HOMEFIELD GARDENS STREET DEDICATION PLAT AND RIGHT-OF-WAY VACATION

BEING PART OF FRACTIONAL SECTION 16, AND PART OF U.S. SURVEY 1790, TOWNSHIP 47 NORTH, RANGE 3 EAST, ST. CHARLES COUNTY, MISSOURI

OWNERS CERTIFICATION

The undersigned, being the owners of the tract of land described in the surveyor's certificate shown hereon, have caused said tract to be surveyed, and a plat to be prepared in the manner shown hereon, which plat shall hereafter be known as "HOMEFIELD GARDENS STREET DEDICATION PLAT AND RIGHT-OF-WAY VACATION."

McBride & Son Homes, LLC ("McBride") declares, without any representation or warranty, including, but not limited to, representations or warranties of title or marchantability, that the portions of Homefield Commons Drive, 104' wide, and Homefield Gardens Drive, 50' wide, as shown hatched hereon, are hereby dedicated as public streets and roadways and by the acceptance of this plat, the City of O'Fallon, Missouri ("City") accepts said dedication. Said streets, as shown hatched hereon, are hereby granted without any representation or warranty, including, but not limited to, representations or warranties of title or marchantability, as utility easements to the City and to the various utility companies, their successors and assigns, as their interest may appear for the purpose of constructing, maintaining, repairing and replacing public utilities and sewer and drainage facilities.

The undersigned owners of the real estate described herein do hereby grant and dedicate the areas shown as "Easements" as perpetual non-exclusive utility easements for sanitary 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 Union Electric Company d/b/a Ameren Missouri, Laclede Gas, CenturyLink, Charter Communications, AT&T, 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, 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 (limited, however, to five (5) feet on either side of said easement) 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 not occupied by improvements, and the right to trim, control, cut, and remove any and all brush, bushes, saplings, trees, roots, undergrowth, rock, overhanging branches, and other obstructions that adversely impact the function or ability to maintain the utility upon, over, and under the utility easements and the adjacent property not occupied by improvements. 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.

Homefield Master Association ("Association") declares, without any representation or warranty, including, but not limited to, representations or warranties of title or marchantability, that the portions of Homefield Commons Drive, 104' wide, and Homefield Gardens Drive, 50' wide, as shown dot-hatched hereon, are hereby dedicated as public streets and roadways and by the acceptance of this plat, the City accepts said dedication. Said streets, as shown dot-hatched hereon, are hereby granted without any representation or warranty, including, but not limited to, representations or warranties of title or marchantability, as utility easements to the City and to the various utility companies, their successors and assigns, as their interest may appear for the purpose of constructing, maintaining, repairing and replacing public utilities and sewer and drainage facilities.

The "Common Ground" areas within Homefield Commons Drive, shown hereon are not dedicated to the City but are hereby established, without any representation or warranty, including, but not limited to representations or warranties of title or marchantability, for the use and enjoyment of the Association, its successors and assigns as "common ground" and as more fully provided for in the Homefield Master Association Indenture of Trust and Restrictions ("Restrictions") as set forth in an instrument on file in Deed Book 2333, Page 79, of the St. Charles County, Missouri Recorder of Deeds Office, and the portion of the Common Ground owned by McBride shall be conveyed to said Association, by separate instrument. Said Common Ground is also hereby established and granted as utility easements to the City and various utility companies for public utilities and sewer and drainage purposes, without any representation or warranty, including, but not limited to, representations or warranties of title or marchantability.

The ingress/egress and parking easement created by the plat recorded in Plat Book 38, Page 5 of the St. Charles County Records, as shown cross-hatched hereon, is hereby vacated by the Association without any representation or warranty, including, but not limited to representations or warranties of title or marchantability, upon recording of this HOMEFIELD GARDENS STREET DEDICATION PLAT AND RIGHT-OF-WAY VACATION.

MCBRIDE & SON HOMES, LLC, a Missouri Limited Liability Company (formerly known as McBride & Son Homes, Inc.)

