

Memorandum

Department of Public Works



TO: Michael O. Geisel, PE
City Administrator

cc: James A. Eckrich, PE
Director of Public Works / City Engineer

Justin Wyse, AICP, PTP
Director of Planning

Zachary S. Wolf, PE
Assistant City Engineer

FROM: Jeff Paskiewicz, PE *JSP*
Senior Civil Engineer

DATE: October 20, 2023

RE: Public Street Acceptance
Burkhardt Place

Public Works staff recently conducted an inspection of a portion of the Burkhardt Place which was constructed in association with the Wildhorse Village subdivision. Based on the inspection, we have determined that the portion of Burkhardt Place, as described below, meets the City of Chesterfield's design and construction standards for acceptance as public street:

(1) Burkhardt Place:	Approximately 2,417 feet; from Intersection of Wildhorse Creek Road to approximately 885 feet west of the intersection of Burkhardt Place and Veteran's Place Deed Book 23588, Page 3666
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A draft ordinance and a map showing the location of the above referenced street and the associated right-of-way dedication are attached.

Action Recommended

I recommend forwarding the acceptance of the above-referenced street and associated sidewalks to the Planning and Public Works Committee for its consideration. If the Planning and Public Works Committee recommends approval, the matter should be forwarded to City Council for consideration.

Please forward to PPW for review and concurrence to the full Council.

Michael O. Geisel 2023-11-2 1 | Page

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE PERTAINING TO THE ACCEPTANCE OF BURKHARDT PLACE AS A PUBLIC STREET IN THE CITY OF CHESTERFIELD

WHEREAS, the City of Chesterfield has approved the construction of the Wildhorse Village Subdivision; and

WHEREAS, Burkhardt Place was intended to be a public street and was therefore constructed to the design standards of the Department of Public Works of the City of Chesterfield; and

WHEREAS, Wildhorse Village LP has completed the required street improvements associated with Wildhorse Village as they relate to Burkhardt Place.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, AS FOLLOWS:

Section 1. The following street is hereby accepted by the City of Chesterfield for future care and maintenance:

- (1) Burkhardt Place: Approximately 2,417feet; from
Intersection of Wildhorse Creek Road to
approximately 885 feet west of the
intersection of Burkhardt Place and
Veteran’s Place
Deed Book 23588, Page 3666

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

Passed and approved this _____ day of _____, 2023.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD:



* 2 0 1 9 0 6 2 8 0 0 6 4 3 *

GERALD E. SMITH, RECORDER OF DEEDS
ST. LOUIS COUNTY MISSOURI
41 SOUTH CENTRAL, CLAYTON, MO 63105

TYPE OF INSTRUMENT: **ESMT**
GRANTOR: **CHESTERFIELD VILLAGE INC.**
TO: **CITY OF CHESTERFIELD MO**
GRANTEE: **CITY OF CHESTERFIELD MO**

PROPERTY DESCRIPTION: **CHESTERFIELD VILLAGE AREA - BDRY ADJ. L: PT 4 PB: 158 PG: 88**

Lien Number

Notation

Locator

NOTE: I, the undersigned Recorder of Deeds, do hereby certify that the information shown on this Certification Sheet as to **TYPE OF INSTRUMENT**, the **NAMES of the GRANTOR and GRANTEE** as well as the **DESCRIPTION of the REAL PROPERTY** affected is furnished merely as a convenience only, and in the case of any discrepancy of such information between this Certification Sheet and the attached Document, the **ATTACHED DOCUMENT governs**. Only the **DOCUMENT NUMBER**, the **DATE and TIME** of filing for record, and the **BOOK and PAGE** of the recorded Document is taken from this **CERTIFICATION SHEET**.

RECORDER OF DEEDS DOCUMENT CERTIFICATION

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

Document Number
00643

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 7 pages, (this page inclusive), was filed for record in my office on the 28 day of June 2019 at 04:23PM and is truly recorded in the book and at the page number printed above.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.

RE
Deputy Recorder



Gerald E. Smith
Recorder of Deeds
St. Louis County, Missouri

Mail to:

St. Louis Title, LLC (CM)
7701 Forsyth Blvd
Suite 200
Clayton, MO 63105

Destination code: **4001**

RECORDING FEE 39.00
(Paid at the time of Recording)

12332572-4 [SPACE ABOVE LINE RESERVED FOR RECORDER'S OFFICE]

1. Title of Document: Right-of-Way Dedication – Burkhardt Place
2. Date of Document: As of June 27, 2019
3. Grantor: Chesterfield Village, Inc.,
a Missouri corporation
400 Chesterfield Center, Suite 600
Chesterfield, Missouri 63017
4. Grantee: City of Chesterfield, Missouri,
a municipal corporation and political subdivision
of the State of Missouri
690 Chesterfield Pkwy. W
Chesterfield, Missouri 63017-0760
5. Legal Description: See Exhibit A
6. Reference Book and Page(s): N/A

This cover page is attached solely for the purpose of complying with the requirements stated in §§ 59.310.2; 59.313.2 RSMo 2001 of the Missouri Recording Act. The information provided on this cover page shall not be construed as either modifying or supplementing the substantive provisions of the attached Right-of-Way Dedication – Burkhardt Place. In the event of a conflict between the provisions of the attached Right-of-Way Dedication – Burkhardt Place and the provisions of this cover page, the attached Right-of-Way Dedication – Burkhardt Place shall prevail and control.

