



**Recommended Procedure for the Vacation of Public Street or Road Right-of-Way,
Public Alley Right-of-Way, or Public Easements in
Unincorporated St. Louis County, and
Excess Right-of-Way on the St. Louis County Arterial Road System (ARS)**

**Prepared by the St. Louis County
Department of Transportation & Public Works**

- 1) Research the establishment of the street, alley, or easement proposed for vacation and determine if it is currently located within unincorporated St. Louis County or within a municipality, if it is public or private, and to whom it is dedicated. Determine the limits or boundaries of the requested vacation. If the proposed vacation is public and is located within unincorporated St. Louis County, proceed to Section #4. If the proposed vacation area is excess right-of-way of a maintained St. Louis County Arterial System (ARS) roadway (in incorporated or unincorporated St. Louis County), proceed to Section #4 (if the ARS roadway is located within a municipality, the comments of that municipality relative to this proposed vacation will need to be filed with the future Vacation Petition). If the proposed vacation is part of a roadway maintained by the Missouri Department of Transportation (MoDOT), contact MoDOT in order vacate said right-of-way or easement.
- 2) If the proposed vacation is located within a municipality (3rd Class City, 4th Class City, or Home Rule City), and is not a part of the St. Louis County Arterial Road System (ARS) (see Section #1 above), the vacation should be initiated through that municipality. Vacations located within designated Villages or Towns should be initiated through St. Louis County (proceed to Section #4).
- 3) If the street, alley, or easement is private and not dedicated as public, to St. Louis County, or to a municipality, contact a Title Company, Land Use Attorney, or Professional Land Surveyor to determine the proper procedure to follow for the vacation of said private street, private alley, or private easement. If a private utility easement is proposed for vacation (dedicated only to a single utility company or to multiple companies), contact the appropriate utility company or companies for a vacation of said utility easement.
- 4) Have a legal description(s) prepared of the street, alley or easement proposed for vacation and label the legal description Exhibit "A" (see attached sample Exhibit "A"). The Exhibit "A" shall be sealed, signed, and dated by a Professional Land Surveyor registered in the State of Missouri.
- 5) Have a drawing(s) prepared of the street, alley or easement proposed for vacation and label the drawing Exhibit "B" (see attached sample Exhibit "B"). The Exhibit "B" (and also an Exhibit "C" if pavement or other improvements are in or close to the vacation area, see sample Exhibit "C") shall be sealed, signed, and dated by a Professional Land Surveyor registered in the State of Missouri.
- 6) Submit the Exhibit "A" and Exhibit "B" (and Exhibit "C", etc. if required) to the St. Louis County Department of Transportation & Public Works for preliminary review and recommendation prior to contacting the utility companies, any abutting property owners, and before formal submittal of a fully executed vacation petition package to the office of the St. Louis County Clerk.

- 7) Contact all utility companies (including Charter Communications Entertainment "Spectrum") providing service in the area of the proposed vacation (use the attached utility company contact list). Provide the utility companies with a copy of the Exhibits (Exhibit "A", Exhibit "B", Exhibit "C", etc.), soliciting the comments from each regarding the proposed vacation. The utility companies will provide a letter and/or a utility release which either states that they release their interest in the vacation area or have no objection to the proposed vacation; that they require an easement be reserved in the Vacation Ordinance; or that an easement will need to be recorded to cover their existing and future facilities. If an easement is requested for reservation in the vacation ordinance, provide a legal description of the proposed reservation area which has been sealed, signed, and dated by a Professional Land Surveyor registered in the State of Missouri, and approved by the utility company requesting said easement. If the entire area proposed for vacation is to be reserved in the vacation ordinance, a legal description of the easement reservation area is not required.
- 8) Contact all abutting property owners and interested parties (other than the vacation Petitioner) regarding the proposed vacation, providing them with a copy of the Exhibits (Exhibit "A", Exhibit "B", Exhibit "C", etc.) and a vacation consent form, which should be executed by all current property owners having a interest in the vacation. If a property is under contract for sale, provide a copy of same to the future owners under contract for their comments. Notify the abutting property owners and interested parties in person or by mail. If no response is received after a reasonable amount of time, you may notify the property owner by certified mail, return receipt requested. The executed return receipt and an affidavit of notification may then be submitted with the Vacation Petition as proof of proper notice to the proposed vacation.
- 9) Prepare a Vacation Petition (all documents are all required to be letter size, 8.5" x 11"), which should include all information necessary for the vacation request. Use the sample Vacation Petition provided in this vacation packet, however, verbiage should be modified appropriately for the type of vacation and situation. The Petitioner(s) (who abutt the proposed vacation or who's property the easement is located on), shall be the property owner or owners of record on the date the Vacation Petition is filed with the Office of the County Clerk. If the property of the Petitioner(s) is under contract for sale, provide an executed consent form from the future owners under contract or provide their comments relative to the proposed vacation as an interested party.
- 10) Submit the original signed and executed Vacation Petition; Exhibit "A"; Exhibit "B" (Exhibit "C" and any other required exhibits); letters and/or releases from all utility companies; original signed consent or objection, proof of proper notice or waiver of notice from all abutting property owners (file an affidavit of notification if the abutting property owners or interested parties were notified [see Section #8 above] but did not respond after a reasonable length of time); any additional or special documents required for vacation approval (i.e.: letters from the Missouri Department of Transportation (MoDOT), the Municipality, etc.); and a \$200 filing fee (check made payable to "St. Louis County Clerk"), shall be submitted to the St. Louis County Clerk's Office. The aforementioned documents will be placed on a subsequent St. Louis County Council Agenda by the County Clerk's Office.
- 11) After the Vacation Petition is introduced to the St. Louis County Council at a Council meeting, it may be ordered by the Council that the Vacation Petition and attachments be received, filed, and referred to the Department of Transportation & Public Works, Department of Planning, and the County Counselor for review and comment. The County Council will instruct the County Clerk to publish notice of the proposed vacation in a public newspaper (i.e.: the "St. Louis Countian"). The publication notice will usually take place within few weeks after request by the County Council. The County Council cannot act upon the vacation request until at least 30 days after the date of publication of the vacation notice.