By: _____
Michael D. Arri, Manager of McBride & Son Homes, LLC

HOMEFIELD MASTER ASSOCIATION

By: _____ _____
TITLE

PLEASE PRINT NAME

OWNERS NOTARY - MCBRIDE & SON HOMES, LLC

STATE OF MISSOURI)
)SS.
COUNTY OF)

On this _____ day of _____ A.D., 2014, before me appeared Michael D. Arri personally known, who being by me duly sworn, did say that he is the manager of McBride & Son Homes, LLC, a limited liability company and that he executed the foregoing plat pursuant to the authority given him by said limited liability company and that said plat was signed by him on behalf of the aforesaid limited liability company by authority of its Members and said Michael D. Arri, as Manager of McBride & Son Homes, LLC acknowledged said plat to be the lawful, free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My commission expires _____.

_____
NOTARY PUBLIC

OWNERS NOTARY - HOMEFIELD MASTER ASSOCIATION

STATE OF MISSOURI)
)SS.
COUNTY OF)

On this _____ day of _____, A.D., 2014, before me appeared _____ personally known, who being by me duly sworn, did say that he/she is the Director of Homefield Master Association, a non-profit corporation, and that he/she executed the foregoing plat pursuant to the authority given him/her by said corporation and that said plat was signed by him/her on behalf of the aforesaid corporation by authority of its Board of Directors, and said _____ as Director of Homefield Master Association acknowledged said plat to be the lawful, free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My commission expires _____.

