

BILL NO. 3484

ORDINANCE NO. 3273

AN ORDINANCE VACATING AN EASEMENT ON ADJUSTED LOT DD OF BOUNDARY ADJUSTMENT PLAT OF ADJUSTED LOTS A, B, D, AND E OF WILD HORSE HEIGHTS SUBDIVISION PLAT BOOK 348, PAGE 415 AND A TRACT OF LAND IN U.S. SURVEYS 153 AND 164, TOWNSHIP 45 NORTH, RANGE 3 EAST, AS RECORDED IN PLAT BOOK 352 PAGE 82-83 OF THE ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a petition has been filed by the ALTEA Land Surveyors on behalf of SM Properties LLC, requesting the City to vacate an easement on said tracts of land; and,

WHEREAS, SM Properties LLC, owns the properties on which the easement is located and has no need for the easement; and,

WHEREAS, the Departments of Planning and Public Works have reviewed the petition and have determined that said petition meets all applicable regulations and that the vacation 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 approves the utility easement vacation located on adjusted Lot DD of Boundary Adjustment Plat of adjusted lots A, B, D, and E of Wild Horse Heights subdivision plat book 348, page 415 and a tract of land in u.s. surveys 153 and 164, township 45 north, range 3 east, as recorded in plat book 352 page 82-83 of the St. Louis County, Missouri records, as described in Exhibit 2, which is attached hereto and made part of hereof; and

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the vacation of this utility easement by affixing their signatures and the Official Seal of the City of Chesterfield to a Certificate of Approval as required on said documents. The petitioner is required and directed to record this easement vacation with the Saint Louis County Recorder of Deeds Office; and

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 2nd day of January, 2024.

Bob Nation
PRESIDING OFFICER

Bob Nation
Bob Nation, MAYOR

ATTEST:

Vickie McGownd
Vickie McGownd, CITY CLERK

FIRST READING HELD: 01/02/2024

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: January 2, 2023

RE: **Vacation of Easement:** A request to vacate the utility easement situated on parcels 227 and 235 Fick Farm Road of Wild Horse Heights Subdivision. The site is located in Ward 4.



Summary

The ALTEA Land Surveyors, on behalf of SM Properties LLC, has submitted a request to vacate the 35' wide utility easement situated on parcels 227 and 235 Fick Farm Road of Wild Horse Height Subdivision. The utility easement overlaps the Roadway easement. The Applicant is requesting to vacate only the utility easement; roadway easement will remain in place. The existing utility easement is also dedicated to multiple utility companies. The City has received easement releases from



Figure 1: Site Aerial

AT&T, Charter Communications Entertainment I, LLC, Missouri American

Water company, Ameren, Metropolitan St. Louis Sewer District, and Spire. The survey showing the easement to be vacated is attached with this memo.

As per City of Chesterfield Planning & Public Works Procedure Number PPW-1053, the petition was published in the St. Louis Countian Newspaper fifteen (15) days prior to the City Council meeting. Staff did not receive any objection or concerns related to the petition.

Attachments:

- Legislation
- Public Notice
- Petition

NOTICE OF VACATION OF EASEMENT

NOTICE IS HEREBY GIVEN that the City of Chesterfield has received a petition to partially vacate the easement situated in the City of Chesterfield, Missouri. Should anyone have an interest in this, please contact Shilpi Bharti, Planner at 636-537-4743 or email at Sbharti@chesterfield.mo.us. The legal description of the property to be vacated is as follows:

Vacation utility easement located on adjusted lot DD and adjusted lot EE of Boundary Adjustment Plat of adjusted lots A, B, D and E of Wild Horse Heights a Boundary Adjustment Plat, plat book 348 page 415 and A tract of land in U.S. surveys 153 and 164, Township 45 north, range 3 east, as recorded in plat book 352 page 82 - 83 of the St. Louis County records and further described as follows.

Commencing at the northeastern corner of adjusted lot DD of Boundary Adjustment Plat of adjusted lots A, B, D and E of Wild Horse Heights a Boundary Adjustment Plat, plat book 348 page 415 and a tract of land in U.S. surveys 153 and 164, township 45 north, range 3 east, as recorded in plat book 352 page 82 - 83 of the St. Louis County records; thence along the northern line of adjusted lot DD, south 89 degrees 55 minutes 33 seconds west, 526.82 feet to the point of beginning; thence continuing along the northern line of adjusted lot DD and adjusted lot EE of said subdivision, south 89 degrees 55 minutes 33 seconds west, 496.87 feet; thence continuing along the lot line of adjusted lot EE, north 11 degrees 12 minutes 11 seconds west, 46.97 feet; thence departing from said line, south 78 degrees 22 minutes 45 seconds west 20.00 feet, thence south 11 degrees 12 minutes 11 seconds east, 78.56 feet; thence north 89 degrees 55 minutes 33 seconds east 396.20 feet to a point of tangency; thence along a curve to the right, having a radius of 20.00 feet, a chord bearing of south 44 degrees 35 minutes 01 seconds east, 28.53 feet, and an arc distance of 31.76 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 64.00 feet, a chord bearing of north 59 degrees 29 minutes 00 seconds east, a chord distance of 109.23 feet, and an arc distance of 271.26 feet to the point of beginning.

