

Charlie A. Dooley
County Executive

Saint Louis
COUNTY
HIGHWAYS & TRAFFIC
PUBLIC WORKS

Garry W. Earls, P.E.
Director of Highways & Traffic

Sheryl L. Hodges, D.E., P.E., L.P.G.
Director of Public Works

The Current Subdivision Trustees
of and for Barrett Station Place
Mr. Matt Glenn, Trustee
2575 Barrett Place Drive
Ballwin, Missouri 63021

Mr. John R. Kirkpatrick, Trustee
2308 Barrett Place Court
Ballwin, Missouri 63021

Mr. Ken Seise, Trustee
2304 Barrett Place Court
Ballwin, Missouri 63021

RIGHT-OF-WAY: Barrett Station Road
Saint Louis County Project No. AR-854
Federal Project No. STP-4919(601)
Parcel No. 38B
Address Of Property Affected:
N/A

Dear Trustees:

Saint Louis County has approved a program for construction of the Barrett Station Road widening and improvement project. It will be necessary to acquire certain property rights to accomplish the roadway improvement as indicated on the engineering plans and described in a form presented to you for consideration.

The County offers all parties who may have an interest in the real estate to be acquired the sum of \$913.00, which has been estimated to be just compensation based upon the fair market value of the property. An explanation of the above offer with supporting financial data is attached.

This offer is based on sales of other similar properties in your area. These procedures as well as your other rights are explained in the attached brochure "When A St. Louis County Road Project Comes Your Way".

You may be entitled to reimbursement for a prorata portion of current realty taxes paid. Please submit the attached Form 7-2.21(b) properly executed with copies of paid tax receipts to this office to claim reimbursement.

If an agreement cannot be met, then pursuant to RSMo §523.250 the County intends to initiate condemnation proceedings to acquire certain rights from this property and associated with the above project, sixty (60) days after the receipt of this letter.

Please be advised that you have the right to:

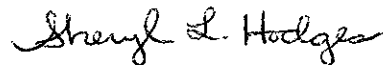
- a. Seek legal counsel at your own expense;
- b. Make a counteroffer and engage in further negotiations;
- c. Obtain your own appraisal of just compensation;

- d. Have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury;
- e. Seek assistance from the office of the ombudsman for property rights created under RSMo §523.277; for further assistance please contact the Eminent Domain Ombudsman, 111 North Seventh Street, Suite 934, St. Louis, Missouri, 63101, Telephone No. (314) 340-4877, Fax No. (314) 340-4878
- f. Contest the right to condemn in the condemnation proceeding; and
- g. Exercise the rights to request vacation of an easement under the procedures and circumstances provided for in RSMo section 527.188. For further assistance, please access the internet @ "www.stlouisco.com/hwyweb, click on publications and manuals, then click on Vacation Procedure Packet-Street & Easement Vacations. You may also telephone at (314) 615-8568.

You may waive the requirements of (a) – (g) above in a writing executed by you.

If you have any questions, please contact Mr. Matt Rankin, Right-of-Way Representative, St. Louis County Department of Highways and Traffic at (314) 615-8537.

Sincerely,



Sheryl L. Hodges, D.E., P.E., L.P.G.
Director of Public Works and Highways and Traffic

SLH:MLR:mtb
Attachment: Property Value Explanation and Supporting Data

OK

VALUE FINDING APPRAISAL FORMAT

REAL ESTATE

County: St. Louis
Route or Project Barrett Station Road
Job No.: AR-854
Federal Project No.: STP-4919 (601)

Parcel No.: 38B

Area of Contiguous Ownership: 1,020 square feet

Acquisition:

Normal R/W:
Limited R/W:
Permanent Easement:
Temporary Easement: 510.76 square feet
Borrow:

Remainder: 1,020 square feet

Appraiser: Paul U. Holzen and Associates
7321 South Lindbergh Boulevard
St. Louis, Missouri 63125
314-894-2212

Effective Date of Appraisal 11/08/07

(1) **Owner(s)**

Barrett Station Place Trustees; 13100 Manchester Road; Unit G-55; St. Louis, Missouri 63131

(2) **Purpose of Appraisal**

The purpose of this report is to estimate just compensation, if any, as a result of appropriating certain realty rights as herein described.