_____
NOTARY PUBLIC

LENDER - NO DEED OF TRUST HOLDERS

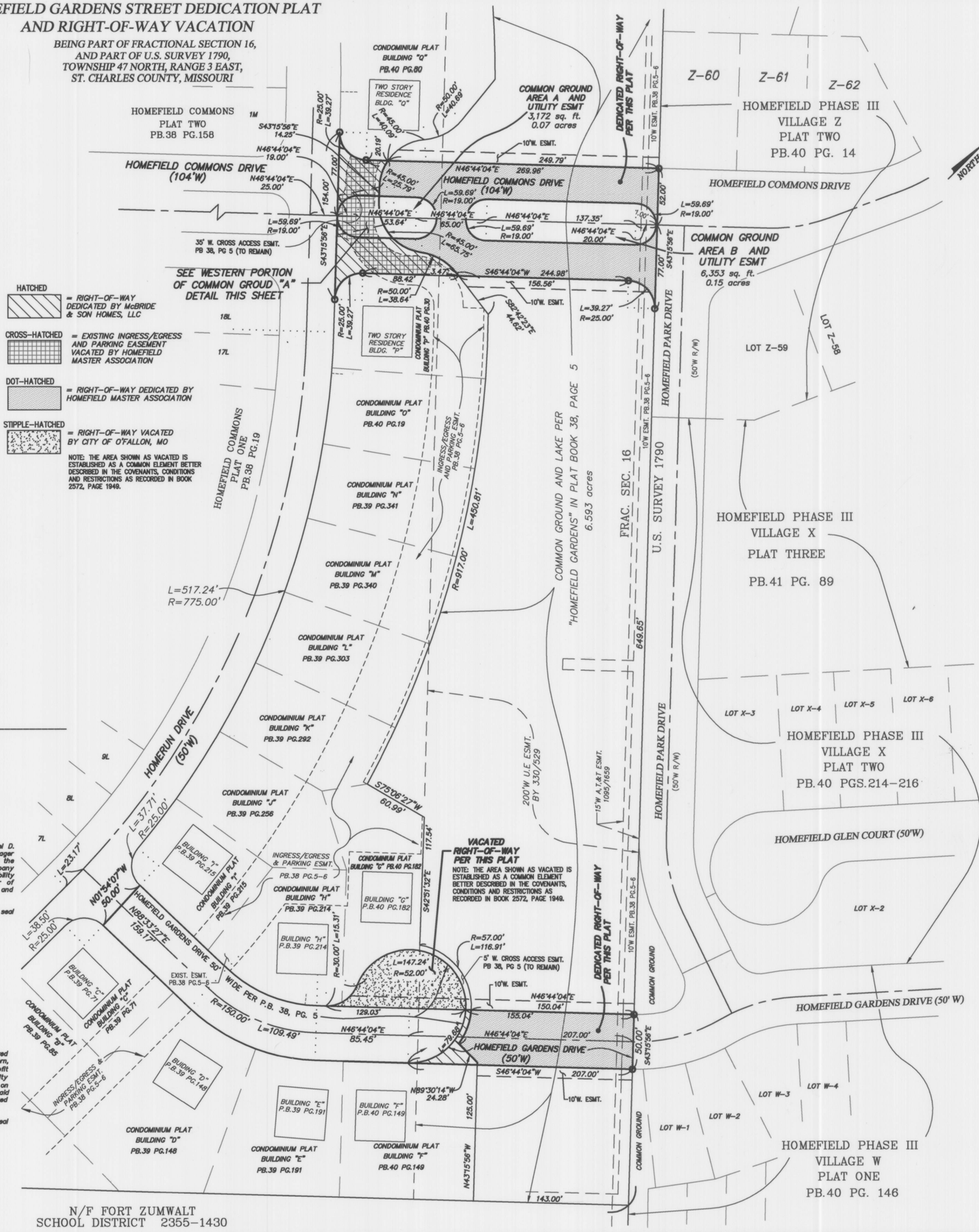
HATCHED = RIGHT-OF-WAY DEDICATED BY McBRIDE & SON HOMES, LLC

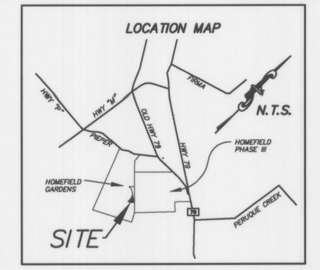
CROSS-HATCHED = EXISTING INGRESS/EGRESS AND PARKING EASEMENT VACATED BY HOMEFIELD MASTER ASSOCIATION

DOT-HATCHED = RIGHT-OF-WAY DEDICATED BY HOMEFIELD MASTER ASSOCIATION

STIPPLE-HATCHED = RIGHT-OF-WAY VACATED BY CITY OF O'FALLON, MO

NOTE: THE AREA SHOWN AS VACATED IS ESTABLISHED AS A COMMON ELEMENT BETTER DESCRIBED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN BOOK 2572, PAGE 1949.





NOTES

1. *THE HATCHED AND DOT-HATCHED DEDICATED AREAS OF HOMEFIELD COMMONS DRIVE = 21,555 SQUARE FEET (0.50 ACRES) EXCLUDING THE TWO COMMON GROUND AREAS THAT TOTAL 9,525 SQUARE FEET (0.22 ACRES)*
2. *THE HATCHED AND DOT-HATCHED DEDICATED AREAS OF HOMEFIELD GARDENS DRIVE = 8,330 SQUARE FEET (0.19 ACRES)*
3. *THE STIPPLE-HATCHED VACATED AREA OF HOMEFIELD GARDEN COURT = 4,563 SQUARE FEET (0.10 ACRES)*
4. *This plat was prepared from information furnished this office by the client and from additional data pertaining to this site obtained by Pickett, Ray & Silver, Inc., from available deeds and records without the benefit of an up-to-date title policy.*
5. *Basis of bearing for this survey is the plat of Homefield Gardens in P.B. 38, Pg. 5*
6. *Class of property – Urban.*
7. *○ = Set Iron Rod/Cap*

RIGHT-OF-WAY VACATION

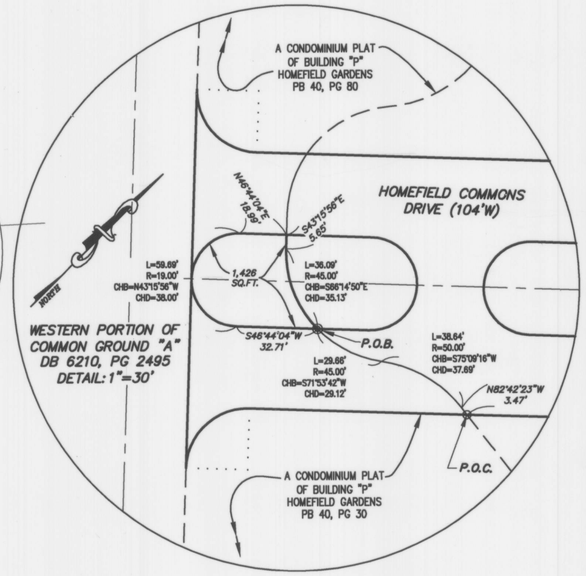
Homefield Gardens Court, 50 feet wide, and its cul-de-sac, with a radius of 52.00 feet, was established and dedicated to the City by the plat on file in Plat Book 38, Page 5, of the St. Charles County Recorder of Deeds Office. The City hereby vacates and extinguishes as a public right-of-way the stipple-hatched portion of said cul-de-sac as shown hereon, and hereby relinquishes the same to the Homefield Gardens Condominium Association to be held and established as a common element under the Homefield Gardens Condominium Declaration of Condominium as set forth in instrument on file in Deed Book 2572, Page 1949

CITY APPROVAL

I hereby certify that Ordinance No. _____ approving this plat and directing me to endorse 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 _____, 20____.

By: _____

_____
PLEASE PRINT NAME



SURVEYORS CERTIFICATE

This is to certify that, at the request of Summit Pointe, L.C., we have, during the month of November, 2002, executed a boundary survey from actual field data and record information, and during the month of May, 2013, at the request of McBride & Son Homes, LLC, prepared this plat in accordance with the Current Minimum Standards for Property Boundary Surveys, 4 CSR 30-16, and the results are shown hereon.

By: _____
DAVID FRANCIS SKORNIA, P.L.S. #2124
STATE OF MISSOURI
PICKETT, RAY & SILVER'S CORPORATE REGISTRATION NO. LS-54-D

PICKETT, RAY & SILVER INC.
CIVIL ENGINEERING, LAND SURVEYING, AND NATURAL RESOURCES SERVICES
St. Peters
22 Richmond Center Court
St. Peters, MO 63376
Branson
3027 W. Hwy 76, Suite B
Branson, Mo 65616
Phone (636) 397-1211 Fax (636) 397-1104
www.prs3.com 1-800-708-3918

HOMEFIELD GARDENS STREET DEDICATION PLAT AND RIGHT-OF-WAY VACATION

Prepared For: MCBRIDE & SON HOMES, LLC

16091 Swingley Ridge Rd. Suite 300 Chesterfield, Missouri 63017 314-336-0237

REVISIONS NO.	DATE	DESCRIPTION
1.	10/05/2013	REVISED PER CITY COMMENTS DATED AUGUST 28, 2013
2.	10/25/2013	REVISED PER CITY AND CLIENT'S CONFERENCE
3.	05/04/2014	REVISED PER CLIENT
4.	06/23/2014	REVISED PER CLIENT

DRAWN	D.G. RGA DWD	DATE 7-18-12
CHECKED	DFS	DATE 1-14-13
PROJECT # 02229.MCSO.01S		
TASK # 1		FIELD BOOK

HOMEFIELD GARDENS STREET DEDICATION AND STREET VACATION PLAT.

SHEET 1 OF 1

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02229/02229SUR 12-13-05

Homefield Gardens Vacation: Dedication Book 47 Page 394

HOMEFIELD GARDENS STREET DEDICATION AND STREET VACATION PLAT.

BEING PART OF FRACTIONAL SECTION 16, AND PART OF U.S. SURVEY 1790, TOWNSHIP 47 NORTH, RANGE 3 EAST, ST. CHARLES COUNTY, MISSOURI

OWNERS CERTIFICATION

The undersigned, being the owners of the tract of land described in the surveyor's certificate shown hereon, have caused said tract to be surveyed, and a plat to be prepared in the manner shown hereon, which plat shall hereafter be known as "HOMEFIELD GARDENS STREET DEDICATION AND STREET VACATION PLAT."

The undersigned declare that the streets shown hatched hereon, being Homefield Commons Drive, 104' wide and Homefield Gardens Drive, 50' wide, are hereby dedicated as public streets and roadways and, by the acceptance of this plat, the City of O'Fallon accepts said dedication.

Said streets, as shown hatched hereon, are hereby granted as utility easements to the City of O'Fallon, Mo., and to the various utility companies, their successors and assigns, as their interest may appear for the purpose of constructing maintaining repairing and replacing public utilities and sewer and drainage facilities.

The "Common Ground" areas within Homefield Commons Drive, shown hereon are not dedicated to the City of O'Fallon, Mo. but are hereby established for the use and enjoyment of the Homefield Master Homeowners Association, its successors and assigns, as more fully provided for in the covenants, conditions and restrictions of the Homefield Gardens Condominium Association as set forth in an instrument on file in Deed Book 2333, Page 79, of the St. Charles County, Missouri Recorder of Deeds Office, and said common ground shall be conveyed to said Association, by separate instrument. Said Common Ground is also hereby established as utility easements, and hereby granted to the City of O'Fallon, Mo., and to the various utility companies for public utilities and sewer and drainage purposes.

