

Sponsored by: Council Members Bibb and Koskela

AN ORDINANCE PROVIDING FOR THE APPROVAL AND ACCEPTANCE OF THE DEDICATION OF STREETS AND STORM SEWERS (EXCLUDING DETENTION) FOR MAINTENANCE BY THE CITY OF O'FALLON, MISSOURI FOR WYNDGATE VILLAGE F PLAT 4.

WHEREAS, in the planning of this subdivision or project, the City of O'Fallon agreed to accept certain improvements as public infrastructure once all conditions were met; and

WHEREAS, such improvements have been inspected by the City staff and determined to satisfy all the City's requirements;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF O'FALLON, MISSOURI, AS FOLLOWS:

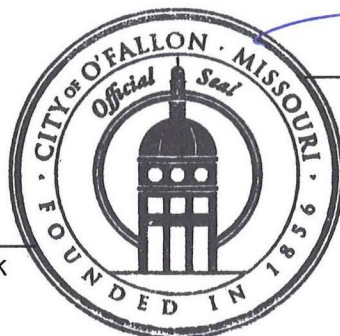
SECTION 1: That City of O'Fallon, Missouri, accepts the dedication of the Streets and Storm Sewers (Excluding Detention) constructed and installed with Wyndgate Village F Plat 4 for maintenance.

SECTION 2: This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

First Reading: September 26, 2024

Second Reading: October 10, 2024

PASSED BY THE CITY COUNCIL FOR THE CITY OF O'FALLON, MISSOURI, THIS 10TH DAY OF OCTOBER, 2024.



Bill Hammy

Presiding Officer

Attest:

Katie Crabtree

Katie Crabtree, Assistant City Clerk

BILL NO. 7687


ORDINANCE NO. 7148

APPROVED BY THE MAYOR FOR THE CITY OF O'FALLON, MISSOURI, THIS 10TH DAY OF OCTOBER, 2024.



Bill Hennessy, Mayor

Attest:



Katie Crabtree, Assistant City Clerk



Approved as to Form:


Kevin M. O'Keefe, City Attorney

OWNER'S DECLARATION

The undersigned McBride Wyndgate, LLC, being the owner and developer of the tract described in the surveyor's certificate shown hereon, has caused said tract to be surveyed and a subdivision plat to be prepared in the manner shown hereon, which plat shall hereafter be known as "WYNDGATE VILLAGE F PLAT FOUR".

The undersigned declares the streets shown hatched hereon, Long Gate Court, 50' wide, and that part of Dibir Road (variable width) shown hereon, along with their frontages, intersections, and with the off-sets, all public streets and roadways, and are hereby dedicated to the City of O'Fallon, Missouri, for public use, forever, and covenants and agrees that city acceptance of said streets and roadways shall not be partitioned until the streets and roadways are improved in such a manner as to comply with the street construction section of the city of O'Fallon, Missouri land subdivision regulations and any amendment thereto, adopted by the City Council of the City of O'Fallon, Missouri, in August, 1987, and this covenant shall run with the land starting upon said streets and roadways. The undersigned further designates those streets as utility easements for all public utilities, as their interests may appear.

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 storm sewers, sanitary sewers, gas lines, water lines, electric lines, communication lines, other public utility facilities, and oil related opportunities. The perpetual non-exclusive utility easements are hereby granted to Public Water Supply District No. 7 of St. Charles County, Missouri, Gaudette Creek Sanitary District, Culver River Electric Company, Locuste Gas, CenturyLink, Charter Communications, AT&T, City of O'Fallon 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 trees, bushes, saplings, trees, rocks, underground 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.

The "Entrance Monument Easement" as shown hereon is hereby established and granted, as an easement to Wyndgate Homeowners Association for the purpose of erecting, maintaining, repairing, improving and replacing permanent physical improvements that identify, enhance and improve the entrance to this subdivision, such as, but not limited to, signs, stone walls, fences, light fixtures and landscaping, and are also hereby established and granted as utility easements to the respective utility companies and to the City of O'Fallon for the purposes of utility lines and appurtenances, subject to the restriction that any damage to or destruction of any entrance monument(s) and/or landscaping shall be restored by any such utility company and/or City, as applicable.

The "Undisturbed Drainage Area" shown on lots 779, 780, 781 & 782 is plotted correctly as of the recording date of this record plat. Should the creek and/or the creek bank move as part of the stream migration, it is understood that the undisturbed drainage area on these lots shall continue to fully encompass the creek and creek banks, including a minimum 25 foot setback from the top of the creek bank on each side of the creek.

