

SHADY CREEK COMMERCIAL

A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 9 AND U.S. SURVEY 931,
TOWNSHIP 46 NORTH, RANGE 2 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
CITY OF O'FALLON, ST. CHARLES COUNTY, MISSOURI

2023R-020698
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CERTIFIED-FILED FOR RECORD
MARY E. DEMPSEY
RECORDER OF DEEDS
ST. CHARLES COUNTY, MISSOURI
BY: JMC

SHADY CREEK COMMERCIAL

PREPARED FOR:
SHADY CREEK COMMERCIAL
1010 TRAILWYND DRIVE
WENTZVILLE, MISSOURI 63385
(636) 544-2198

DISCLAIMER OF RESPONSIBILITY
I hereby disclaim any
responsibility for all other
drawings, specifications, estimates,
reports or other documents or
instruments relating to or
intended to be used for any part
or parts of the architectural or
engineering project or survey
other than those authenticated by
my seal.

REVISIONS	
01/05/23	CLIENT COMMENTS
01/19/23	CITY COMMENTS
04/12/23	CITY COMMENTS
04/19/23	CITY COMMENTS

**ENGINEERING
PLANNING
SURVEYING**

221 Point West Blvd.
St. Charles, MO 63301
636-928-5552
FAX 928-1718

Box Engineering Company, Inc.
Missouri State Certificate of Authority
Engineering #000655
Missouri State Certificate of Authority
Surveying #003144

04/19/2023
DATE
20-18154A
PROJECT NUMBER
1 of 2
SHEET OF
18154A REC
FILE NAME
JLH MEC
DRAWN CHECKED
10/2021
DATE DONE IN FIELD

OWNERS CERTIFICATION

WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "SHADY CREEK COMMERCIAL".

THE UNDERSIGNED OWNERS OF THE REAL ESTATE DESCRIBED HEREIN DO HEREBY GRANT AND DEDICATE THE AREAS SHOWN AS "EASEMENTS" AND "COMMON GROUND" AS PERPETUAL NON-EXCLUSIVE UTILITY EASEMENTS FOR SANITARY SEWERS, STORM SEWERS, GAS LINES, WATER LINES, ELECTRIC LINES, COMMUNICATION LINES, OTHER PUBLIC UTILITY FACILITIES, AND ALL RELATED APPURTENANCES. THE PERPETUAL NON-EXCLUSIVE UTILITY EASEMENTS ARE HEREBY GRANTED TO THE CITY OF O'FALLON, PUBLIC WATER SUPPLY DISTRICT NO. 2 OF ST. CHARLES COUNTY, MISSOURI, DUCKETT CREEK SANITARY DISTRICT, SPIRE MISSOURI, CUIVRE RIVER ELECTRIC COMPANY, AT&T DISTRIBUTION, CHARTER COMMUNICATIONS, AND TO ALL OTHER PUBLIC UTILITY PROVIDERS AS THEIR INTEREST MAY APPEAR, AND THEIR SUCCESSORS AND ASSIGNS, FOR THE INSTALLATION, USE, PATROL, ACCESS, INSPECTION, MAINTENANCE, REPAIR, RELOCATION AND REPLACEMENT OF SANITARY SEWERS, STORM SEWERS, GAS LINES, WATER LINES, COMMUNICATION LINES, ELECTRIC LINES AND OTHER PUBLIC UTILITY FACILITIES, INCLUDING ALL RELATED APPURTENANCES AND IMPROVEMENTS, THE RIGHT OF TEMPORARY USE OF GROUND ADJACENT TO SAID UTILITY EASEMENTS, NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND TEMPORARY STORAGE OF MATERIALS DURING THE INSTALLATION, INSPECTION, REPAIR, RELOCATION, OR REPLACEMENT OF SAID UTILITY FACILITIES, TOGETHER WITH ALL RIGHTS IMPLIED BY AND INCIDENTAL TO THE USE OF SAID UTILITY EASEMENTS, INCLUDING, WITHOUT LIMITATION, THE RIGHT OF INGRESS AND EGRESS TO AND FROM SUCH UTILITY EASEMENTS FROM ADJACENT PROPERTY, AND THE RIGHT TO TRIM, CONTROL, CUT AND REMOVE ANY AND ALL BRUSH, BUSHES, SAPLINGS, TREES, ROOTS, UNDERGROWTH, ROCK, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS UPON, OVER AND UNDER THE UTILITY EASEMENTS AND THE ADJACENT PROPERTY. ANY UTILITY COMPANY OR PUBLIC PROVIDER THAT CAUSES DAMAGE TO THE PROPERTY SHALL BE RESPONSIBLE TO RESTORE THE DISTURBED AREA AS NEARLY AS POSSIBLE TO ITS PRIOR FORMER CONDITION.