Homefield Gardens Court, 50 feet wide, and it's cul-de-sac, with a radius of 52.00 feet, was established by the plat on file in Plat Book 38, Page 5, of the St. Charles County Recorder of Deeds Office. The shaded portion of said cul-de-sac, as shown hereon is heeby vacated and extinguished, as a public right-of-way.

The street name, Homefield Gardens Court, as recorded in Plat Book 38, Page 5, is hereby changed to Homefield Gardens Drive.

MCBRIDE AND SON HOMES, INC.

By: _____ _____
TITLE

_____
PLEASE PRINT NAME

HOMEFIELD GARDENS CONDOMINIUM ASSOCIATION

By: _____ _____
TITLE

_____
PLEASE PRINT NAME

OWNERS NOTARY

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, in the year _____, before me _____, a Notary Public in and for said state, personally appeared _____, _____ _____, known to me to be the person who executed the within _____ in behalf of said corporation and acknowledged to me that he or she executed the same for the purposes therein stated.

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.

_____
NOTARY PUBLIC

My Commission Expires: _____

_____
PLEASE PRINT NAME

OWNERS NOTARY

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, in the year _____, before me _____, a Notary Public in and for said state, personally appeared _____, _____ _____, known to me to be the person who executed the within _____ in behalf of said corporation and acknowledged to me that he or she executed the same for the purposes therein stated.

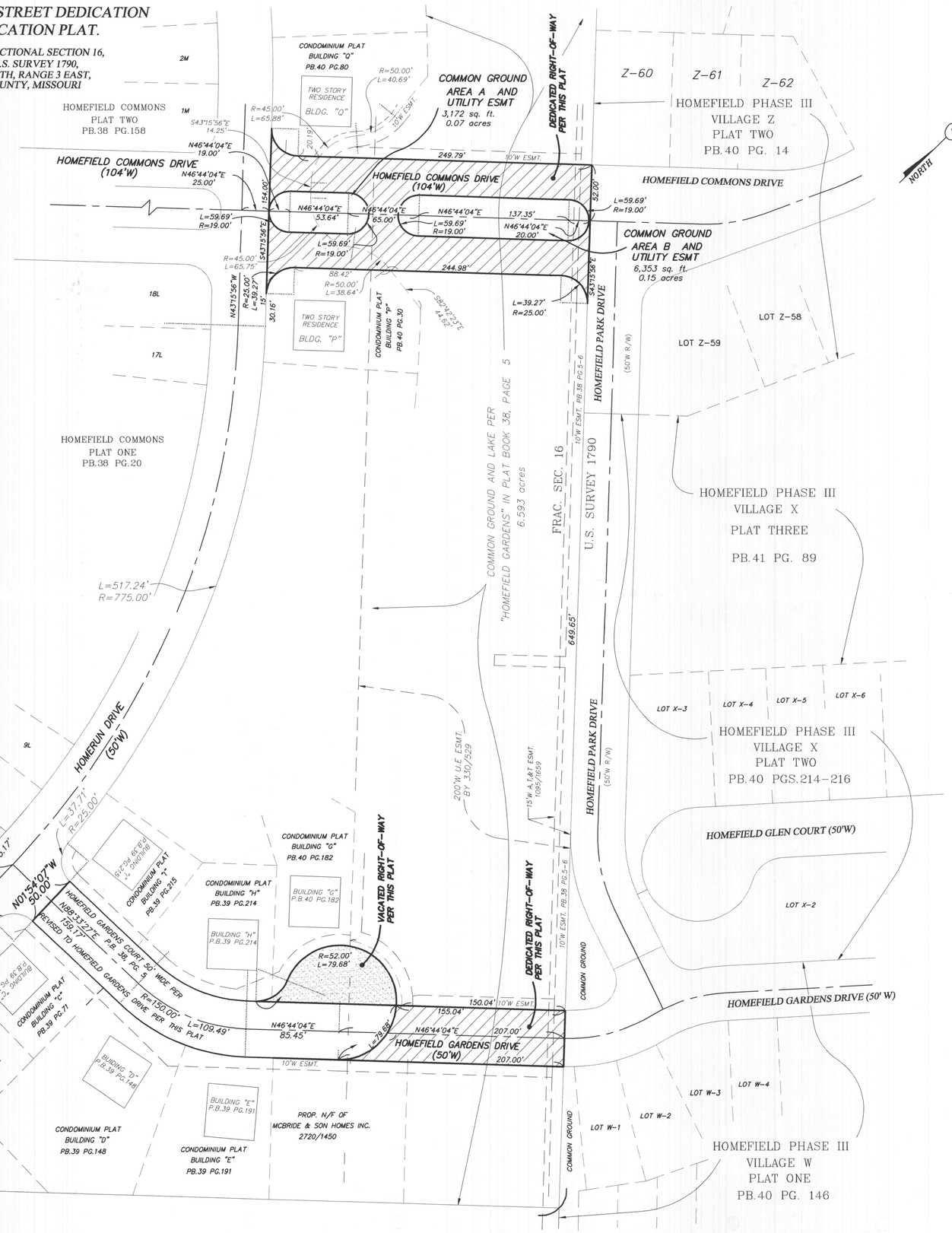
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.

