

**BILL NO. 26**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO TRANSFER THE CITY’S INTEREST, IF ANY, IN A 50 FOOT RIGHT OF WAY TO WESTVIEW INVESTMENTS LLC.**

**WHEREAS**, Westview Investment LLC (“Westview”), the owner of property located at 12300, 1322, and 12330 Robyn Road, submitted and received approval for a Record Plat for a Residential Subdivision to be known as Sunset Reserve Plat One (the “Development”); and

**WHEREAS**, the approved Record Plat showed a certain 50 foot right-of-way (the “ROW”), as more fully described in the attached Exhibit 1, running through the Development; and

**WHEREAS**, such ROW was granted to St. Louis County by deed per book 1592 at page 626 prior to the City being incorporated; and

**WHEREAS**, Westview approached St. Louis County to vacate or divest its interest in the ROW to clean up the Record Plat because the ROW was never utilized or constructed as a road and an alternative road is being provided for access for the Development; and

**WHEREAS**, the St. Louis County has taken the position that the County has no interest in the ROW and any interest it may have had passed to the City upon incorporation of the City as more fully set forth in the attached Exhibit 2; and

**WHEREAS**, Westview is now requesting that the City execute a quit claim deed to release any interest the City may have in the ROW so that it may remove the ROW from the Recorded Plat; and

**WHEREAS**, while the City also contends it does not have any interest in the ROW as it was deeded to St. Louis County, because Westview needs the same to be dedicated to Westview for the Development as set forth in the Record Plat, the County has stated it has no interest and will not issue a quit claim deed or further assist Westview as it believes its interest transferred to the City, and the ROW was never developed, is not currently being utilized, and Westview is providing alternative access for the Development, the Board of Aldermen desires to authorize the Mayor to execute the quit claim deed to dedicate the City’s interest, if any, in the ROW to Westview.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to execute the quit claim deed to transfer the City’s interest, if any, in the ROW to Westview Investments LLC in substantially the form of Exhibit 1 attached hereto and incorporated herein.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
MAYOR

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR