

Memorandum Department of Planning & Public Works

To: Planning and Public Works Committee
From: Aimee E. Nassif, Planning and Development Services Director
Date: January 5, 2017
RE: Establishment of Sewer Easement

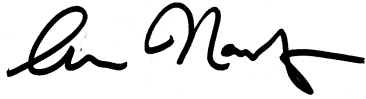
Summary

Watermark at Chesterfield Village Mo, Residential LLC was recently approved to build a new multi-family development at 16300 Lydia Hill Drive. As part of the development requirements for this new project, Watermark is required to provide the necessary infrastructure and public improvements, which includes addressing storm water. For this development, a storm water pipe must be installed with a portion of said pipe located on the adjacent property, which is owned by the City. Therefore, a sewer easement must be established. As shown on the attached exhibit, said easement is approximately 10 feet in width and approximately 38 feet in length. The City has also required and the developer agreed, that all costs and responsibilities for the storm sewer pipe installation, construction, maintenance, or repair is solely the responsibility of the developer and not the City's.



Attached is a copy of the Easement Agreement, Ordinance establishing the Easement and Easement Plat. Should this Committee recommend approval of this easement, the matter will be forwarded to the next City Council meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Aimee Nassif". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aimee E. Nassif, AICP
Planning and Development Services Director

E A S E M E N T

TO WHOM IT MAY CONCERN:

KNOW ALL MEN BY THESE PRESENTS. That The City of Chesterfield, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to it in hand paid by Watermark at Chesterfield Village Mo, Residential LLC, the receipt of which is hereby acknowledged, do(es) hereby give, grant, extend, and confer on Watermark at Chesterfield Village Mo, Residential LLC the exclusive right to build and maintain a sewer or sewers, including stormwater improvements, on the strip or strips of ground described as shown hachured on the attached "Easement Plat" marked Exhibit "A" and made a part hereof, and to use such additional space adjacent to the easement(s) so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned sewer or sewers, including stormwater improvements. Watermark at Chesterfield Village Mo, Residential LLC may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforesaid sewer or sewers, including stormwater improvements, and may assign its rights herein to the State, County, City, or other political subdivisions of the State. The easement(s) hereby granted is(are) irrevocable and shall continue forever.

IN WITNESS WHEREOF, the said City of Chesterfield has caused these presents to be signed by its Mayor this ____ day of _____, 20 ____.

By _____ City of Chesterfield

Name _____ Bob Nation
Title _____ Mayor

Attest:

Vickie Hass, City Clerk

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

On this ____ day of _____, 20____, before me appeared Bob Nation to me personally known, who being by me duly sworn, did say he is Mayor of the City of Chesterfield Mo, and that said instrument was signed in behalf of said corporation by authority of its City Council, and said Bob Nation acknowledged said instrument to be the 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 first above written. My commission expires _____.