- 12) The Vacation Petition and attachments will be reviewed by the Department of Transportation & Public Works, Department of Planning, and the County Counselor's Office. Reports from the Departments and the County Counselor are submitted to the County Council after all requirements have been satisfied.
- 13) After the report of the County Counselor is submitted to the County Council, a bill is created by the County Counselor's Office in the subsequent weeks, which is then introduced on the County Council Agenda. In the following weeks, the bill is perfected, and then submitted for final passage. After the Council passes the bill, it is adopted. It is sent to the County Executive for approval and signature. If approved by the County Executive, the bill becomes an Ordinance effective 15 days after signature by the County Executive.
- 14) The County Clerk's Office provides a certified copy of the Vacation Ordinance to the Petitioner, or the Petitioner's Representative, along with advising them that the certified Vacation Ordinance needs to be recorded in the Recorder of Deeds' Office. **After recording, a copy of the recorded Vacation Ordinance must be provided by the Petitioner or their representative to the County Clerk's Office and the Department of Transportation & Public Works.**

ST. LOUIS COUNTY ORDINANCE 26,072, 2015
AMENDING CHAPTER 1105, TITLE XI SLCRO 1974 AS AMENDED

1105.120 - Vacation Procedure.

- 1) **General.** Whenever the public necessity, convenience and general welfare require, the County Council may, subject to the procedure provided in this section, vacate all or any part of any public easement, right-of-way, street, alley, public road or highway dedicated or conveyed to St. Louis County, or title to which or authority over which is vested in St. Louis County by operation of law. A vacation may be initiated by a resolution of intent by the County Council, by the verified petition of an interested party, or by recommendation of the Department of Transportation.
- 2) **Definition.** For the purpose of this section, an "interested party" includes any owner of property abutting or touching on the proposed vacation and any owner of property that would be denied reasonable access to the general system of public roads and streets by the proposed vacation of a street, alley, public road or highway, transit connection, or trail connection. "Owner" shall include the owner or owners of record indicated upon the records of the St. Louis County Assessor's office on the date of the filing of the petition for vacation with the County Clerk.
- 3) **Petition for vacation.** A petition for vacation shall be on forms approved by the County Counselor and shall be addressed to the County Council and filed, together with a filing fee of two hundred dollars (\$200.00), with the County Clerk. Each petition shall include an accurate description of the public easement, right-of-way, street, alley, public road or highway, transit connection, trail connection sought to be vacated, its location and the names of all interested parties.
- 4) **Notice to interested parties.** Notice of the proposed vacation shall be given to all interested parties at least thirty (30) days before the County Council shall act upon the petition or resolution. Notice shall be in accord with RSMo 506.150 through 506.170, except that it may be made by any person authorized to make service under RSMo 491.110. An interested party may in writing waive notice or affirmatively consent to the proposed vacation. Proof of proper notice, waiver of notice, or consent shall be filed with the County Clerk before the Council shall act upon the proposed vacation. Interested parties not knowable after reasonable inquiry may be considered to have been given notice by the public notice of paragraph 5, if the Council finds the same to be the best practicable notice under the circumstances.