A. **Value Definition:**

1. Just compensation for a total acquisition is an estimate of fair market value of the fee hold as feehold exists on the date of appraisal.
2. Just compensation for a partial acquisition is estimated fair market value of the fee hold as Fee hold exists on the date of appraisal less estimated fair market value of the remaining fee hold assuming the proposed improvement is in place.
3. Fair market value is defined in Missouri Condemnation Practice (1973, the Missouri Bar, Section 4.2) as:

"...the price which the property in question would bring when offered for sale by one willing but not obliged to sell it, and when bought by one willing or desirous to purchase it but who is not compelled to do so.

B. **Interest Appraised:**

Valuations stated relate to *fee simple* interests in the property.

C. **Scope of Appraisal:**

Scope of the appraisal is to inspect the site and improvements appraised, generate information as to recent transfers of comparable sites/properties, analyze the comparable data in the context of the property appraised for purposes of a Sales comparison Analysis; if directed for the assignment, project a replacement cost of the existing major improvements, apply depreciation factors, per observed condition/age/life of the improvements, estimate the contributory worth (as traditionally defined) of the minor/site improvements, add the estimated value of the site (Comparison analysis, if data are available), to generate an Indicated Value by The Cost Approach; if directed, apply the Income Approach, if appropriate; and reconcile the results to an estimate of the worth of the property as of date of inspection.

USPAP Compliance Statement:

This Appraisal was prepared according to the contract/assignment from the Missouri Highway and Transportation Department. The intended use of the appraisal is for eminent domain Related to acquisition. The agency bears responsibility for contract/assignment requirements that meet its needs and therefore are not misleading. It is difficult to put a specific USPAP Standard 2 identity on an appraisal report prepared for the agency. However, for any inconsistencies with USPAP, appraisers are protected by the USPAP Jurisdictional Exception provision.

(3) **Location of Realty**

2511 Hidden Meadow Lane, Ballwin, Missouri 63021

(4) **Legal Description**

attached

(5) **Transfers Within Past 5 years and Current Contracts, Options or Listings**

None reported.

(6) **Area Trend**

Included in data manual

(7) **Description of Realty Prior to Acquisition**

A. **Zoning:**

It is reported that the comprehensive zoning ordinance of St. Louis County, Missouri lists the property in R6 Residence District with PEU designation; site is, under present zoning, estimated to not be developable as a separate parcel.

Land:

The site consists of a regularly-shaped parcel of land (dimensions not available, reported in Assessor's records) containing information according to right of way plans furnished by the client, a total of 1,020 square feet. Site is at grade and level to the west; is utilized as a "planter area" for the subdivision street. Barrett Station Road is asphalt-paved, public, concrete curbs and sidewalk, overhead wiring, no street lights or storm sewers. Hidden Meadow Lane is concrete-paved, public with concrete curbs and sidewalks, underground wiring; street lights, no storm sewers. All public utilities are available: SFHA map No. 2903270278; (dated 08/23/00); indicates property appears to be within Zone X; property lies within Census Tract 2180.11.

Structural Improvements and Fixtures Owned by Fee Holder:

Site is utilized as "planter area" for the subdivision street.

B. **Structural Improvements and Fixtures Owned by Someone other than Fee Holder:**

None reported.

C. **Other Considerations:**

Not applicable

D. **Site Plan:**

Attached

(8) **Highest and Best Use**

Highest and Best Use defined in the Appraisal Institute's "The Appraisal of Real Estate Tenth Edition" as "The reasonable probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."

Highest and Best Use of the subject site, as vacant, is forecast to be for development as support for a single-family subdivision, consistent with existing zoning and surrounding uses.

Present use as "planting area" supporting the adjacent development, is estimated to be highest and best use as developed, given that such use is an incremental use of such land in subdivisions in St. Louis County. Use is then typical of the stratum.

(9) **Description of the Acquisition and Effects on the Remainder**

Taking consists of the taking for T.S.C.L. of 510.76 square feet encompassing the total site, as depicted on the copy of the plans attached, per plans furnished. Improvements identified as "taken" include: none. Taking is judged to not result in any loss in value to the remainder subsequent to the taking.

