
Sponsored by: Mayor Hennessy

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THE PROPERTY PREVIOUSLY USED AS RIGHT OF WAY FOR CALEDONIA PARKWAY.

WHEREAS, O'Fallon acquired right of way from MODOT for the construction and maintenance of Caledonia Parkway.

WHEREAS, the roadway was constructed and the alignment was moved slightly so that portions of the property conveyed to the City for right of way for Caledonia Parkway are no longer used for public travel and are no longer necessary for public right of way; and

WHEREAS, the property owners adjoining such portions of the old Caledonia Parkway right of way are willing to accept the remaining strip of land; and

WHEREAS, the remaining strip of property that was acquired in fee simple and was previously used as part of the old right of way will have no value and will be located such that no use could be made of such a strip of land; and

WHEREAS, the grantee, upon conveyance of the remaining strip of land, will be responsible for maintenance of such property, removing any burden from the City.

NOW THEREFORE, BY THE COUNCIL OF THE CITY OF O'FALLON, MISSOURI, AS FOLLOWS:

SECTION 1: The City Council hereby authorizes the conveyance of the strip of land described on Exhibit B and shown on Exhibit A of the Quit Claim Deed, attached hereto and incorporated herein by this reference. The City Council hereby authorizes the City Administrator to execute the Quit Claim Deed and any other documents necessary for the conveyance to the adjoining property owner.

SECTION 2: It is hereby declared to be the intention of the City Council that each and every part, section and subsection of the ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of the ordinance shall be determined to be or t have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED BY THE CITY COUNCIL FOR THE CITY OF O'FALLON, MISSOURI, THIS 23RD DAY OF MAY 2024.

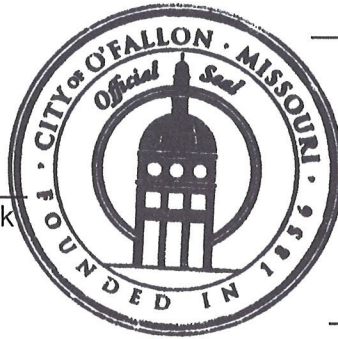


Bill Hennessy
Presiding Officer

Attest:

Katie Crabtree
Katie Crabtree, Assistant City Clerk

APPROVED BY THE MAYOR FOR THE CITY OF O'FALLON, MISSOURI, THIS 23RD DAY OF MAY 2024.



Bill Hennessy
Bill Hennessy, Mayor

Attest:

Katie Crabtree
Katie Crabtree, Assistant City Clerk

Approved as to Form:
Kevin M. O'Keefe
Kevin M. O'Keefe, City Attorney

QUITCLAIM DEED

THIS INDENTURE, made this 23 day of May, 2024, between the City of O'Fallon, Missouri, located at 100 North Main Street, O'Fallon, Missouri 63366, (hereinafter, "Grantor") and THF 40DD Development, LLC, (hereinafter, "Grantee"), 211 Stadium Boulevard, Suite 201, Columbia, Missouri 65203.

WITNESSETH: In consideration of the payment of the sum of ONE AND NO/100 DOLLARS (\$1.00) AND OTHER VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantor does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM to the Grantee a tract of land, lying situated and being in the County of St. Charles, State of Missouri, and described as follows:

A PORTION OF THE RIGHT OF WAY OF CALEDONIA PARKWAY (FORMERLY SOUTH SERVICE ROAD) BEING A PORTION OF U.S. SURVEY 297 AND FRACTIONAL SECTION 13, TOWNSHIP 46 NORTH, RANGE 2 EAST OF THE 5TH/P.M., CITY OF O'FALLON, ST. CHARLES COUNTY, MISSOURI, SAID PARCEL BEING A PORTION OF THAT PARCEL CONVEYED TO THE STATE OF MISSOURI BY DEED RECORDED IN BOOK 2370, PAGE 413 OF THE ST. CHARLES COUNTY, MISSOURI, RECORDER OF DEEDS OFFICE AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT B — PROPERTY DESCRIPTION.

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,

GRANTEE
THF 40DD Development, LLC

Print Name & Office

STATE OF MISSOURI)

) SS

COUNTY OF ST. CHARLES)

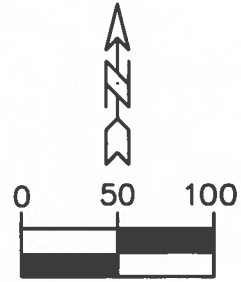
Now on this _____ day of _____, 2024, appeared before me
_____ (name), _____ (office) of THF 40DD Development, LLC
to me personally known, who stated that he executed the foregoing Quit Claim Deed as the Grantee assuming all
responsibility and liability for the property conveyed herein, and as his free and act.