- 5) **Public notice.** At least thirty (30) days before the County Council shall act upon the proposed vacation, the Administrative Director shall give notice of pendency in a public newspaper in the same manner as set forth in Section 1003.300-3(1) SLCRO 1974, as amended.
- 6) **Comments from utilities.** Before the County Council shall act upon the proposed vacation, comments of each concerned utility as to whether each objects to or approves the proposed vacation shall be filed with the County Clerk.
- 7) **Vacation by ordinance.** After receiving reports on the proposed vacation from the Department of Planning, the Department of Transportation, and the County Counselor, the County Council may by ordinance vacate the concerned public easement, right-of-way, street, alley, public road or highway, trail connection or transit connection with such conditions and restrictions as it may deem for the public good.
- 8) **Applicability.** All vacation proceedings under the authority of state statute or county ordinance pending on the effective date of this ordinance shall continue to be processed in accordance with such statute or ordinance. All future vacation proceedings within the purview of this section shall be in accord with the provisions hereof.

(O. No. 26072, 5-5-15)

(Sample Vacation Petition)

(NOTE: This sample Petition for Vacation may be used for both right-of-way and easement vacations, and should be modified where appropriate.)

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

**TO THE COUNTY COUNCIL OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI**

**PETITION FOR VACATION
UNDER CHAPTER 1105.120 SLCRO 1974**

Petitioners, John H. Doe and Mary A. Doe, respectfully state to the County Council of the County of St. Louis, State of Missouri that:

- 1) They are the owners in fee simple of the following described parcel of real estate situated in the County of St. Louis, State of Missouri, incorporated herein by reference, being more particularly described in Deed Book 6449, Pages 2084 through 2086 of the St. Louis County Records.

(NOTE: Petitioners property may also be identified by subdivision name and lot number, and/or by current St. Louis County Locator Number.)

- 2) Petitioners desire to have a portion of Forder Road, a public road right-of-way **(or an easement)** situated in St. Louis County, Missouri vacated. The portion of Forder Road right-of-way proposed for vacation is legally described on the attached Exhibit "A", which is signed and sealed by a Professional Land Surveyor (PLS) registered in the State of Missouri.
- 3) The portion of Forder Road right-of-way proposed for vacation is identified by label or legend, and is shown shaded in gray and labeled on the attached drawing, designated as Exhibit "B", which is signed and sealed by a Professional Land Surveyor (PLS) registered in the State of Missouri. **(If an Exhibit "C" is prepared, add to paragraph: All existing physical improvements in the area of the proposed vacation, are shown and identified in their exact location, along with the vacation area which is shaded in gray and labeled on a second drawing designated as Exhibit "C" which is signed and sealed by a Professional Land Surveyor (PLS) registered in the State of Missouri.)**
- 4) Petitioners are the owners in fee simple of property which abuts the portion of Forder Road right-of-way proposed for vacation. The remaining abutting property owners, Robert G. Smith and Nancy L. Smith have been notified of this proposed vacation pursuant to the requirements of Chapter 1105.120, St. Louis County Revised Ordinances, 1974, and have consented to the vacation of said portion of Forder

Road right-of-way, as legally described on the attached Exhibit "A", and as shown on the attached drawing(s) identified as Exhibit "B" (and Exhibit "C"). The response form from said abutting property owners is attached to this vacation petition.

(NOTE: If Petitioners are the only abutting property owners, Section 4 must be modified. The following is an example of Section 4 when the Petitioners are the only abutting property owners.)

- (4) Petitioners state that they are the owners in fee simple of all of the property which abuts the portion of Forder Road right-of-way proposed for vacation as legally described on the attached Exhibit "A", and as shown on the attached drawing(s) identified as Exhibit "B" (and Exhibit "C"). None of the property abutting the portion of Forder Road right-of-way proposed for vacation is owned by anyone other than the Petitioners.)
- 5) The various utility companies have commented on this proposed vacation and/or have given a release of easement for the right-of-way (or easement) proposed for vacation, as previously described. The comments and/or releases from Spire Missouri (formerly Laclede Gas Company); AT&T Missouri (formerly Southwestern Bell Telephone Company); Missouri-American Water Company (formerly St. Louis County Water Company); Ameren Missouri (formerly Union Electric Company), Metropolitan St. Louis Sewer District (a/k/a MSD); and Charter Communications Entertainment (a/k/a Spectrum), are submitted with this petition. *(If a utility company requires an easement reservation, identify them in this paragraph, i.e.: The Metropolitan St. Louis Sewer District (MSD) has existing facilities located within the Forder Road right-of-way proposed for vacation and requests that all of the vacated right-of-way be reserved as an easement in the Vacation Ordinance for their existing and future facilities. or The Metropolitan St. Louis Sewer District (MSD) has existing facilities located within the Forder Road right-of-way proposed for vacation and requests that the vacated right-of-way be reserved as an easement in the Vacation Ordinance for their existing and future facilities, as described in the legal description attached to their letter, identified as Exhibit "D"(or how it is identified in MSD's letter.)*