This subdivision is subject to the Indenture of Trust and Restrictions for Wyndgate as said Indenture is filed in Book DE4321, Page 1802 of the St. Charles County, Missouri Recorder's Office, as amended.

The 10' wide drainage easements shown hereon are hereby dedicated to the City of O'Fallon, Missouri for the purpose of constructing, repairing and maintaining drainage swales, and for the purpose of draining and discharging storm water. The Creek Preservation Area shown hereon is hereby established and shall be preserved in its natural state. The Creek Preservation Area shall be irrevocable and continue forever.

The Common Ground areas shown hereon, are not intended for the use of the general public, but are hereby established for the use and enjoyment of the property owners of Wyndgate Homeowners Association, as more fully provided in aforementioned Indenture of Trust and Restrictions. Said common ground has been conveyed hereto, to, and shall be maintained by said Association. Its successors and assigns by General Warranty Deed recorded the _____ day of _____, 20____, in Deed Book _____, Page _____ of the St. Charles County records.

The building lines shown hereon are hereby established. **fu.**

All taxes due and payable against this property have been paid in

IN WITNESS WHEREOF, the undersigned have set their hands this _____ day of _____, 20____.

By: McBRIDE WYNDGATE, LLC
 McBride & Son Acquisitions, LLC, Managing Member

 Name Printed/Title

 Signature
 Please Print Name

 Title

NOTARY PUBLIC

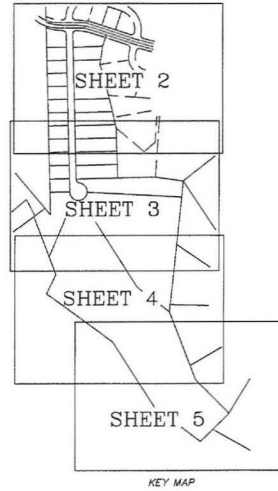
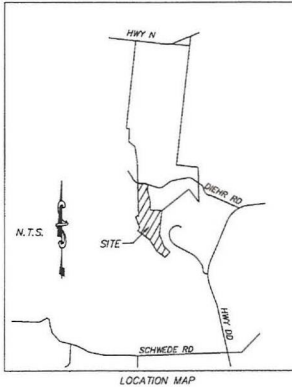
My Commission Expires: _____

**WYNDGATE VILLAGE F
 PLAT FOUR**

A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 16,
 AND U.S. SURVEY 417, TOWNSHIP 46 NORTH, RANGE 2 EAST,
 ST. CHARLES COUNTY, MISSOURI

GENERAL NOTES

- This plat was prepared from items furnished to Pickett, Ray & Silver, Inc. by Old Republic National Title Insurance Company, File No. NEE-12-127320, dated October 4, 2012.
- Basis of bearing for this survey is the eastern line of Flintlock Estates Subdivision per Plat Book 18 Page 42 & 46.
- Class of Property - Urban
- This property is Zoned R-1 PUD.
- Total area of this plat 45.93 acres.
- This plat contains 27 Lots.
- "* " Indicates survey monument to be set in the center line of the right-of-way at control points.
- ⊙ Denotes permanent survey monument to be set.
 ⊗ Denotes semi-permanent monument to be set.
- All front property line easements are 10' wide unless noted.
- All side property line easements are 5' wide unless noted.
- All rear property line easements are 10' wide unless noted.
- All front building lines are 25' unless otherwise noted.
- Minimum side yard is 6.0'.
- Minimum rear yard setback 15'.
- Minimum lot width at building line 100'.
- Minimum lot size 15,000 square feet.
- Lots 779, 780, 781, and 782 are susceptible to street movement.
- [180] Denotes address (typical)
- The addresses shown hereon were furnished to Pickett, Ray & Silver, Inc. who makes no certification as to their correctness or permanence; any future changes to the addresses shall not be the responsibility of Pickett, Ray & Silver, Inc.
- All houses are to be accessed through interior subdivision streets.
- A portion of this property lies within Zone X (areas of 500-year floodplains) and Zone AE (Base Flood Elevation Determined) and Zone A9 (Floodway Area), per the Flood Insurance Rate Map, Community Panel No. 29183C0405 E, and Panel No. 29183C0410 E, effective date August 2, 1996, and as revised by Letter of Map Revision (LOMR) dated December 27, 2006; the approximate location of which is shown hereon.
- Portions of Lots 779, 780, 781, and 782 are affected by the aforementioned Flood Zones. Purchasers of lots 779, 780, 781 and 782, containing the Undisturbed Drainage Area, must sign an acknowledgment stating that they are aware a creek and drainage way are located on their property and that there may be certain laws and regulations governing maintenance responsibility of the creek and drainage way by the property owner. The City of O'Fallon will not be responsible for maintaining, repairing, fixing and/or funding any portion of the creek, creek bank, or surrounding areas contained within the Undisturbed Drainage Area.
- Survey monuments will be set at rear lot corners within one year after the recording of this plat; front lot corners will be marked by a cross cut on the curb of the extension of the lot line.
- Additional right of way is being dedicated to provide the existing Dibir Road with a right of way width of 80 feet.
- SIGHT DISTANCE REQUIREMENT NOTE:
 On a corner lot, nothing shall be erected, 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 area as shown on this plat. Additionally, nothing shall be erected, placed, planted or allowed to grow in a manner to materially impede the line of sight necessary for safe travel along public roadways within the line of sight easement shown on this plat.
- See construction plans for additional footing/ setback restrictions affecting Lots 774, 775, 776, 786, and 782.



