

City of Ballwin

Memo

To: Eric Hanson, City Administrator

From: Thomas H. Aiken, AICP, Assistant City Administrator/City Planner

Date: 3/9/16

Re: Easement vacation

When the Manors at Hill Trail condominium development was approved, the recorded final site development plan included a 10' wide utility easement adjacent to both sides of the standard 50' wide roadway right-of-way. It is my understanding that the dedication language granted rights to this easement to all of the utility companies for their purposes and to Ballwin for drainage maintenance purposes. Although granting Ballwin drainage easements is not an unusual event, such easements are usually in places where drainage will occur such as in common ground areas. In this case, the slope and location of this easement in the front yards of the condominiums is such that Ballwin is not ever likely to require access for drainage maintenance purposes.

The covered porch of the condominium building built at 363 Champion Way (building 3) has been built in a manner that extends a corner of the porch into this easement. In order to get clear title for the sale of this building it is my understanding that all of the entities with rights to this easement must relinquish such rights. The petitioner is asking that Ballwin vacate its right to a portion of this easement. The drawing attached to the letter shows the proposed vacation. The hachured area on the larger scale drawing shows in a clearer manner the approximately 12 square foot area of porch that is in the easement.

Daniel R. Zervas
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ARNOLD, MO. 63010
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March 4, 2016

Eric Hanson
City Administrator
City of Ballwin
14811 Manchester Road
Ballwin, MO 63011

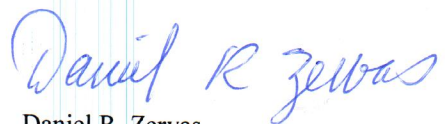
Re: The Manors At Hill Trail
Easement Vacation Request

Dear Mr. Hanson,

I have been dealing with Thomas H. Akins on the above referenced project and we are requesting to vacate three feet of the existing ten feet easement that was dedicated to the city by the Champion Way Drive Dedication and Easement Plat, that the porch of building number 3 has encroached upon. See attached exhibit that all the utility companies named in the plat have used to vacate that portion of the easement.

Mr. Akins had sent a letter dated January 27, 2016 explaining that my client (the developer) will have to address this issue with yourself or the mayor and this matter be placed before the Board of Alderman for consideration. Please let me know what the next step in this process will be.

Sincerely,



Daniel R. Zervas

THE MANORS OF HILL TRAIL CONDOMINIUM—AMENDMENT NO. 1

MSD M-1104001-15

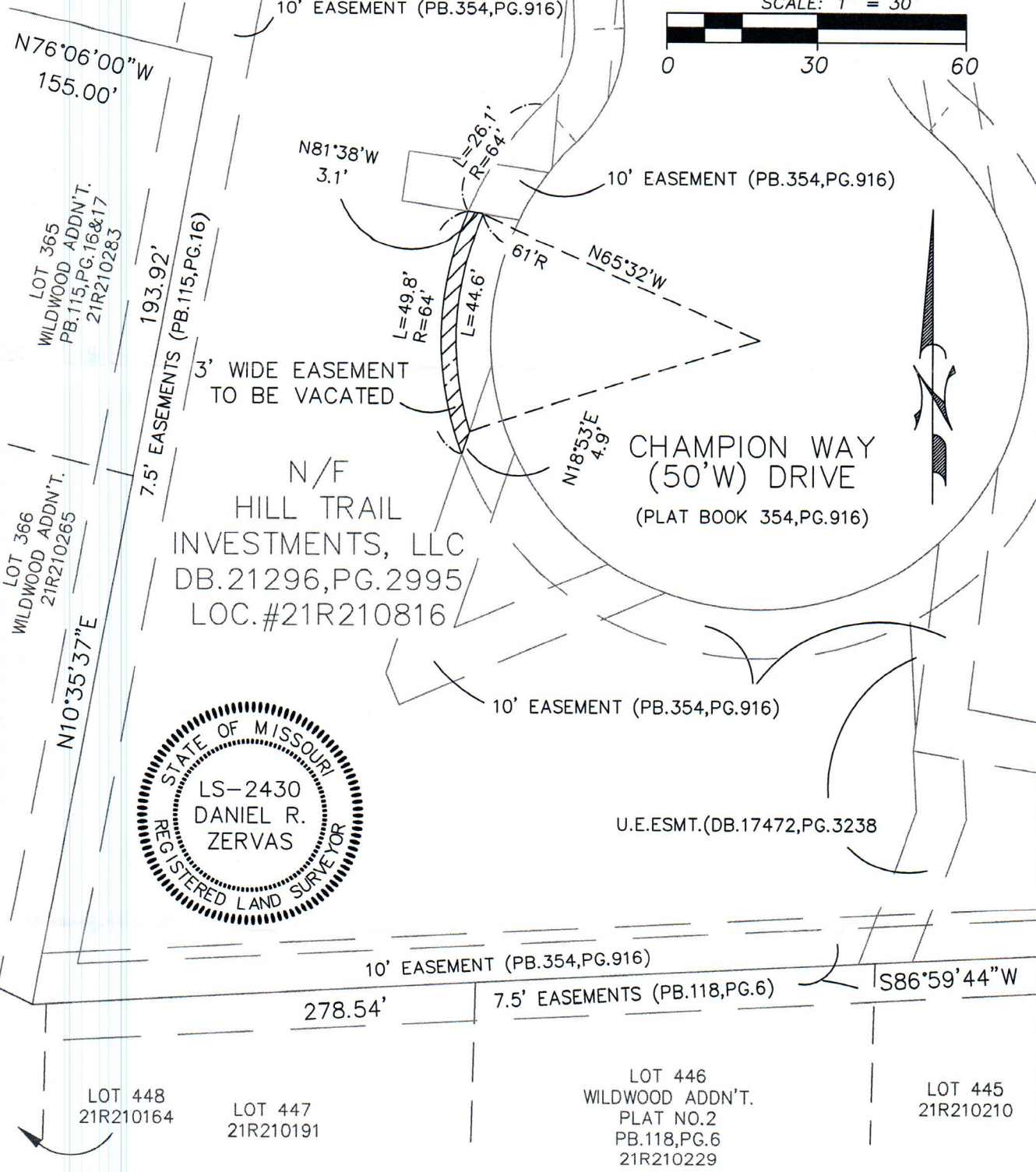


EXHIBIT A

EASEMENT VACATION PLAT
 THE MANORS OF HILL TRAIL CONDOMINIUM—AMENDMENT NO. 1
 PB.259,PG.211, IN SECTION 26, T 45 N, R 4 E,
 CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI

REVISED: 11-23-15



109.09'

TW=622.00
BW=617.30

TW=622.00
BW=617.30

359 CHAMPION
WAY DRIVE

363 CHAMPION
WAY DRIVE

FFE=618.56
GFE=617.39
BFE=609.21

FFE=618.56
GFE=617.39
BFE=609.21

DS TOP=617.00
8.00'

DS TOP=617.00
8.00'

618.56

618.56

6.00'

6.00'

16.00'

4.00'