NO. J6P3274 - SEGMENT 4 DESCRIPTION

The basis of bearings used in this description are based on Grid North of the East Zone, Missouri Coordinate System of 1983, in St. Louis County, Missouri.

Commencing at the intersection of the West line of Lot 1 of McDonalds Commercial Center, according to Plat Book 249 Page 31 of the St. Louis County records, with the South corridor boundary of Missouri State Route 100, being a found iron pipe, Farnsworth LS 299; thence North 68 degrees 07 minutes 05 seconds East, 1232.53 feet to Station 1530+00.00 on the East bound centerline of Missouri State Route 100 – Job No J6P3274, being the Point of beginning of the herein described East bound centerline; thence South 70 degrees 42 minutes 33 seconds West, 3,538.72 feet to a point of curvature at Station 1565+38.72; thence along an arc of a curve to the right 693.72 feet having a radius of 1,910.00 feet with a chord bearing South 81 degrees 06 minutes 51 seconds West, 689.91 feet to a point of tangency at Station 1572+32.44; thence North 88 degrees 28 minutes 51 seconds West, 2,181.74 feet to Station 1594+14.18, being the Point of Ending.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT B -PROPERTY DESCRIPTION

Title (name or identification of project) J6P3274 MO Route 100 (Manchester Rd) Parcel 4, TCE	County St. Louis		
	City (if applicable)	State MO	
	Date Prepared	Sheet	
	Apr 03, 2024	1	of
Licensee Name <i>(sole proprietor, partnership, corporation, LLC, or government)</i> Engineering Design Source, Inc. 16141 Swingley Ridge Rd, Suite 300 Chesterfield, MO 63017 636-537-5585	Professional Surveyor Name (print) Steven A. Borgmann		
	Discipline Professional Land Surveyor		
	License or Certificate of Authority No. MO # LS-2583		
	Professional Surveyor (Signature) 		
	Date 04-25-2024		



Only the following property description contained in this "EXHIBIT" is authenticated by this seal.

CCO FORM: RW23
Approved: 06/96 (RMH)
Revised: 10/23 (JDS)
Modified:

COUNTY: St. Louis
ROUTE: 100
PROJECT: J6P3274
PARCEL: 04

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
EASEMENT FOR HIGHWAY PURPOSES**

THIS INDENTURE, made this 26 day of August, 2024, by and between City of Manchester, of the County of St. Louis, and State of Missouri, 14318 Manchester Road, Ballwin, MO 63011, (grantor), and the State of Missouri, acting by and through the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, Jefferson City, MO 65102, (grantee).

WITNESSETH, that the said grantor, in consideration of the sum of One Dollar and other valuable considerations (\$1.00), to be paid by the said grantee, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto said grantee, its successors and assigns, the following described permanent easement and interests in real estate in the County of St. Louis, State of Missouri, and being more particularly described in Exhibit A – Property Description, attached hereto and made part hereof.:


A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and being more particularly described in Exhibit A for constructing, maintaining and servicing the highway and all improvements, future highway expansions and appurtenances thereto.

TO HAVE AND TO HOLD the same, with all rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining, unto said grantee, its successors and assigns; the said grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises from which permanent easement is herein conveyed; that it has good right to convey the same.

IN WITNESS WHEREOF, the said grantor has executed the above the day and year first above written.

City of Manchester

By:



(Signature) (Owner(s))

Justin Klocke

(Print Name) (Print Name)

City Administrator

(Title, if applicable)

ACKNOWLEDGEMENT BY CITY

STATE OF Missouri)
)SS
COUNTY OF St. Louis)

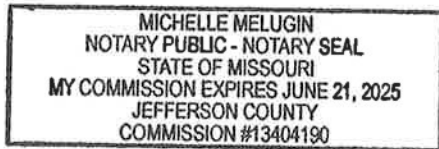
On this 26 day of August, 2024, before me appeared Justin Klocke, personally known to me, who being by me duly sworn, did say that he/she is the City Administrator (title) of the City of Manchester and that the foregoing instrument was signed and sealed on behalf of the City of Manchester and that he/she acknowledged said instrument to be the free act and deed of the City of Manchester and that it was executed for the consideration stated therein and no other.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid the day and year first written above.