Notary Public

My commission expires:

EXHIBIT "A"

A TRACT OF LAND BEING A PORTION OF THE RIGHT OF WAY OF CALEDONIA PARKWAY,
 WITHIN U.S. SURVEY 297, TOWNSHIP 46 NORTH, RANGE 2 EAST OF THE 5TH P.M.,
 CITY OF O'FALLON, ST. CHARLES COUNTY, MISSOURI



LOT 11B
 REPLAT OF THE
 STREETS OF CALEDONIA
 PLAT 1 - LOT 11
 DOC # 2022R-0050272

POINT OF
 BEGINNING

N81°24'06"E - 143.62'

SECTION 14

SECTION 13

U.S. SURVEY 297

CALEDONIA PKWY.

RAD=874.93'
 ARC=205.54'
 CB=S02°09'53"W
 CHD=205.07'

RIGHT OF WAY VACATION AREA
 20,185 S.F. OR 0.46 AC.

RAD=1398.00'
 ARC=401.51'
 CB=N24°47'37"W
 CHD=400.13'

S20°00'23"E - 92.71'

N/F
 FIRST COMMUNITY
 CREDIT UNION
 DOC # 2021R-25877

S01°07'25"E - 92.71'

LOT 9
 STREETS OF
 CALEDONIA PLAT 1
 BK. PL51, PG. 85

LOT 8
 STREETS OF
 CALEDONIA PLAT 1
 BK. PL51, PG. 85

LOT 7
 STREETS OF
 CALEDONIA PLAT 1
 BK. PL51, PG. 85

100'

160'

530A East Independence Dr
 Union, Missouri 63084
 636-584-0540 (tel.)
 636-584-0812 (fax)
 mol@cochrane.com

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Master Planning

DRAWN BY DKG	DATE 3-4-2024	PROJ. NO. 17-6821
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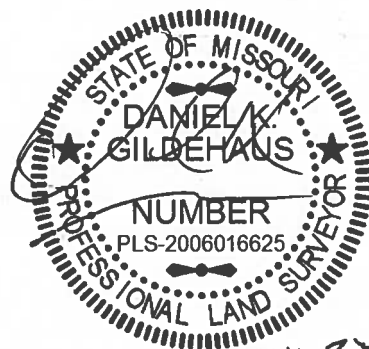


CALEDONIA PARKWAY RIGHT OF WAY – O’FALLON, MO
PROJECT NO. 17-6821
MARCH 4, 2024

EXHIBIT B
EXCESS RIGHT OF WAY DESCRIPTION

A PORTION OF THE RIGHT OF WAY OF CALEDONIA PARKWAY (FORMERLY SOUTH SERVICE ROAD), BEING A PORTION OF U.S. SURVEY 297, TOWNSHIP 46 NORTH, RANGE 2 EAST OF THE 5TH P.M., CITY OF O’FALLON, ST. CHARLES COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTHWEST CORNER OF LOT 11B OF THE FINAL REPLAT OF THE STREETS OF CALEDONIA - PLAT 1 - LOT 11, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT # 2022R-0050272 OF THE SAID RECORDER OF DEEDS OFFICE, THENCE N81°24’06”E ALONG THE SOUTH LINE OF SAID LOT 11B, 143.62 FEET TO AN IRON ROD AT A POINT OF A CURVATURE AT THE NORTHWEST CORNER OF THE PARCEL CONVEYED TO FIRST COMMUNITY CREDIT UNION BY DEED RECORDED AS DOCUMENT # 2021R-0025877 OF THE SAID RECORDER OF DEEDS OFFICE; THENCE ALONG EASTERN LINE OF CALEDONIA PARKWAY AND THE WESTERN LINE OF SAID FIRST COMMUNITY CREDIT UNION PARCEL, 205.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 874.93 FEET, AND A CHORD THAT BEARS S02°09’53”W 205.07 FEET TO AN IRON ROD; THENCE S20°00’23”E 92.71 FEET TO AN IRON ROD; THENCE S01°07’25”E 92.71 FEET TO AN IRON ROD; THENCE CROSSING THE SAID RIGHT OF WAY OF CALEDONIA PARKWAY, 401.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1398.00 FEET, AND A CHORD THAT BEARS N24°47’37”W 400.13 FEET TO THE POINT OF BEGINNING, CONTAINING 20,185 SQUARE FEET, OR 0.46 ACRES, MORE OR LESS.



3-11-24