RELEASE DEED OF TRUST

Whereas First National Bank of St. Louis, by a deed of trust dated and recorded in the Recorder's Office in and for the County of St. Charles and the State of Missouri, in Book _____, Page _____, conveyed to the Trustee therein named, certain real estate, to secure the payment of certain note or notes in said deed described and set forth; and whereas said deed of trust and note or notes has or have been partly paid and satisfied.

Now, therefore, the undersigned, present holder and legal owner of said deed of trust and note or notes, hereby joins in and approves in every detail, this subdivision Plat of Wyndgate Village F Plat Four and does hereby renounce, release and quitclaim unto the present owners, part of the real estate in said deed of trust described, situated in the County of St. Charles and State of Missouri, to wit: all common ground or common land shown on this plat, and all streets, public or private, or roadway easements on this plat.

To have and to hold same, with all appurtenances thereto belonging free, clear and discharged from the encumbrance of said deed of trust.
 In witness whereof, the undersigned has executed these presents this _____ day of _____, 20____.

First National Bank of St. Louis

None Printed/Title

 Signature

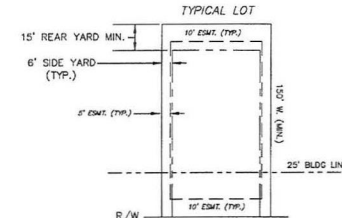
LENDER'S NOTARY

STATE OF MISSOURI)
) SS.
 COUNTY OF _____)
 On this _____ day of _____, 20____, before me appeared _____, to me personally known, who being by me duly sworn, did say that he is the _____ of First National Bank of St. Louis, a national banking association, and that the said affidavit to the foregoing instrument is the corporate seal of said association and that said instrument was signed and acted in behalf of said association by authority of its Board of Directors; and said _____ acknowledges and admits that said instrument to be the free act and deed of said association.

IN WITNESS 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: _____



VILLAGE F

CITY APPROVAL

I, _____, City Clerk, 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: _____

SURVEYOR'S CERTIFICATION

We, Pickett, Ray & Silver, Inc., have, at the request of McBride Wyndgate, LLC, Old Republic National Title Insurance Company, and Regalis Bank during the month of November, 2012, executed a boundary survey from actual field data and record information on a tract of land being part of U.S. Survey 61, Township 46 North, Range 2 East, St. Charles County, Missouri, and during the month of August, 2014, prepared this plat of WYNDGATE VILLAGE F PLAT FOUR; this plat has been executed in accordance with the current Minimum Standards for Registered Professional Surveyors, 4 CSR 30-16, and the results are shown hereon.

By: DAVID FRANCIS SKIEMKA, P.L.S. #1214
 STATE OF MISSOURI

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

PICKETT, RAY & SILVER, INC.
 CIVIL ENGINEERING, LAND SURVEYING,
 AND NATURAL RESOURCES SERVICES
 521 W. MAIN ST., SUITE 200
 ST. CHARLES, MISSOURI 63301
 Phone (636) 397-1111 Fax (636) 397-1114
 www.prsinc.com

**WYNDGATE VILLAGE F
 PLAT FOUR**
 PREPARED FOR:
McBride Wyndgate, LLC
 1601 SW WINDLEY RIDGE ROAD
 SUITE 100
 CHRISTIANBURG, MO 63017
 (636) 235-6644