ALL EASEMENTS SHOWN ON THE PLAT, UNLESS DESIGNATED FOR OTHER SPECIFIC PURPOSES ARE HEREBY DEDICATED TO THE CITY OF O'FALLON, MISSOURI, ASSIGNS AND ALL UTILITY COMPANIES SERVING THIS AREA AS PERMITTED BY THE CITY FOR THE PURPOSE OF IMPROVING, CONSTRUCTING, MAINTAINING AND REPAIRING PUBLIC UTILITIES AND SEWER AND DRAINAGE FACILITIES WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUNDS NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION, REPAIR OR REPLACEMENT OF SAID UTILITIES, SEWERS AND DRAINAGE FACILITIES. THE DETENTION ACCESS AND DETENTION EASEMENT ARE HEREBY DEDICATED TO THE CITY OF O'FALLON, MISSOURI FOR EMERGENCY PURPOSES AND INSPECTION ONLY, WITH NO IMPLIED RIGHTS TO OWNERSHIP OR MAINTENANCE RESPONSIBILITY.

THE AREA OF LAND DESIGNATED HEREON AS "COMMON GROUND" IS NOT DEDICATED HEREBY FOR USE BY THE GENERAL PUBLIC, BUT IS HEREBY ESTABLISHED AND GRANTED TO THE SHADY CREEK COMMERCIAL PROPERTY OWNERS ASSOCIATION FOR THE USE AND ENJOYMENT OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, AS MORE FULLY PROVIDED FOR IN THE WILLOWS DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH BELOW. SAID COMMON GROUND TO BE MAINTAINED BY SAID ASSOCIATION.

THE UNDERSIGNED DESIGNATES THE 60' WIDE CROSS ACCESS EASEMENT, AS SHOWN CROSS HATCHED, FOR THE PURPOSE OF INGRESS AND EGRESS. THIS EASEMENT IS HEREBY GRANTED TO THE CURRENT AND FUTURE OWNERS OF LOT 1, LOT 2 AND LOT 3, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR.

THE SIGHT TRIANGLE EASEMENTS AS SHOWN DOT HATCHED, IS HEREBY ESTABLISHED AND GRANTED TO THE CITY OF O'FALLON, MISSOURI, THEIR SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF SIGHT DISTANCE ONLY. NOTHING SHALL BE ERRECTED, PLACED, PLANTED OR ALLOWED TO GROW IN SUCH A MANNER AS TO MATERIALLY IMPEDE VISION BETWEEN A HEIGHT OF THREE (3) FEET AND FIFTEEN (15) FEET ABOVE THE GRADES WITHIN THE SIGHT TRIANGLE EASEMENTS AS SHOWN ON THIS PLAT. ADDITIONALLY, NO FENCES SHALL BE CONSTRUCTED, AND NOTHING SHALL BE ERRECTED, PLACED, PLANTED OR ALLOWED TO GROW WITHIN THE SIGHT TRIANGLE EASEMENT, AS SHOWN ON THIS PLAT, IN A MANNER WHICH WOULD MATERIALLY IMPEDE THE LINE OF SIGHT NECESSARY FOR SAFE TRAVEL ALONG PUBLIC ROADWAYS ADJACENT TO AND WITHIN THE SIGHT TRIANGLE EASEMENT SHOWN ON THIS PLAT.