(10) **Analysis and Supporting Data for Compensable Losses**

A. **Analysis of Overall Land Value:**

Comparable Sale(s) RL2 (1241 Carman Road, sold 6/19/03, \$200,000), RL3 (712-802 Joyceann Drive, sold 11/2/05, \$390,000), RL4 (#6 Hagers Mill Court, sold 6/14/04, \$60,000), were considered when arriving at an unimproved unit value of \$6.50 per square foot.

Conclusion-Overall Unit Value of Land Taken: \$6.50 per s.f

B. **Analysis of Value of Land Acquired (if different from overall value):**

Not applicable

C. **Analysis of Value of Improvements in the Acquisition:**

Not applicable

Conclusion-Estimated Value of Improvements: \$

D. **Analysis of Cost to Cure Items:**

Not applicable

Conclusion-Estimated Cost to Cure:

E. **Analysis of Damage to Remainder:**

T.S.C.L. - 510.76 s.f. @ \$6.50 per s.f. @ 11% for 30 months \$ 913

Consequential Damage to the Remainder \$

Conclusion-Estimated Damage to Remainder: \$ 913

(11) **Estimate of Total Just Compensation**

Fee Holder Interest: 1,020 square feet + Improvements	\$6,630
Tenant Interest	
Total Before Value Estimate:	<u>\$6,630</u>
After Value Estimate: ("Before" Value less Fee Holder Compensation for Taking, etc.)	<u>\$5,717</u>
Indicated Just Compensation Due to Acquisition:	<u>\$ 913</u>

(12) **Allocation of Just Compensation**

A. **The fee holder's interest shall be distributed as follows:**

1. Land Acquired, and Minor Improvements	\$ _____
2. Improvements:	
3. Total Land and Improvements:	\$ _____
4. Damages to the Remainder:	<u>\$ 913</u>
5. Total Just Compensation due Fee Holder	<u>\$ 913</u>

B. **The interest of each owner of tenant-owned improvements shall be distributed as follows:**

1. Tenant-owned improvements:
2. Damage to tenant-owned improvements:
3. Leasehold estate:
4. Total Just Compensation due Tenant-Owner

(13) **Uneconomic Remnant**

None observed

(14) **Estimated Salvage Value of Improvements Acquired**

None

(15) **Contingent and Limiting Conditions**

Form 6-3.1A attached.

(16) **Certificate of Appraiser**

Following page

Certificate of Appraiser

I hereby certify:

That I have personally inspected the realty rights, personalty, and/or outdoor advertising structures herein appraised and that I have also made a personal field inspection of the comparable sales, leases, equipment, or structures, relied upon in making said appraisal. The subject and the comparable sales relied upon in making said appraisal were as represented in said appraisal or in the data book or report which supplements said appraisal.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and the information upon which the opinions expressed therein are based is correct; subject to contingent and limiting conditions therein set forth, or referenced.

That I understand that such appraisal may be used in connection with the acquisition of right-of-way for a project to be constructed by the State of Missouri with the assistance of Federal-aid highway or other Federal funds.

That such appraisal has been made in conformity with the appropriate State laws, regulations and policies and procedures applicable to appraisal of realty, realty rights, and/or personalty for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items which are noncompensable under the established law of said state.

That neither my employment nor my compensation for making this appraisal and report are in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any monetary benefit from the acquisition of such property appraised or the appraisal conclusions.

The reported analyses, opinions, and conclusions are limited only by the reported, or referenced contingent and limiting conditions and are my personal unbiased professional analyses, opinions, and conclusions.

My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice, in the appraisal of realty and realty rights.

No one provided significant professional assistance to the person signing this report except as specified herein.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the acquiring agency of said State or officials of the United States Department of Transportation and we will not do so until so authorized by said officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

I have disregarded any increase or decrease in the fair market value of the property to be acquired, prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner(s).

My estimate of Just Compensation, Fair Market Value, or other defined value, as shown herein does not include any consideration or allowance for relocation assistance benefits.

