



CITY COUNCIL AGENDA ITEMS

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Engineering & Public Works
Walter Denton, City Administrator
Date: June 20, 2005
Subject: ORDINANCE – Real Estate Transfer, John and Sherry Yoch (Seven Hills Road Right-of-Way)

List of committees that have reviewed: None

Background: The City of O'Fallon purchased from John and Sherry Yoch a parcel of real estate on June 11, 1996. The purpose of the purchase of real estate was to acquire right of way for Seven Hills Road. However, at the time of acquisition of real estate from John and Sherry Yoch, through mutual mistake of the parties, John and Sherry Yoch conveyed to the City of O'Fallon more than the parcel being purchased. The mistake was not recognized until May 2005. John and Sherry Yoch have requested the City to reconvey to them the excess real estate conveyed to the City of O'Fallon. The City of O'Fallon does not have need for the excess real estate conveyed to the City and did not pay any consideration for the excess real estate. John and Sherry Yoch will pay all costs associated with the conveyance of the real estate.

Legal Considerations, if any: Conveyance based on recommendation of the City Attorney.

Budget Impact: None.

Staff recommendation: Staff recommends passage of the ordinance conveying the property not needed for the Seven Hills Right-of-Way back to the John and Sherry Yoch.