THE UNDERSIGNED DEDICATES THE HIGH WATER EASEMENT, AS SHOWN PLUS-SIGN HATCHED, TO THE CITY OF O'FALLON, MISSOURI FOR EMERGENCY ACCESS AND INSPECTION PURPOSES ONLY.

THE COMMON GROUND SHOWN ON THIS PLAT SHALL BE CONVEYED FOREVER TO THE SHADY CREEK COMMERCIAL PROPERTY OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, FOR THEIR MAINTENANCE, BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT# 2022R-051418 OF THE ST. CHARLES COUNTY RECORDS.

THE UNDERSIGNED FURTHER DESIGNATES THAT THIS SUBDIVISION SHALL BE SUBJECT TO THE SHADY CREEK COMMERCIAL DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS, AS SET FORTH IN AN INSTRUMENT DATED SEPTEMBER 1, 2022, AND FILED FOR RECORD IN DOCUMENT NUMBER 2022R-051418 IN THE OFFICE OF THE RECORDER OF DEEDS, ST. CHARLES COUNTY, MISSOURI. IN THE EVENT THAT THE PROPERTY OWNERS ASSOCIATION IS DISSOLVED, THE CONVEYANCE AND MAINTENANCE RESPONSIBILITIES ASSOCIATED WITH THE PROPERTY OWNERS ASSOCIATION WILL BECOME THE COLLECTIVE CONVEYANCE AND MAINTENANCE RESPONSIBILITY OF EACH PROPERTY OWNER WITHIN THE SHADY CREEK COMMERCIAL SUBDIVISION.

POST CONSTRUCTION MAINTENANCE RESPONSIBILITIES WITH REGARD TO STORMWATER DRAINAGE FACILITIES WILL BE THAT OF THE SHADY CREEK COMMERCIAL PROPERTY OWNERS ASSOCIATION, THEIR SUCCESSORS AND ASSIGNS. THE POST CONSTRUCTION MAINTENANCE RESPONSIBILITIES WILL BE OBTAINED IN THE STORMWATER POST CONSTRUCTION BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT RECORDED IN DOCUMENT# 2022R-051418 OF THE ST. CHARLES COUNTY RECORDS.

THE BUILDING LINES SHOWN ON THE ABOVE PLAT ARE HEREBY ESTABLISHED.
ALL TAXES WHICH ARE DUE AND PAYABLE AGAINST THIS PROPERTY HAVE BEEN PAID IN FULL.

JOANN M. GRIFFITH
TRUSTEE OF THE JOANN M. GRIFFITH
REVOCABLE TRUST DATED NOVEMBER 29, 1999

BY: Joann M. Griffith, trustee

PRINT NAME: Joann M. Griffith

TITLE: Trustee

DATE: 4-25-2023

GARY E. KOPADT
TRUSTEE OF THE GARY E. KOPADT
REVOCABLE TRUST DATED DECEMBER 27, 1999

BY: Gary E. Kopadt, trustee

PRINT NAME: Gary E. Kopadt

TITLE: Trustee

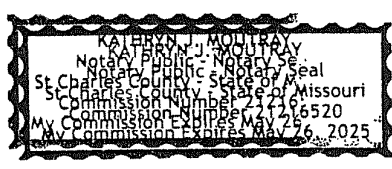
DATE: 4-25-2023

NOTARY FOR JOANN M. GRIFFITH REVOCABLE TRUST

STATE OF Missouri)
COUNTY OF St. Charles)SS

ON THIS 25 DAY OF APRIL IN THE YEAR 2023 BEFORE ME, Kathryn J. Moutray, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOANN M. GRIFFITH, TRUSTEE, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT ON BEHALF OF THE JOANN M. GRIFFITH REVOCABLE TRUST DATED NOVEMBER 29, 1999 AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC: Kathryn J. Moutray
PRINT NAME: Kathryn J. Moutray
MY COMMISSION EXPIRES: May 26, 2025