RIGHT-OF-WAY DEDICATION – BURKHARDT PLACE

As a contribution, Chesterfield Village, Inc., a Missouri corporation ("GRANTOR"), as the owner of that certain real property located in St. Louis County, Missouri, described on Exhibit A attached hereto and incorporated herein by reference (the "Roadway Parcel"), does hereby establish and dedicate the Roadway Parcel to the City of Chesterfield, Missouri, a municipal corporation and political subdivision of the State of Missouri ("GRANTEE"), for the use and benefit of the public including, but not limited to, as a perpetual right-of-way and easement for the passage and accommodation of vehicular and pedestrian traffic, for the construction, operation, use, maintenance, inspection, repair, alteration and replacement of a paved road within the boundaries of the Roadway Parcel and for all other purposes for which a public street, right-of-way and easement is commonly used including, without limitation, all uses permitted by the laws of the State of Missouri and the GRANTEE's ordinances.

GRANTOR hereby covenants, agrees and warrants that it is lawfully seized and possessed on the Roadway Parcel, that it has good and lawful right to dedicate the Roadway Parcel, and that the Roadway Parcel is free and clear of all liens and encumbrances.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, this Right-of-Way Dedication is executed as of the 7th day of June, 2019.

GRANTOR:

CHESTERFIELD VILLAGE, INC.,
a Missouri corporation

BY: Ami E. Kutz
Ami E. Kutz, Vice President

BY: Melissa Jerome
Melissa Jerome, Secretary

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

On this 7 day of June, 2019, before me, a Notary Public in and for said state, personally appeared Ami E. Kutz, Vice President of Chesterfield Village, Inc., a Missouri corporation, known to me to be the person who executed the within Right-of-Way Dedication and acknowledged to me that 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.

JENNY BRYAN
Notary Public - Notary Seal
STATE OF MISSOURI
Commissioned for St. Louis County
My Commission Expires: 01/24/2021
ID. #1237708

ID. # 1237708

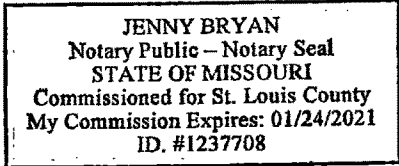
Jenny Bryan
Notary Public
Jenny Bryan

[SIGNATURE PAGE TO RIGHT-OF-WAY DEDICATION]

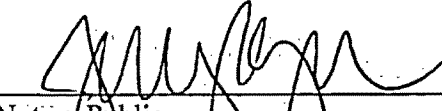
STATE OF MISSOURI)
) ss.
COUNTY OF ST. LOUIS)

On this 7 day of June, 2019, before me, a Notary Public in and for said state, personally appeared Melissa Jerome, Secretary of Chesterfield Village, Inc., a Missouri corporation, known to me to be the person who executed the within Right-of-Way Dedication and acknowledged to me that 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.



ID.# 1237708



Notary Public
Jenny Bryan

CERTIFICATE OF ACCEPTANCE BY GRANTEE

This is to certify that the rights, privileges and interests dedicated by the foregoing Right-of-Way Dedication (the "Dedication") by Chesterfield Village, Inc., a Missouri corporation ("Grantor"), to the City of Chesterfield, Missouri, a municipal corporation and political subdivision of the State of Missouri ("Grantee"), have been duly accepted by Grantee, subject to all terms and conditions contained therein, and Grantee has consented to recordation of the Deed.

Dated: As of June 11, 2019

CITY OF CHESTERFIELD, MISSOURI,
a municipal corporation and political subdivision
of the State of Missouri

BY: *Michael Geisel*
Michael Geisel, City Administrator

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

On this 11th day of June, 2019, before me, a Notary Public in and for said state, personally appeared Michael Geisel, City Administrator of the City of Chesterfield, Missouri, a municipal corporation and political subdivision of the State of Missouri, known to me to be the person who executed the within Special Warranty Deed in behalf of said corporation and acknowledged to me that he/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.