DATE	DESCRIPTION
07/27/2014	REVISION PER CITY AND CLIENT
07/27/2014	COMMENTS PER CITY AND CLIENT

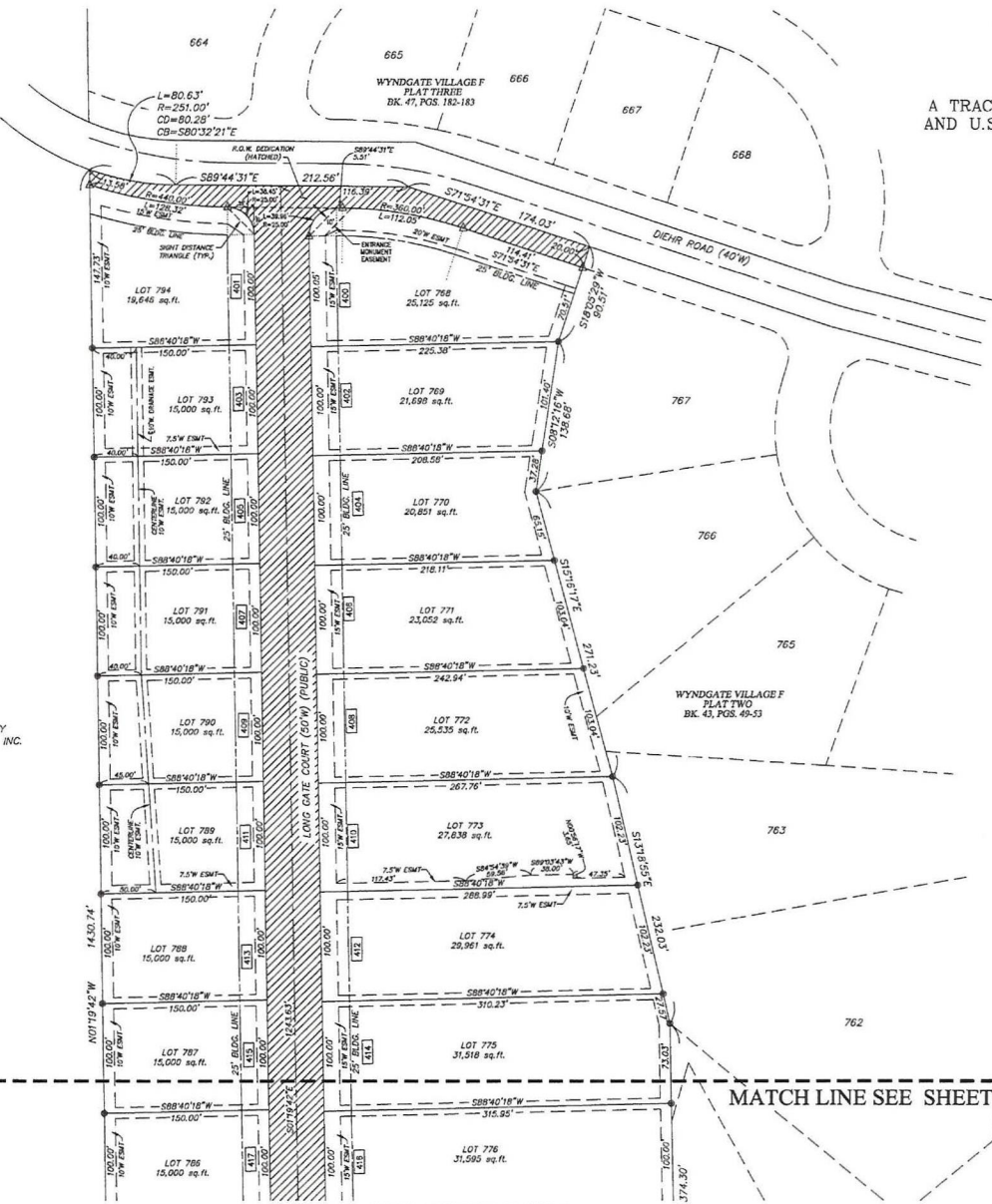
DRAWN	DATE
CS	06/25/14
CHECKED	DATE
CS	08/25/14

PROJECT # 01267.MCBRW.DES
 TANK # 005 FIELD A33
 BOOK _____

**WYNDGATE VILLAGE F
 PLAT FOUR**
 SHEET 1 OF 5
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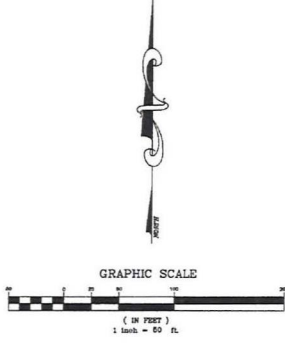
WYNDGATE VILLAGE F PLAT FOUR