(NOTE: If an actual recorded easement dedication is required by a utility company rather than an easement reservation in the Vacation Ordinance, it will need to be done by a separate instrument between the holder of the reversionary interest in the vacated right-of-way and the utility company, and then recorded by one of the parties after the vacation is completed.)

- 6) The portion of Forder Road right-of-way proposed for vacation, is located north of a section of Forder Road relocated by St. Louis County, 1977 Bond Issue Project No. 7. Petitioners' further state that the portion of Forder Road right-of-way proposed for vacation, as previously described, is located beyond the right-of-way required for the construction and maintenance of said Forder Road relocation, as shown on the attached Exhibit(s) "B" (and "C"). The petitioners have requested the vacation of

said Forder Road right-of-way in order to add a portion of the vacated right-of-way to their existing property and utilize said area for an addition to their existing residence.

(NOTE: The petitioners should include a statement in Section 6, which gives the reason for the vacation request and states any future plans for utilization of the vacated area.)

- 7) The vacation herein petitioned for will be in the interest of the public necessity, convenience, and general welfare.

WHEREFORE, Petitioners pray that the County Council of St. Louis County, Missouri, vacate the portion of Forder Road, a public road right-of-way (or easement), as set forth in detail and previously described in this petition, and petitioners further pray that the portion of Forder Road right-of-way, as herein described, shall revert to the petitioners, who are the owners in fee simple of property adjoining or abutting this proposed vacation, as well as all those holding any reversionary interest, and ordain such further orders as may be proper to accomplish the vacation prayed.

John H. Doe

John H. Doe

Mary A. Doe

Mary A. Doe

Signed by the Petitioners on: February 1, 2021

Petitioners Address: 1234 Forder Road
St. Louis, Missouri 63129

Telephone Numbers: (314) 789-4321 (Home)
(314) 987-1234 (Business)

(NOTE: In addition to the signatures of the Petitioners, if the Petitioners are represented by an Attorney, add the Attorney's signature block as shown below.)

JONES, BROWN & TAYLOR

By: *Fred L. Jones*

Fred L. Jones, Attorney-at-Law
123 South Meramec Avenue
Clayton, Missouri 63105
(314) 432-4321

(Individual Notary)

STATE OF MISSOURI)
) **SS.**
COUNTY OF ST. LOUIS)

On this 1st day of February 2021, before me personally appeared John H. Doe and Mary A. Doe, to me known to be the persons described in and who executed the forgoing instrument and acknowledged that they executed the same as their free act and deed.

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 above written.



John Q. Public
**John Q. Public,
Notary Public**

My Term Expires: March 10, 2024

(NOTE: If the vacation petition is submitted by a corporation, use the following example of signature and corporate notary in place of individual signature and notary as previously shown.)



THE DOE CORPORATION, INC.

John H. Doe
John H. Doe, President

ATTEST:

Mary A. Doe
Mary A. Doe, Treasurer

Address: 1234 Forder Road
St. Louis, Missouri 63129

Telephone: (314) 789-4321 (Business)

(Corporate Notary)

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

On this 1st day of February, 2021, before me appeared John H. Doe, to me personally known, who, being by me duly sworn, did say that he is the President of The Doe Corporation, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and said John H. Doe acknowledged said instrument to be the free act and deed of said corporation.

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 above written.