That I did on November 6, 2007, afford Barrett Station Place Trustees,, fee holder(s) [], the fee holder(s) representative [x], an opportunity to accompany me during my inspection of this property.

There are [], are not [x] tenant-owned improvements affected by the acquisition.

That I did on _____ afford, _____ an opportunity to accompany us during our inspection of this property. Said last named party is the owner [], owner's representative [] of tenant-owned improvements.

My opinion of Just Compensation, Fair Market Value, or other defined value, for the acquisition as of the 8th day of November, 2007, is \$913 based on my independent appraisal and the exercise of my professional judgement.

Date: November 8, 2007


-Paul U. Holzner, SRA, SRPA
Missouri State Certified General
Real Estate Appraiser No. RA 001106

Barrett Station Road
AR-854
STP-4919 (601)

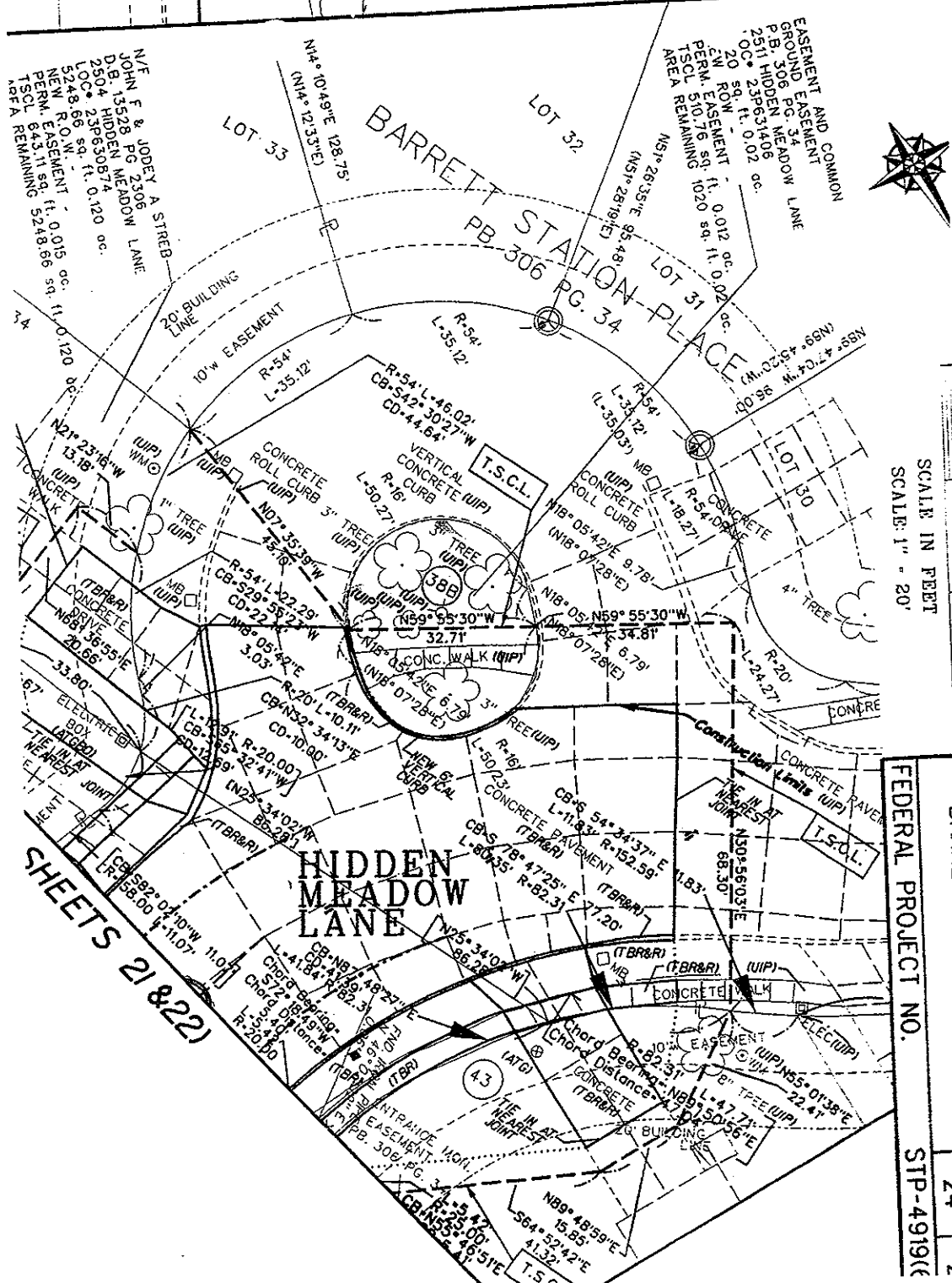
11-08-07



Taking to the west



SCALE IN FEET
SCALE: 1" = 20'



DRAWN BY JIMMY MOORE
FEDERAL PROJECT NO. STP-4919(C)
24 | 2

SHEETS 21 & 22

N/E JOHN F. & JODEE A. STEEB
D.B. 13528 PG. 306
250.4 HIDDEN MEADOW LANE
LOC. 23P630.674
5246.66 sq. ft. 0.1220 ac.
NEW EASEMENT 11.00120 ac.
PERM. 643.11 sq. 5248.56 sq. ft.
T.S.C. AREA REMAINING

EASEMENT AND COMMON GROUND EASEMENT
PG. 306
251 HIDDEN MEADOW LANE
LOC. 23P631406
20.59 sq. ft. 0.02 ac.
NEW EASEMENT 11.0012 ac.
PERM. 510.76 sq. 1020 sq. ft. 0.022 ac.
T.S.C. AREA REMAINING

HIDDEN MEADOW LANE

BARRETT STATION PLACE

FEDERAL PROJECT NO.

STP-4919(C)

24 | 2

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: TA 83549

SCHEDULE C
PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

The land referred to in this Commitment is situated in the County of St. Louis, State of Missouri, and described as follows:

That certain parcel of common ground of Barrett Station Place recorded in Plat Book 306 Page 34 in the St. Louis County Recorders Office with lot dimensions of 39 feet over 39 feet by 32 feet over 32 feet containing 0.02 acre.

Locator: 23P631406
Address: 2511 Hidden Meadow Lane

CONTINGENT AND LIMITING CONDITIONS

The appraiser assumes no responsibility for matters legal in character, nor does he/she render any opinion as to the title, which is assumed to be good. Unless otherwise specified in the report, the property is analyzed as though free and clear and under responsible ownership and competent management.

Information furnished by others is assumed to be true, correct and reliable. A reasonable effort has been made to verify such information; however, no responsibility for its accuracy is assumed by the appraiser. The value conclusions are subject to the correctness of said data.