_____
NOTARY PUBLIC

_____
PLEASE PRINT NAME

My Commission Expires:

_____



NOTES

1. THE HATCHED, DEDICATED AREA OF HOMEFIELD COMMONS DRIVE = 21,555 SQUARE FEET (0.50 ACRES) EXCLUDING THE TWO COMMON GROUND AREAS THAT TOTAL 9,525 SQUARE FEET (0.22 ACRES)
2. THE HATCHED, DEDICATED AREA OF HOMEFIELD GARDENS DRIVE = 8,330 SQUARE FEET (0.19 ACRES)
3. THE SHADED, VACATED AREA OF HOMEFIELD GARDEN COURT = 4,563 SQUARE FEET (0.10 ACRES)
4. This plat was prepared from information furnished this office by the client and from additional data pertaining to this site obtained by Pickett, Ray & Silver, Inc., from available deeds and records without the benefit of an up-to-date title policy.
5. Basis of bearing for this survey is the plat of Homefield Gardens in P.B. 38, Pg. 5
6. Class of property - Urban.
7. In accordance with the ordinances of the City of O'Fallon, street trees will be maintained by the homeowners association.

MCBRIDE AND SON LENDER

The undersigned holder or legal owner of notes secured by a Deed of Trust, recorded in Book _____, Page _____ of the St. Charles County Mo. Recorder of Deeds Office hereby join in and approves in every detail, this plat.

IN WITNESS WHEREOF, said holder or legal owner has signed and sealed this plat this _____ day of _____, 20_____.

Lender: _____

By: _____ _____
TITLE

_____
PLEASE PRINT NAME

LENDERS NOTARY

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, in the year _____, before me _____, a Notary Public in and for said state, personally appeared _____, _____ _____, known to me to be the person who executed the within _____ in behalf of said corporation and acknowledged to me that he or she executed the same for the purposes therein stated.

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.

_____
NOTARY PUBLIC

My Commission Expires: _____

_____
PLEASE PRINT NAME

CITY APPROVAL

hereby certify that Ordinance No. _____ approving this plat and directing me to endorse same under my hand and seal was duly passed and approved by the Board of Aldermen of the City of O'Fallon, Missouri, and same approved by the Mayor of said City on _____ 20_____.

By: _____

SURVEYORS CERTIFICATE

This is to certify that, at the request of Summit Pointe, L.C., we have, during the month of November, 2002, executed a boundary survey from actual field data and record information and during the month of December, 2005, at the request of McBride & Son, Inc., prepared this plat in accordance with the Current Minimum Standards for Property Boundary Surveys, 4 CSR 30-16.

By: _____
DAVID FRANCIS SIORNIA, P.L.S. #2124
STATE OF MISSOURI

PICKETT, RAY & SILVER'S CORPORATE REGISTRATION NO. LS-54-D

PICKETT RAY & SILVER
CIVIL ENGINEERS
PLANNERS
LAND SURVEYORS
393 Mid Rivers Mall Drive
St. Peters, MO 63376
Phone (636) 397-1211
Fax (636) 397-1104

HOMEFIELD GARDENS STREET DEDICATION AND STREET VACATION PLAT.

Prepared For:
MCBRIDE & SON INC.

REVISIONS NO.	DESCRIPTION	DATE

RECEIVED JAN 06 2006

DRAWN D.G.	DATE 12-13-05
CHECKED	DATE
PROJECT # 02229.PIRA.00S	
TASK # 1	FIELD BOOK

HOMEFIELD GARDENS STREET DEDICATION AND STREET VACATION PLAT.
SHEET 1 OF 1

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