Jane Q. Public
**Jane Q. Public,
Notary Public**

My Term Expires: September 30, 2024

(Sample Exhibit "A")

(Survey or Engineering Company Letterhead)

Legal Description
Forder Road Right-of-Way Vacation

A tract of land being part of the Forder Road right-of-way, forty (40) feet wide, being adjacent to Block 112 of Carondelet Commons South of the River Des Peres and portion of the Forder Road right-of-way recorded in Deed Book 7280, Pages 2223 through 2228 of the St. Louis County Records, acquired in conjunction with the Forder Road, 1977 Bond Issue Project No. 7, all being located in St. Louis County, Missouri, and being more particularly described as follows:

Starting at the point of intersection of the northeastern right-of-way line of Forder Road, forty (40) feet wide, with the southeastern line of property conveyed to John H. Doe and Mary A. Doe, his wife, by deed recorded in Deed Book 6449, Pages 2084 and 2085 of the St. Louis County Records, said point being the actual point of beginning of this description; thence perpendicular to said northeastern right-of-way line of Forder Road, forty (40) feet wide, South 37 degrees 01 minute 17 seconds West, 76.92 feet to a point on a curve (not a point of tangency), said point being the back of a six (6) foot wide sidewalk and the northern right-of-way line of Forder Road, seventy-five (75) feet wide, as relocated by 1977 Bond Issue Project No. 7; thence northwestwardly following said back of sidewalk along a curve to the left having a radius of 1469.89 feet, an arc distance of 302.67 feet (the chord of which bears North 38 degrees 13 minutes 48 seconds West, a distance of 302.15 feet) to a point (not a point of tangency), said point being on the northeastern right-of-way line of Forder Road, forty (40) feet wide; thence along the northeastern right-of-way line of Forder Road, forty (40) feet wide, South 52 degrees 58 minutes 43 seconds East, 292.19 feet to the actual point of beginning of this description and containing 0.222 acres more or less.

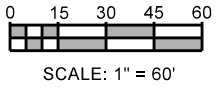


Surveyor's Signature

Date

Exhibit "A"

(SAMPLE EXHIBIT "B")



EXISTING R/W LINE

n/f
Robert G. Smith and
Nancy L. Smith, h/w
(DB 6943 / Pg. 1357)

n/f
Robert G. Smith and
Nancy L. Smith, h/w
(DB 6943 / Pg. 1357)

**FORDER ROAD
RIGHT-OF-WAY
PROPOSED FOR
VACATION**

n/f
John H. Doe and
Mary A. Doe, h/w
(DB 6449 / Pg. 2084)

**"FORDER
GARDENS"
(Plat Book 123 /
Pg. 45)**

n/f
James J. Robinson, et al
(DB 7057 / Pg. 913)

LOT 3

LOT 2

**FORDER COURT
(Formerly Forder Road)**

EXISTING R/W LINE

PROPOSED NEW R/W LINE

POINT OF BEGINNING

LEGEND

 **FORDER ROAD
RIGHT-OF-WAY
PROPOSED FOR
VACATION**



Surveyor's Signature
Date

n/f
Sisters of St. Joseph
of Carondelet
(DB 646 / Pg. 191)

EXHIBIT "B"

**VACATION OF A PORTION OF FORDER ROAD RIGHT-OF-WAY
Block 111 and Block 112 of Carondelet Commons
South of the River Des Peres - Township 43 North, Range 6 East
St. Louis County, Missouri**

1469.89' R

75' R/W

S 52° 58' 43" E

302.67' (ARC)

292.19'