A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 16,
AND U.S. SURVEY 417, TOWNSHIP 46 NORTH, RANGE 2 EAST,
ST. CHARLES COUNTY, MISSOURI



N/F
FIRST LAND COMPANY
OF ST. CHARLES COUNTY, INC.
3872/1625

SEE SHEET 3 OF 5



PICKETT, RAY & SILVER INC.
CIVIL ENGINEERING, LAND SURVEYING,
AND NATURAL RESOURCES SERVICES
St. Peters
25 First National Court
St. Peters, MO 65057
Phone (658) 387-1311 Fax (658) 387-1104
www.prs.com
Missouri
Professional Surveyor
No. 0000000000

**WYNDGATE VILLAGE F
PLAT FOUR**
Prepared For:
McBride Wyndgate, LLC
1601 SWINGLEY RIDGE ROAD
CHESTERFIELD, MO 63017
(314) 356-0348

REVISION	DATE	DESCRIPTION
1	07/29/2013	COMMENTS PER CITY AND CLIENT

DRAWN	DATE
DWD	08/25/14

CHECKED	DATE
D'S	08/25/14

PROJECT # 01267.MCOW.005
TASK # 005 FIELD BOOK 638

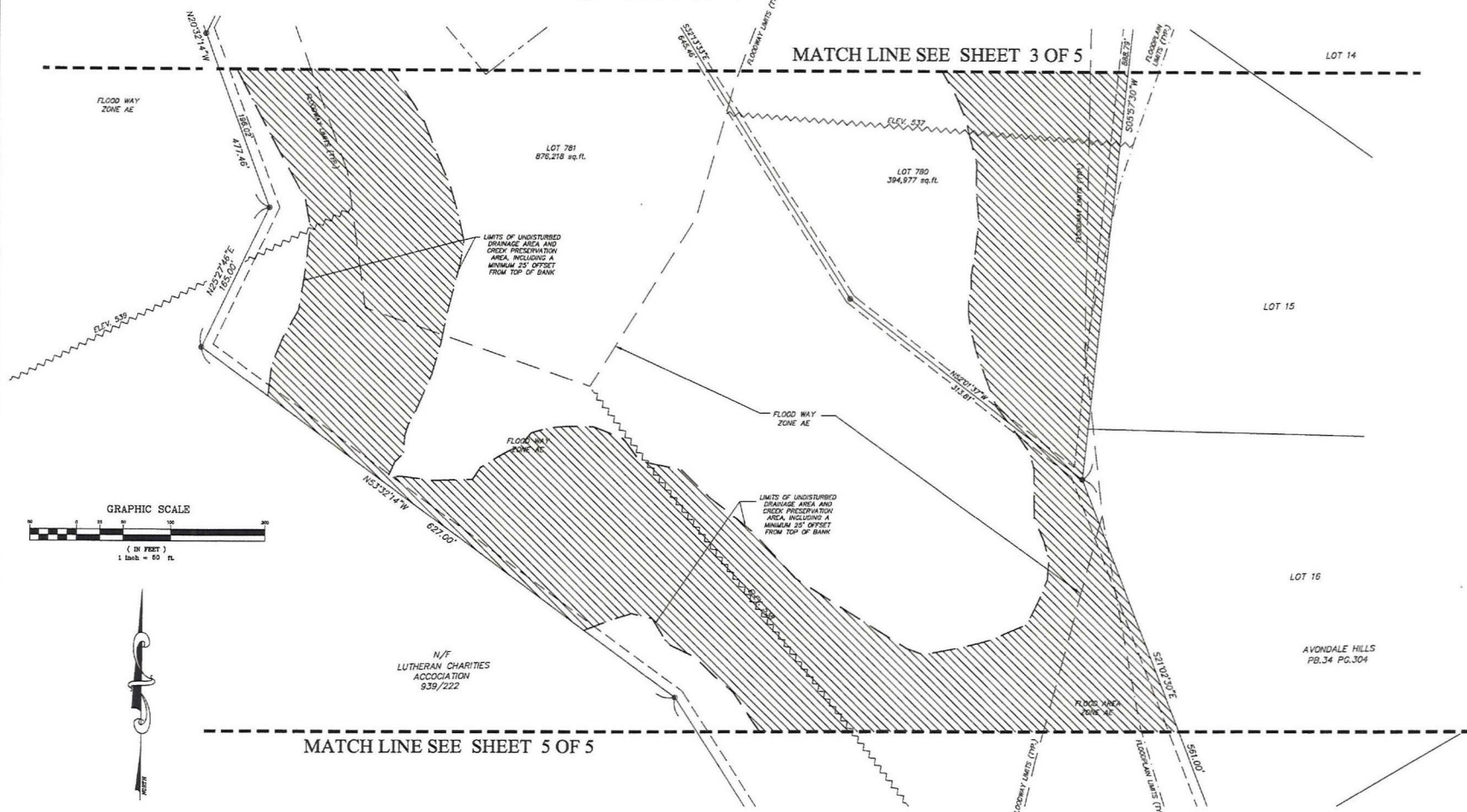
WYNDGATE VILLAGE F
PLAT FOUR
SHEET 2 OF 5
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WYNDGATE VILLAGE F PLAT FOUR