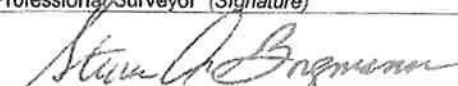


Notary Public

My Commission Expires: June 21, 2025



MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

Title <i>(name or identification of project)</i> J6P3274 MO Route 100 (Manchester Rd) Parcel 4, PE	County St. Louis City <i>(if applicable)</i> _____ State MO		
Licensee Name <i>(sole proprietor, partnership, corporation, LLC, or government)</i>	Date Prepared Apr 03, 2024		Sheet 1 of 2
Engineering Design Source, Inc. 16141 Swingley Ridge Rd, Suite 300 Chesterfield, MO 63017 636-537-5585	Professional Surveyor Name <i>(print)</i> Steven A. Borgmann Discipline Professional Land Surveyor License or Certificate of Authority No. MO # LS-2583		
Professional Surveyor <i>(Signature)</i>	Date		
	04-25-2024		Only the following property description contained in this "EXHIBIT" is authenticated by this seal.

PARCEL 4 – PERMANENT EASEMENT

A tract of land being part of that parcel as described in a deed to The City of Manchester., recorded in Deed Book 8883 Page 2395, being part of Lot 3 of Taylor Heights, according to Plat Book 15 Page 128 of the St. Louis County records, situated in Section 31, Township 45 North, Range 5 East and described as follows:

Beginning at the intersection of the South corridor boundary of Missouri State Route 100 (Manchester Road), variable width, with the East line of said parcel, being 60.00 feet left of station 1583+13.43; thence along said East line, South 00 degrees 33 minutes 47 seconds West, 4.37 feet to the South line of a Permanent Easement, as described herein, being 64.37 feet left of station 1583+13.36; thence along said South line, North 88 degrees 02 minutes 06 seconds West, 50.01 feet to the West line of said parcel, being 63.98 feet left of station 1583+63.37; thence along said West line, North 00 degrees 33 minutes 47 seconds East, 3.98 feet to the South corridor boundary of Missouri Route 100 as aforementioned, being 60.00 feet left of station 1583+63.44; thence along said South corridor boundary, South 88 degrees 28 minutes 51 seconds East, 50.01 feet, to the Point of Beginning.

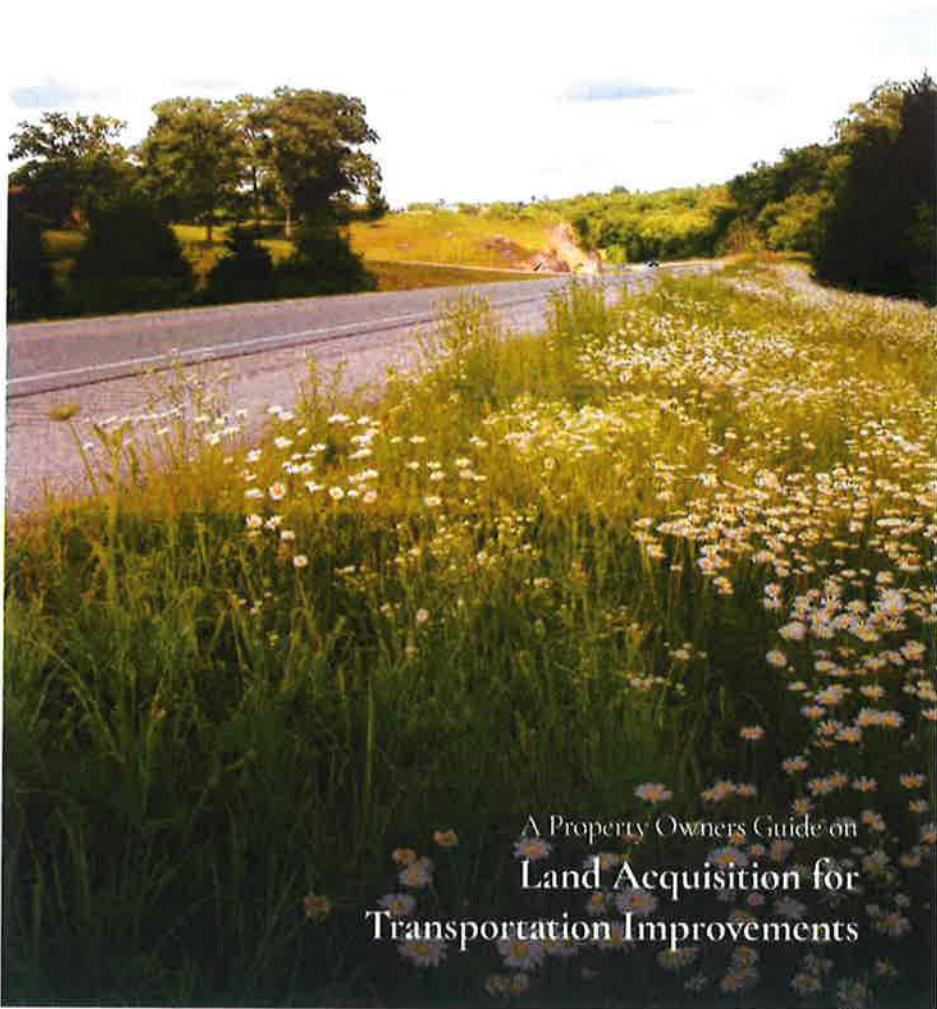
The above described Permanent Easement contains 209 square feet or 0.0048 acres.