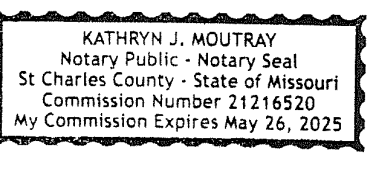
STATE OF Missouri
21216520

NOTARY FOR GARY E. KOPADT REVOCABLE TRUST

STATE OF Missouri)
COUNTY OF St. Charles)SS

ON THIS APRIL DAY OF 25 IN THE YEAR 2023 BEFORE ME, Kathryn J. Moutray, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GARY E. KOPADT, TRUSTEE, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN PLAT ON BEHALF OF THE GARY E. KOPADT REVOCABLE TRUST DATED DECEMBER 27, 1999 AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC: Kathryn J. Moutray
PRINT NAME: Kathryn J. Moutray
MY COMMISSION EXPIRES: May 26, 2025



CITY CERTIFICATE

Deborah Ryan, CITY CLERK, HEREBY CERTIFY THAT ORDINANCE NO. 7026 APPROVING THIS PLAT AND DIRECTING ME TO ENDORSE THE SAME UNDER MY HAND AND SEAL WAS DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF O'FALLON, MISSOURI AND SAME APPROVED BY THE MAYOR OF SAID CITY ON May 25, 2023 AND AS ORDINANCE DIRECTED, I HEREBY ENDORSE SAID PLAT BY MY HAND AND SEAL OF SAID CITY THIS 26 DAY OF May, 2023.

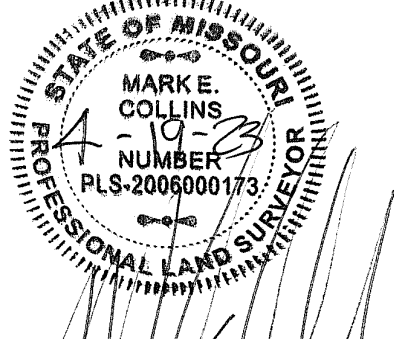
Deborah Ryan
CITY CLERK OF O'FALLON, MISSOURI
DEBORAH RYAN



SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT WE, BAX ENGINEERING COMPANY, INC., HAVE DURING APRIL, 2023, BY ORDER OF SHADY CREEK COMMERCIAL, EXECUTED A BOUNDARY SURVEY AND PREPARED A PLAT ON "A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 9 AND U.S. SURVEY 931, TOWNSHIP 46 NORTH, RANGE 2 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF O'FALLON, ST. CHARLES COUNTY, MISSOURI" AND THE RESULTS ARE SHOWN ON THIS PLAT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS BOUNDARY SURVEY WAS EXECUTED IN ACCORDANCE WITH CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS UNDER THE RULES OF THE DEPARTMENT OF COMMERCE AND INSURANCE (20 CSR 2030-16) AND MEETS THE ACCURACY STANDARDS SET FORTH FOR A "TYPE 'URBAN' PROPERTY, INC.