FORDER

S 37° 01' 17" W

EXISTING R/W LINE

1469.89' R

1394.89' R

RINGER ROAD

ROAD

781.01' R

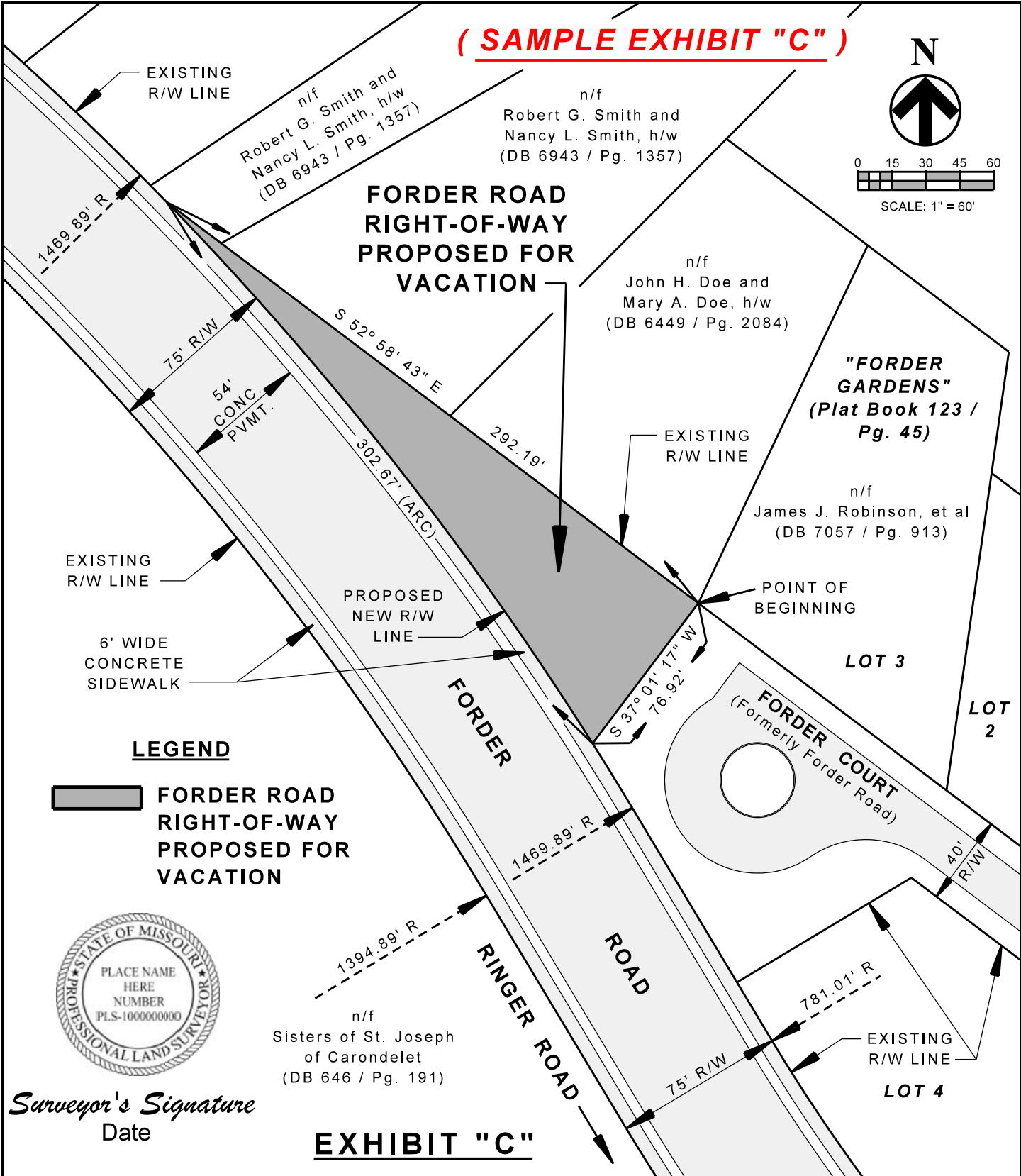
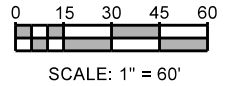
EXISTING R/W LINE

LOT 4

75' R/W

40' R/W

(SAMPLE EXHIBIT "C")



LEGEND

 **FORDER ROAD RIGHT-OF-WAY PROPOSED FOR VACATION**



Surveyor's Signature
Date

EXHIBIT "C"

**VACATION OF A PORTION OF FORDER ROAD RIGHT-OF-WAY
Block 111 and Block 112 of Carondelet Commons
South of the River Des Peres - Township 43 North, Range 6 East
St. Louis County, Missouri**

Vacation Contacts - St. Louis County Government

St. Louis County Clerk

41 South Central Avenue, 1st Floor
Clayton, Missouri 63105

Attention: Mr. Kevin McKenna
Deputy County Clerk

Phone: (314) 615-7171
Fax: (314) 615-7890

Email: KMckenna@stlouiscountymo.gov

St. Louis County, Department of Transportation & Public Works

1050 N. Lindbergh Boulevard
Creve Coeur, Missouri 63132

Attention: Mr. John Shrewsbury, PE, PLS
Transportation Planning
Supervisor

Phone: (314) 615-8637
Fax: (314) 615-8194

Email: JShrewsbury@stlouiscountymo.gov

St. Louis County, Department of Planning

41 South Central Avenue, 5th Floor
Clayton, Missouri 63105

Attention: Ms. Debi Salberg
Planning Supervisor

Phone: (314) 615-5464
Fax: (314) 615-3729

Email: DSalberg@stlouiscountymo.gov

St. Louis County, Office of the County Counselor

41 South Central Avenue, 9th Floor
Clayton, Missouri 63105

Vacation Contacts - Utility Companies

Spire Missouri

700 Market Street
St. Louis, Missouri 63101

Attention: Mr. Alex Sammet,
Right-of-Way Area Manager

(formerly Laclede Gas Company)

Phone: (314) 658-5497
Email: Alex.Sammet@SpireEnergy.com

AT&T Missouri

Right-of-Way Section
1010 Pine Street, Rm 20E-A-05
St. Louis, Missouri 63101

Attention: Mr. John J, Arnold, Manager,
OSP Planning & Engineering
Design, Right-of-Way