CONSTRUCTION EAST BOUND CENTERLINE OF MISSOURI STATE ROUTE 100 JOB NO. J6P3274 – SEGMENT 4 DESCRIPTION

The basis of bearings used in this description are based on Grid North of the East Zone, Missouri Coordinate System of 1983, in St. Louis County, Missouri.

Commencing at the intersection of the West line of Lot 1 of McDonalds Commercial Center, according to Plat Book 249 Page 31 of the St. Louis County records, with the South corridor boundary of Missouri State Route 100, being a found iron pipe, Farnsworth LS 299; thence North 68 degrees 07 minutes 05 seconds East, 1232.53 feet to Station 1530+00.00 on the East bound centerline of Missouri State Route 100 – Job No J6P3274, being the Point of beginning of the herein described East bound centerline; thence South 70 degrees 42 minutes 33 seconds West, 3,538.72 feet to a point of curvature at Station 1565+38.72; thence along an arc of a curve to the right 693.72 feet having a radius of 1,910.00 feet with a chord bearing South 81 degrees 06 minutes 51 seconds West, 689.91 feet to a point of tangency at Station 1572+32.44; thence North 88 degrees 28 minutes 51 seconds West, 2,181.74 feet to Station 1594+14.18, being the Point of Ending.

Pathways for Progress



A Property Owners Guide on
Land Acquisition for
Transportation Improvements

The Path of Progress

Improving our transportation system often requires us to ask neighboring property owners for help. Sometimes we need a small piece of your property to improve safety for you and others using the transportation system. Other times we need large pieces of property to add to or change the transportation system's path. In any event, we have prepared this brochure because we are committed to being fair, honest, and open in our work with you. Inside you will find information related to the acquisition process.

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WHAT'S IT WORTH?

The first step in the process of acquiring property is deciding what it's worth. The following are some answers to commonly asked questions about the valuation process.



Who will determine the value of my property?

A qualified individual will inspect and prepare a valuation document. This may be one of our staff or a contract appraiser. The completed valuation document will be reviewed by a qualified person and just compensation will be approved by a department official.

Will I know when my property will be inspected?

Yes. A staff or contract appraiser will contact you by phone or letter.

Can I be present during the inspection?

Yes. In fact, we encourage your involvement or your representative's involvement in the valuation process. Any information you are willing to share about your property, including information about buildings, wells, septic tanks, cisterns, private utility lines, etc., would be greatly appreciated.

Are there any special papers I should have on hand?

While no special papers are required, there are some that would be helpful in the valuation process. These may include building blueprints and property surveys. If you are unable to be present during the inspection or live outside Missouri, feel free to forward information about your property to us at any time. A list of addresses is in the back of this brochure for your convenience.

Will the individual preparing the valuation document give me a dollar figure?

No. The on-site inspection is only the first step. The purpose of the on-site inspection is to gather facts about your property. After all the facts are gathered, the completed valuation document is reviewed to check for accuracy and consistency.

How will the value of my property be determined?

The value of your property will be determined by an accepted valuation process. This valuation will be reviewed by a qualified person and just compensation approved by a department official. In no case shall the approved compensation be less than the value determined during the valuation review process.

What if my entire property is needed?

If your entire property is needed, the value will be based on your entire property's current fair market value. This is the amount of money the entire property would bring if it were for sale on the open market being sold by a willing seller and purchased by a willing buyer.

What if only part of my property is needed?

A determination is first made of the value of your entire property before it is changed in any way by the transportation improvement. This is commonly referred to as the "before value." Then the value of your entire remaining property is determined as if the transportation improvement was complete. This is commonly referred to as the "after value." This value will include any physical changes, benefits or damages that might be created. You will be offered the difference between the "before" and "after" value of your property.

How long will it be before I receive an offer?

The time will vary based on the complexity of the valuation data needed to determine the value. An offer will be made to you or your representative as promptly as possible following the approval of just compensation by a department official.

REACHING AN AGREEMENT



Who will be my contact for the purchase of my property?

A representative from the department office in your area will work with you throughout the acquisition process. When an offer for your property has been determined, a department representative will contact you to schedule a meeting. During this meeting, the representative will explain how the department acquires land and realty rights and how the particular project will affect your property. If you receive your offer by mail, the representative's contact information will be included in the packet.