BAX ENGINEERING COMPANY, INC.
MARK E. COLLINS
MISSOURI PROFESSIONAL
LAND SURVEYOR #2006000173



GENERAL NOTES

- BASIS OF BEARINGS FOR THIS SURVEY ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM, EAST ZONE, GRID NORTH.
- THIS PROPERTY IS CURRENTLY VESTED IN THE NAME OF JOANN M. GRIFFITH REVOCABLE TRUST DATED NOVEMBER 29, 1999 AND GARY E. KOPADT REVOCABLE TRUST DATED DECEMBER 27, 1999 BY DEED RECORDED IN BOOK 2354 PAGE 724 OF THE ST. CHARLES COUNTY RECORDS.
- THIS PROPERTY IS CURRENTLY LISTED UNDER PARCEL LOCATOR NUMBER 4-0067-0931-00-0003.0000000 AND 4-0037-0009-00-0003.0000000 IN THE ST. CHARLES COUNTY ASSESSORS OFFICE.
- ALL TIES SHOWN ON ARE PERPENDICULAR TO THE PROPERTY LINES TO WHICH THEY ARE TIED UNLESS NOTED OTHERWISE.
- WE HAVE DETERMINED THE HORIZONTAL LOCATION OF THIS TRACT OF LAND IN ST. CHARLES COUNTY, MISSOURI, BY SCALING THE PROPERTY IN REFERENCE TO THE FOLLOWING FLOOD INSURANCE RATE MAP (FIRM), ST. CHARLES COUNTY, MISSOURI AND INCORPORATED AREAS, MAP NUMBER 29183C0220C, COMMUNITY PANEL NUMBER (CITY OF O'FALLON, 290316 0220 G WITH AN EFFECTIVE DATE OF JANUARY 20, 2016). BY EXPRESS REFERENCE TO THIS MAP AND ITS LEGEND, THIS TRACT OF LAND IS INDICATED TO BE WITHIN THE FOLLOWING ZONES:
 - ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- THE EVALUATION PROVIDED IN THIS NOTE IS RESTRICTED TO SIMPLY INDICATING THE APPARENT HORIZONTAL LOCATION OF THE PROPERTY WITH RESPECT TO THE FEATURES DISPLAYED ON THE MAP. NO FIELD STUDY OF THE DRAINAGE CHARACTERISTICS TO WHICH THIS PROPERTY MAY BE SUBJECT TO HAS BEEN CONDUCTED AND NO REPRESENTATION CONCERNING THE INSURABILITY OF THIS PROPERTY, OR THE POTENTIAL SUSCEPTIBILITY OF THIS PROPERTY TO FLOODING HAS BEEN MADE. BAX ENGINEERING MAKES NO REPRESENTATION CONCERNING THE ACCURACY OF THE ABOVE REFERENCED FIRM MAP WHICH INCLUDES A NOTE THAT "THIS MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT NECESSARILY IDENTIFY ALL AREA SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE.
- ALL DIRECTIONS ALONG PROPERTY LINES ARE AS SURVEYED UNLESS NOTED OTHERWISE.
- THIS PLAT CONTAINS 7.983 ACRES, 4 LOTS AND 1 COMMON GROUND AREA.
- THIS PROPERTY IS CURRENTLY ZONED C-2 GENERAL BUSINESS DISTRICT BY THE CITY OF ST. O'FALLON, MISSOURI, THE SETBACKS FOR C-2 GENERAL BUSINESS DISTRICT ZONING ARE AS FOLLOWS:
 - FRONT: NOT LESS THAN TWENTY-FIVE (25) FEET, EXCLUDING ALL SIGNS, PUMP ISLANDS, AND CANOPIES OF GASOLINE SERVICE STATIONS.
 - SIDE: NO SIDE YARD IS REQUIRED EXCEPT THAT WHERE A SIDE LINE OF A LOT IN THIS DISTRICT ABUTS THE SIDE LINE OF A LOT IN ANY RESIDENTIAL OR OFFICE DISTRICT, A SIDE YARD SHALL THEN BE PROVIDED THE SAME AS REQUIRED IN THE DISTRICT IT ABUTS. A SIDE YARD OF NOT LESS THAN TWENTY-FIVE (25) FEET SHALL BE PROVIDED ON THE STREET SIDE OF A CORNER LOT.
 - REAR: NO REAR YARD IS REQUIRED EXCEPT THAT WHERE A REAR LINE OF A LOT IN THIS DISTRICT ABUTS LOTS ZONED RESIDENTIAL OR OFFICE A REAR YARD OF NOT LESS THAN TEN (10) FEET SHALL BE PROVIDED.

THIS PLAT CONTAINS 7.983 ACRES.