A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 16,
AND U.S. SURVEY 417, TOWNSHIP 46 NORTH, RANGE 2 EAST,
ST. CHARLES COUNTY, MISSOURI

SEE SHEET 3 OF 5

MATCH LINE SEE SHEET 3 OF 5



MATCH LINE SEE SHEET 5 OF 5

SEE SHEET 5 OF 5

PICKETT, RAY & SILVER INC.
CIVIL ENGINEERING, LAND SURVEYING,
AND NATURAL RESOURCES SERVICES
Barron, Missouri
222 S. Barron Court
St. Peters, MO 63276
Phone: (636) 397-1211 Fax: (636) 397-1104
www.prs.com 1-800-706-3918

**WYNDGATE VILLAGE F
PLAT FOUR**
Prepared for:
McBride Wyndgate, LLC
1601 SWINGLEY RIDGE ROAD
CHESTERFIELD, MO 63017
(314) 336-0248

NO.	DATE	DESCRIPTION
1	01/29/2015	COMMENTS PER CITY AND CLIENT

DRAWN	DWD	DATE	05/25/14
CHECKED	DFS	DATE	05/25/14
PROJECT #	01267-MCGRK-005	FIELD BOOK	838

WYNDGATE VILLAGE F
PLAT FOUR
SHEET **4** OF **5**

05/25/14/15/17/18-T-4

SEE SHEET 4 OF 5

WYNDGATE VILLAGE F PLAT FOUR

A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 16,
AND U.S. SURVEY 417, TOWNSHIP 46 NORTH, RANGE 2 EAST,
ST. CHARLES COUNTY, MISSOURI

AVONDALE HILLS
PB.34 PG.304

LOT 16

MATCH LINE SEE SHEET 4 OF 5

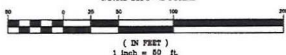
LOT 17

LOT 781
876,218 sq.ft.

N/F
LUTHERAN CHARITIES
ASSOCIATION
939/222

FLOOD WAY
ZONE AE

GRAPHIC SCALE



UNITS OF UNDISTURBED
DRAINAGE AREA AND
CREEK PRESERVATION
AREA, INCLUDING A
MINIMUM 25' OFFSET
FROM TOP OF BANK

FLOODWAY LIMITS (TYP.)

(OLD) SURV MAP 1000211

S47°05'20.15"E
201.69'

S44°32'30"E
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S44°32'30"E
361.00'

S44°32'30"E
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361.00'

PICKETT, RAY & SILVER INC.

CIVIL ENGINEERING, LAND SURVEYING,
AND NATURAL RESOURCES SERVICES

St. Peters, Missouri
28 E. Highway 100
St. Peters, MO 65276
Phone (636) 977-1111 Fax (636) 287-1104
www.prsinc.com 1-800-798-2818

**WYNDGATE VILLAGE F
PLAT FOUR**

Prepared For:
McBride Wyndgate, LLC
1601 SWINGLEY RIDGE ROAD
CHESTERFIELD, MO 63017
C1933162048

REVISION	DATE	DESCRIPTION
1	01/29/2015	COMMENTS PER CITY AND CLIENT

DRAWN	DATE
DWD	08/25/14

CHECKED	DATE
DCS	08/25/14

PROJECT #	FIELD BOOK
01257.MCDM.002	438

WYNDGATE VILLAGE F
PLAT FOUR
SHEET 5 OF 5

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01257.FPD/2/15/2015-P-4