Can I designate someone else to work with the department representative?

Yes. The department representative will discuss the details of the transaction for your property with you or your authorized representative.

What if I disagree with the amount offered for my property?

You may make a counteroffer and engage in negotiations with the department.

Can I remove items from the property?

The department may authorize owners to retain certain items located on the property being purchased. However, the salvage value of those items will be deducted from the offer.

Will I be responsible for filing any special documents?

No. Your department representative will take care of the details and paperwork. However, it will be necessary for you to provide certain information, such as your social security or tax identification number.

Is there help in finding a replacement property?

Yes. If the department determines that you are displaced from your dwelling, business or farm operation, the department will first inform you of any relocation assistance for which you are eligible. Our staff will then provide assistance throughout the relocation process.

WHO PAYS FOR WHAT?

Settlements and closings can be confusing with a flurry of paperwork. Here is some information that may simplify the process and help you be prepared.

Will I pay for a part of the closing costs?

No. The department will pay all closing costs and recording fees.

What do I need to bring to the closing?

All necessary paperwork will be provided by the department representative or the closing agent. All paperwork will be held by the department's local office or a closing agent until distribution of the money is made to you or other parties entitled to receive payment. Appropriate documents will then be recorded in the appropriate Office of Recorder of Deeds.

How soon will I get my money?

Payment for your property or property rights will be made to you or placed in an escrow account for distribution. You can expect payment to be delivered approximately 15 working days after the department's local office receives the executed deed of conveyance and all documents required for a clear title.

How long will I be given to move?

After payment is made and if it is determined by the department that you are required to move, you will be given a minimum of

90 days in advance of the date required to relinquish possession of your property to the department. If it is determined by the department that you are displaced from your primary place of residence, you will be given 100 days in advance of the date required to relinquish possession of your property to the department.

Who is responsible for real estate taxes?

The department will reimburse you on a pro rata portion of the state, county and city real estate taxes paid for the current tax year on property purchased by the department. The pro rata portion of the taxes will cover the full number of months remaining in the calendar year after payment for real property has been made. Delinquent tax payments are not reimbursable. You will be provided with a reimbursement claim form and instructions on how to properly submit a claim.

WHAT IF WE DON'T AGREE?

If the property owner and the department cannot agree on the amount of money to be paid for the property to be acquired, the department may suggest mediation.

Yes? No!

What is mediation?

Mediation is a process in which a neutral and impartial third party helps people reach an acceptable settlement. Mediation is voluntary, informal and non-binding. Mediation may be stopped at any time by either party. The mediator does not act as a judge and will not render a judgment or ruling as to the merit of the parties' positions. Nor will the person conducting the mediation advise the parties of their rights under the law.

What will happen during mediation?

The mediator will ask each party to present his or her position regarding the value of the property being acquired. The mediator

will make suggestions regarding a settlement through structured discussion in a joint session with both parties or separate conversations with each party. The mediator will discuss each party's issues or concerns with the other party in an attempt to bring about an agreement that is considered fair by both parties.

Will I need a lawyer for mediation?

No, you do not need to be represented by an attorney during mediation. MoDOT will not have an attorney present unless you choose to have one. However, keep in mind the mediator will not offer legal advice to either party. You may have anyone present during mediation that you choose and may also talk with anyone by telephone. It is necessary that you have total authority to agree to a settlement during mediation.

Do I have to agree to a settlement during mediation?

No. If an agreement cannot be reached during mediation, the department will continue to work with you to resolve the matter. However, when necessary, the department will proceed with eminent domain, in which the court sets the compensation amount.

How will I be notified as to when mediation will take place?

If you agree to mediation, the department will contact the mediator. The mediator will schedule the mediation session on a date and at a time and location agreeable to both parties.

How long will the mediation session last?

Mediation usually lasts about 2 to 3 hours; however, as previously mentioned, either party may stop the mediation at any time. If progress is being made toward reaching an agreement, the mediation can continue for a period acceptable to both parties.

EMINENT DOMAIN

When it is not possible for us to agree on a fair amount for your property, the department will use another process to determine the price to be paid. Eminent Domain brings in the judicial system to set the fair market value of the property. Eminent Domain is a right provided for under the law.



Who starts the process?

The Missouri Highways and Transportation Commission will file a condemnation petition in the circuit court of the county where the property is located. This petition will set out the land and/or rights to be acquired and all parties who own an interest in it.

How will I be notified?

After the circuit judge sets the date for hearing the petition, you will receive a summons to attend the hearing.