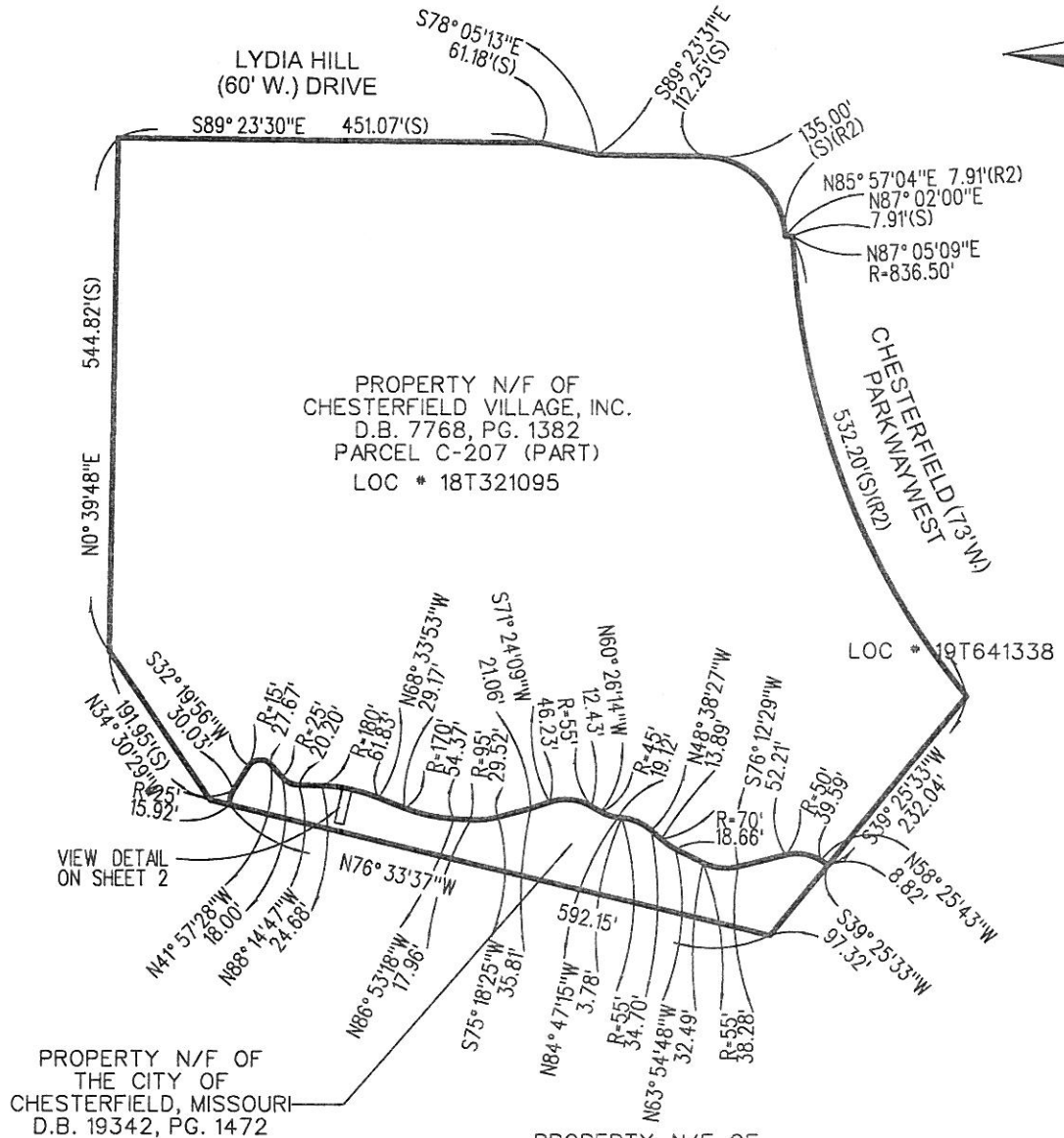
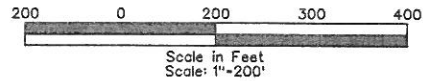
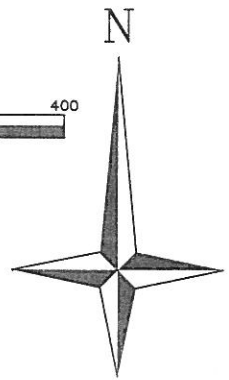


EXHIBIT "A" 1 OF 2

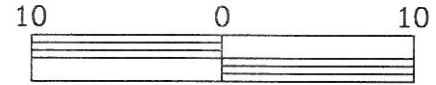
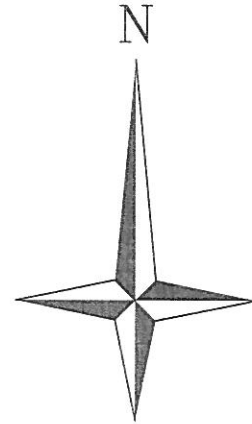
LOC * 19T641152

INITIAL:

EASEMENT PLAT
A TRACT OF LAND BEING PART OF LOT 2 OF
"BOUNDARY ADJUSTMENT PLAT CHESTERFIELD
VILLAGE AREA A" (P.B. 158, PGS. 88 & 89)
IN U.S. SURVEY 2002, T. 45 N. - R. 4 E.
CITY OF CHESTERFIELD ST. LOUIS COUNTY, MISSOURI

LEGEND

R.B. RADIAL BEARING
R RADIUS



Scale in Feet
Scale: 1"=10'