(formerly Southwestern Bell Telephone Company)

Phone: (314) 277-3967
Email: john.j.arnold@att.com

Missouri-American Water Company

727 Craig Road, Suite 201
St. Louis, Missouri 63141

Attention: Mr. Terrance Green,
Engineering Specialist,
Right-of-Way & Developer Services

(formerly St. Louis County Water Company)

Phone: (314) 996-2324
Email: terrance.green@amwater.com

Ameren Missouri

1901 Chouteau Avenue
P.O. Box 66149
St. Louis, Missouri 63166

Attention: Mr. Douglas J. Brown, Manager,
Real Estate Department

(formerly Union Electric Company)

Phone: (636) 925-3240
(314) 604-8365 (cell)
Email: dbrown3@ameren.com

Metropolitan St. Louis Sewer District

2350 Market Street
St. Louis, Missouri 63103

Attention: Mr. John Grimm,
Program Manager,
Engineering / Planning -
Development Review

(a/k/a MSD)

Phone: (314) 768-2743
Email: jcgrimm@stlmsd.com

Charter Communications Entertainment

101 Northwest Plaza Drive
St. Ann, Missouri 63074

Attention: Ms. Sue Banaszek,
Senior Administrative Assistant,
Field Operations

(a/k/a Spectrum)

Phone: (314) 386-1645
Email: DLCentralStatesConstruction@Charter.com
(Note: Email PDF submittal preferred)

(Sample Right-of-Way Vacation Letter to the Utility Companies)

**John H. Doe
1234 Forder Road
St. Louis, Missouri 63129**

January 4, 2021

**(Name and
Address of
Utility Company)**

Attention: **(Name of Contact Person)**

Subject: Proposed Vacation of a Portion of Forder Road Right-of-Way Located Northeast of Forder Road Relocated by St. Louis County Bond Issue Project No. 7.

Dear **(Name of Contact Person)** :

This letter is to advise you that John H. Doe and Mary A. Doe will be petitioning the St. Louis County Council for the vacation of a portion of the Forder Road right-of-way located northeast of Forder Road relocated by St. Louis County 1977 Bond Issue Project No. 7. Forder Road (formerly Forder Avenue) was established as a public road by the County Court on March 9, 1868. Additional right-of-way was acquired along Forder Road by General Warranty Deed recorded in Deed Book 7280, Pages 2223 through 2228 of the St. Louis County Records.

For your convenience in reviewing this matter, we have attached a legal description of said Forder Road right-of-way proposed for vacation, which is labeled as Exhibit "A". We have also attached a drawing(s), designated as Exhibit "B", **(and Exhibit "C")** which is **(are)** shaded in gray and labeled to identify the portion of Forder Road right-of-way proposed for vacation.

Please advise the undersigned if your company has any objections to this proposed vacation, have any existing facilities located within the proposed vacation area or have any future facilities planned for the vacation area which would require an easement reservation. If an easement reservation is required in the Vacation Ordinance, please provide us with a legal description of the easement to be reserved which is signed and sealed by a Professional Land Surveyor (PLS) registered in the State of Missouri, or we can have our Surveyor provide you with a legal description of the reservation for your approval, unless the entire vacated right-of-way is to be reserved as an easement for your company.

If you have any questions regarding this proposed vacation, please contact the undersigned at (314) 789-1234. Thank you for your cooperation and consideration in this matter.

Sincerely,

John H. Doe

John H. Doe

Attachments: Exhibit "A"
Exhibit "B"
Exhibit "C"

2/1/2021

**Sample Right-of-Way Vacation
Letter to Utility Companies**

(Sample Easement Vacation Letter to the Utility Companies)

John H. Doe
1234 Forder Road
St. Louis, Missouri 63129

January 4, 2021

**(Name and
Address of
Utility Company)**

Attention: **(Name of Contact Person)**

Subject: Proposed Vacation of a Ten (10) Foot Wide Easement Established on Lot 112 of Lexington Farms, Plat One.

Dear **(Name of Contact Person)** :

This letter is to advise you that John H. Doe and Mary A. Doe will be petitioning the St. Louis County Council for the vacation of a ten (10) foot wide easement established on Lot 112 of "Lexington Farms, Plat One", recorded in Plat Book 271, Page 65 of the St. Louis County Records.

For your convenience in reviewing this matter, we have attached a legal description of said ten (10) foot wide easement proposed for vacation, which is labeled Exhibit "A". We have also attached a drawing(s), designated as Exhibit "B", **(and Exhibit "C")** which is **(are)** shaded in gray **(hatched)** and labeled to identify the portion of (10) foot wide easement proposed for vacation.