What will happen at the hearing?

The judge will review the department's condemnation petition. If the judge finds the petition to be proper, he or she will appoint three commissioners. The commissioners must own land and reside in the same county where your property is located and cannot have any special interest in the property being condemned or the transportation project. The commissioners will view the property and establish fair market value.

Does the department have to pay the amount established by the commissioners?

Yes. After the commissioners file their report with the court, the Missouri Highways and Transportation Commission must deposit that amount with the circuit clerk before obtaining

possession of the property. However, within a 30 day period, either side may file exceptions to the commissioners' award and request a jury trial to determine the matter. Legal and physical possession of the property will transfer to the MHTC even when exceptions are filed. Trials can either increase or decrease the amount determined by the commissioners.

When can the money be withdrawn from the court?

Subject to the requirements of the circuit court, you may withdraw money at any time, regardless of whether or not exceptions are filed.

What if the jury trial results in a lower price?

If exceptions are filed and the jury trial establishes a smaller amount than the Commissioner's report, you must refund the difference plus interest on the refunded amount.

What if the jury trial results in a higher price?

The department will pay you the difference plus interest on the increased amount.

Do I need a lawyer?

You are not required to have an attorney represent you at the hearing for the appointment of commissioners. However, you may if you so desire. If exceptions are filed by either you or the department, you may want to contact an attorney.

HOW CAN I GET MORE INFORMATION?

We hope we have answered some of your questions in this brochure. If you would like more details on our land acquisition process, we are here to help. Our staff of courteous professionals is eager to work with you.

For more information about the Missouri Department of Transportation, visit www.modot.org.

Central Office

P.O. Box 270
105 W. Capitol Avenue
Jefferson City, Missouri 65102
(573) 751-2876 or 1-888-ASK-MODOT

Northwest District

3602 North Belt Highway
St. Joseph, Missouri 64506-1399
(816) 387-2350 or 1-888-ASK-MODOT
*Andrew, Atchison, Buchanan, Caldwell, Carroll, Chariton,
Clinton, Daviess, Dekalb, Gentry, Grundy, Harrison, Holt, Linn,
Livingston, Mercer, Nodaway, Putnam, Sullivan, Worth*

Northeast District

1711 South Highway 61
Hannibal, Missouri 63401
(573) 248-2490 or 1-888-ASK-MODOT
*Adair, Audrain, Clark, Knox, Lewis, Lincoln, Macon, Marion,
Monroe, Montgomery, Pike, Ralls, Randolph, Schuyler, Scotland,
Shelby, Warren*

Kansas City District

600 NE Colbern Road
Lee's Summit, Missouri 64086
(816) 622-6500 or 1-888-ASK-MODOT
Cass, Clay, Jackson, Johnson, Lafayette, Pettis, Platte, Ray, Saline

Central District

P.O. Box 718

1511 Missouri Boulevard

Jefferson City, Missouri 65102

(573) 751-3322 or 1-888-ASK-MODOT

*Boone, Callaway, Camden, Cole, Cooper, Crawford, Dent,
Gasconade, Howard, Laclede, Maries, Moniteau, Morgan,
Miller, Osage, Phelps, Pulaski, Washington*

St. Louis District

1590 Woodlake Drive

Chesterfield, Missouri 63017-5712

(314) 275-1500 or 1-888-ASK-MODOT

Franklin, Jefferson, St. Charles, St. Louis, St. Louis City

Southwest District

P.O. Box 868

3025 East Kearney Street

Springfield, Missouri 65801

(417) 895-7600 or 1-888-ASK-MODOT

*Barry, Barton, Bates, Benton, Cedar, Christian, Dade, Dallas,
Greene, Henry, Hickory, Jasper, Lawrence, McDonald, Newton,
Polk, St. Clair, Stone, Taney, Vernon, Webster*

Southeast District

P.O. Box 160

2675 North Main Street

Sikeston, Missouri 63801

(573) 472-5333 or 1-888-ASK-MODOT

*Bollinger, Butler, Cape Girardeau, Carter, Douglas, Dunklin,
Howell, Iron, Madison, Mississippi, New Madrid, Oregon,
Ozark, Pemiscot, Perry, Reynolds, Ripley, Scott, Shannon, Ste.
Genevieve, St. Francois, Stoddard, Texas, Wayne, Wright*

Information

Appraisal Contact

Name _____

Phone _____

Acquisition Contact

Name _____

Phone _____

Relocation Contact

Name _____

Phone _____

Other Appointments



Missouri Department of
Transportation
105 W. Capitol Avenue
Jefferson City, MO 65102

RW12.052 6.12