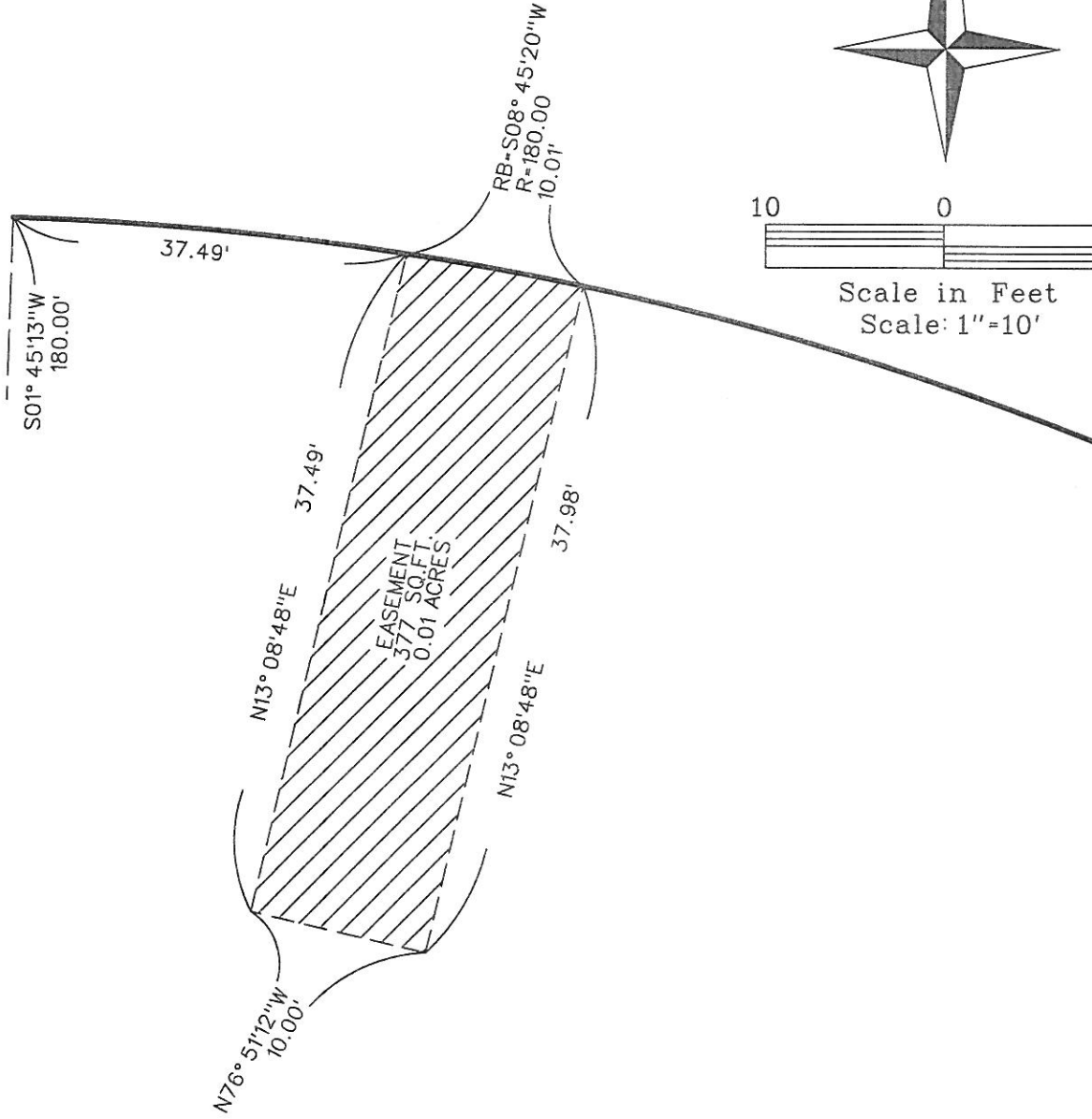


EXHIBIT "A" 2 OF 2

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CITY OF CHESTERFIELD ST. LOUIS COUNTY, MISSOURI

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A STORM SEWER EASEMENT IN CONJUNCTION WITH THE DEVELOPMENT OF A MULTI-FAMILY DEVELOPMENT AT 16300 LYDIA HILL DRIVE. (18T321095).

WHEREAS, Watermark at Chesterfield Village Mo, Residential LLC is constructing a new multi-family development at 16300 Lydia Hill Drive; and

WHEREAS, As part of the development requirements for said project, Watermark at Chesterfield Village Mo, Residential LLC is requesting a sewer easement on City of Chesterfield Property at 16302 Lydia Hill Drive (19T641338); and

WHEREAS, Currently, storm water flows across this property into Lake One of Chesterfield Village, and after the development is constructed a storm water pipe will be installed within the proposed easement to serve the development at 16300 Lydia Hill Drive (18T321095) and will be discharged directly into Lake One of Chesterfield Village; and

WHEREAS, Watermark at Chesterfield Village Mo, Residential LLC will install and maintain the sewer improvements that are installed as part of this development; and

WHEREAS, the Department of Public Services has reviewed the request and has determined that said request meets all applicable regulations and the easement will have no adverse effect on the City of Chesterfield.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Chesterfield hereby authorizes the Mayor to execute the attached easement as depicted and described in Exhibit “A” are attached hereto and made part of hereof.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 20__.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vicki Hass, CITY CLERK

FIRST READING HELD _____