The appraiser assumes that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity had been stated, defined, and considered in the appraisal report. The appraiser assumes that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he/she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

No engineering survey has been made by the appraiser. Except as specifically stated, data relative to size and area were taken from sources considered reliable. That the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

The distribution of the total valuation in this report between land, improvements and estimated damages applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.

The appraisal is for purposes of valuation only and is not to be taken, used or represented as an endorsement or guarantee of the physical, structural or equipment conditions which exist in the property. It is assumed that there are no hidden defects which would not be apparent from visual inspection and that all equipment is operable unless otherwise indicated by the owner or owner's representative.

All maps, plats, and exhibits included herein are for illustration only, as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose.

Consideration has not been given in this appraisal to personal property located on the premises, or to the cost of moving or relocating such personal property unless otherwise stated.

Possession of this report or any copy hereof does not carry with it the right of publication, nor may the same be used for any purpose by any party except the Missouri Highway and Transportation Department without the previous written consent of the appraiser, and in any event, only in its entirety and with proper qualification. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relation, news, sales or other media without the written consent and approval of author, particularly as to the valuation conclusions or the identity of the appraiser.

No opinion is expressed as to the value of subsurface oil, gas, or mineral rights and that the property is not subject to surface entry for the exploration or removal of such materials except as is expressly stated. No consideration has been given in the appraisal to the value, if any, attributable to growing crops on any portion of the property appraised unless otherwise stated.

The estimated value after acquisition is based on the project being constructed in the manner proposed, as furnished to the appraiser as of the date of appraisal.