Please advise the undersigned if your company has any objections to this proposed easement vacation, have any existing facilities located within the easement proposed for vacation or have any future facilities planned which would require any portion of the easement reserved for your company in the Vacation Ordinance. If an easement reservation is required, please provide us with a legal description of the portion of easement to be reserved which is signed and sealed by a Professional Land Surveyor (PLS) registered in the State of Missouri, or we can have our Surveyor provide you with a legal description of the reservation for your approval.

If you have any questions regarding this proposed vacation, please contact the undersigned at (314) 789-1234. Thank you for your cooperation and consideration in this matter.

Sincerely,

John H. Doe

John H. Doe

Attachments: Exhibit "A"
Exhibit "B"
Exhibit "C"

6/1/2021

*Sample Easement Vacation
Letter to Utility Companies*

(Sample Letter to the Abutting Property Owners)

**John H. Doe
1234 Forder Road
St. Louis, Missouri 63129**

January 4, 2021

***(Insert Names and
Address of Abutting
Property Owners)***

Subject: Proposed Vacation of a Portion of Forder Road Right-of-Way Located
Northeast of Forder Road Relocated by St. Louis County Bond Issue Project
No. 7.

Dear ***(Names)*** :

This letter is to advise you that John H. Doe and Mary A. Doe will be petitioning the St. Louis County Council for the vacation of a portion of the Forder Road right-of-way located northeast of Forder Road relocated by St. Louis County 1977 Bond Issue Project No. 7. Forder Road (formerly Forder Avenue) was established as a public road by the County Court on March 9, 1868. Additional right-of-way was acquired along Forder Road by General Warranty Deed recorded in Deed Book 7280, Pages 2223 through 2228 of the St. Louis County Records.

For your convenience in reviewing this matter, we have attached a legal description of said Forder Road right-of-way proposed for vacation, which is labeled as Exhibit "A". We have also attached a drawing(s), designated as Exhibit "B", ***(and Exhibit "C")*** which is ***(are)*** shaded in gray and labeled to identify the portion of Forder Road right-of-way proposed for vacation.

As owners of property abutting this proposed vacation, we ask that you respond to this proposed vacation request by completing the enclosed vacation response form. When vacated, said right-of-way shall revert to the petitioners and/or those, who, in law or in equity, are properly entitled, with easements being reserved for the various utility companies to cover any existing or future facilities located within said right-of-way. Please return the executed vacation response form to the undersigned at your earliest convenience.

If you have any questions regarding this proposed vacation, please contact the undersigned at (314) 789-1234. Thank you for your cooperation and consideration in this matter.

Sincerely,

John H. Doe

John H. Doe

Attachments: Vacation Response Form
Exhibit "A"
Exhibit "B"
Exhibit "C"

(Sample of Executed Vacation Response Form)

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

**BEFORE THE COUNTY COUNCIL OF ST. LOUIS COUNTY,
STATE OF MISSOURI**

In the matter of the vacation of a portion of Forder Road right-of-way, as described on the attached Exhibit "A", and shown on the attached Exhibit "B" and Exhibit "C".

VACATION CONSENT FORM

- 1) The undersigned state that they are the owners of the property at 1236 Forder Road, St. Louis, Missouri 63129, property adjacent to the portion of Forder Road right-of-way proposed for vacation by this proceeding, as described in the attached Exhibit "A".
- 2) By marking an **X** on the appropriate line below, the undersigned do hereby indicate their preference in the vacation of the portion of Forder Road right-of-way proposed for vacation by this proceeding, as described on the attached legal description designated as Exhibit "A", and shown on the attached drawings designated as Exhibit "B" and Exhibit "C".

 X **DOES CONSENT** to This Proposed Vacation.

 DOES NOT CONSENT to This Proposed Vacation.

Dated this 9th day of January, 2021 .

Robert G. Smith
Robert G. Smith

Nancy L. Smith
Nancy L. Smith

Address: 1236 Forder Road
 St. Louis, Missouri 63123

Telephone: (314) 789-1234 (Home)
 (314) 963-2468 (Work)

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

On this 9th day of January, 2021 , before me personally appeared Robert G. Smith and Nancy L. Smith, to me known to be the persons described in and who executed the forgoing instrument, and acknowledged that they executed the same as their free act and deed.

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 above written.



Jane Q. Public
Jane Q. Public,
Notary Public

My term expires: September 30, 2024

Attached: Exhibit "A", Exhibit "B" and Exhibit "C"