AMANDA LEIGH MILLER
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Charles County
My Commission Expires: December 08, 2019
Commission Number: 15338762

A. Miller
Notary Public *Amanda Leigh Miller*

Comm.# 15338462

EXHIBIT A

A strip of land of varying width, being part of Lot 4 of "Boundary Adjustment Plat Chesterfield Village Area A," according to the plat thereof recorded in Plat Book 158 pages 88 and 89 of the St. Louis County Records, part of Adjusted Parcel C254C of "C148 and C254C Boundary Adjustment Plat," according to the plat thereof recorded in Plat Book 360 page 189 of the St. Louis County Records, and in U.S. Surveys 415 and 2031, Township 45 North – Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Commencing at a point in the South line of U.S. Survey 2031, being the Southeast corner of said Adjusted Parcel C254C of "C148 and C254C Boundary Adjustment Plat"; thence Northwardly along the Easternmost line of said Adjusted Parcel C254C, North 06 degrees 56 minutes 30 seconds East 255.33 feet to the Northeast corner thereof, said point being also in a Southeast line of right of way dedicated by "Wild Horse Creek Road Dedication Plat," according to the plat thereof recorded in Plat Book 354 pages 865 and 866 of the St. Louis County Records; thence Southwestwardly and Southwardly along a Northwest and a West line of said Adjusted Parcel C254C, being also along said right of way dedicated by "Wild Horse Creek Road Dedication Plat", along a curve to the left whose radius point bears South 20 degrees 48 minutes 28 seconds East 84.61 feet from the last mentioned point, a distance of 89.04 feet and South 08 degrees 53 minutes 55 seconds West 9.88 feet to the ACTUAL POINT OF BEGINNING; thence along a curve to the left whose radius point bears South 81 degrees 06 minutes 05 seconds East 345.00 feet from the last mentioned point, a distance of 294.86 feet to a point; thence along a curve to the right whose radius point bears South 49 degrees 55 minutes 50 seconds West 985.00 feet from the last mentioned point, a distance of 900.59 feet to a point; thence along a curve to the left whose radius point bears South 77 degrees 41 minutes 01 second East 345.00 feet from the last mentioned point, a distance of 697.80 feet to a point; thence North 76 degrees 25 minutes 47 seconds East 99.72 feet to a point; thence along a curve to the right whose radius point bears South 13 degrees 34 minutes 13 seconds East 826.50 feet from the last mentioned point, a distance of 244.40 feet to a point; thence South 03 degrees 22 minutes 22 seconds West 8.50 feet to the Northwest corner of Burkhardt Place, 43 feet wide, as dedicated on the plat of "YMCA", a subdivision according to the plat thereof recorded in Plat Book 283 page 37 of the St. Louis County Records; thence Southwardly along the West line of said Burkhardt Place, 43 feet wide, South 03 degrees 22 minutes 22 seconds West 43.00 feet to the Southwest corner thereof, being also a point in the North line of the Adjusted YMCA Parcel of the "YMCA Boundary Adjustment Plat," according to the plat thereof recorded in Plat Book 360 page 236 of the St. Louis County Records; thence Westwardly along the North line of said Adjusted YMCA Parcel, along a curve to the left, whose radius point bears South 03 degrees 22 minutes 22 seconds West 775.00 feet from the last mentioned point, a distance of 342.58 feet to a point; thence leaving said North line, along a curve to the right whose radius point bears North 11 degrees 41 minutes 29 seconds West 405.00 feet from the last mentioned point, a distance of 805.87 feet to a point; thence along a curve to the left whose radius point bears North 77 degrees 41 minutes 01 second West 925.00 feet from the last mentioned point, a distance of 845.73 feet to a point; thence along a curve to the right whose radius point bears North 49 degrees 55 minutes 51 seconds East 405.00 feet from the last mentioned point, a distance of 346.13 feet to a point in a North line of the aforesaid Adjusted Parcel C254C of "C148 and C254C Boundary Adjustment Plat", said point being also in a South line of right of way dedicated by the aforesaid "Wild Horse Creek Road Dedication Plat"; thence Eastwardly along said North line of Adjusted Parcel C254C, being also along a South line of said right of way dedicated by "Wild Horse Creek Road Dedication Plat", South 81 degrees 06 minutes 05 seconds East 60.00 feet to the actual point of beginning and containing 3.1 acres according to calculations by Volz Inc. on May 24, 2018.

Burkhardt Place

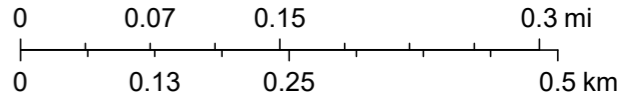


Portion of Burkhardt Place constructed as part of Wildhorse Village

10/20/2023, 1:34:23 PM

Parcels

1:9,000



Esri, Inc., City of Chesterfield, Missouri