LEGEND

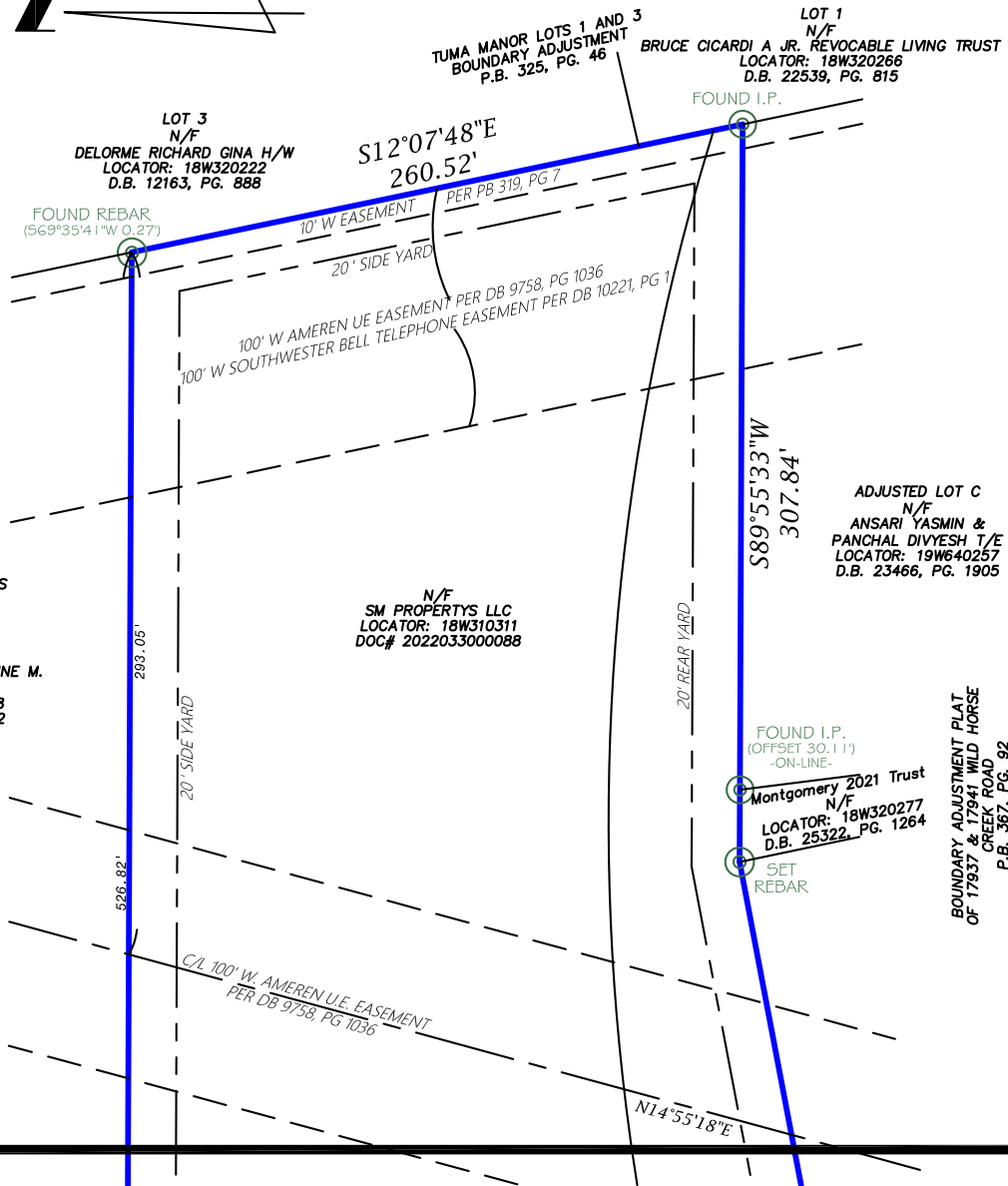


EASEMENT
VACATION AREA
(HATCHED)



MATCH LINE A:A

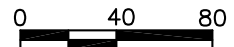
MATCH LINE A:A



SHEET 1 OF 3

EXHIBIT "A"

SCALE: 1" = 80'



UTILITY EASEMENT VACATION
ADJUSTED LOT AE OF CONSOLIDATION OF ADJUSTED LOT DD
AND ADJUSTED LOT EE OF BOUNDARY ADJUSTMENT PLAT OF
ADJUSTED LOTS A,B,D AND E OF WILD HORSE HEIGHTS, A
BOUNDARY ADJUSTMENT PLAT PER PLAT BOOK 371, PAGE 379
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



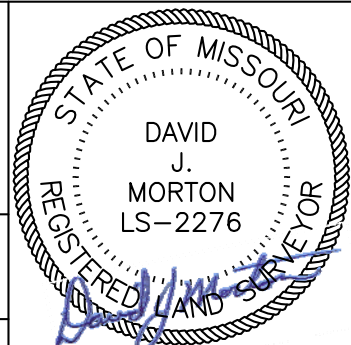
ALTEA, LLC
Consulting Land Surveyors
3906 S. OLD HWY 94, SUITE 600
ST. CHARLES, MO 63304
PHONE: (636) 477-6000
WWW.ALTEALS.COM
CERTIFICATE OF AUTHORITY:
2013023731
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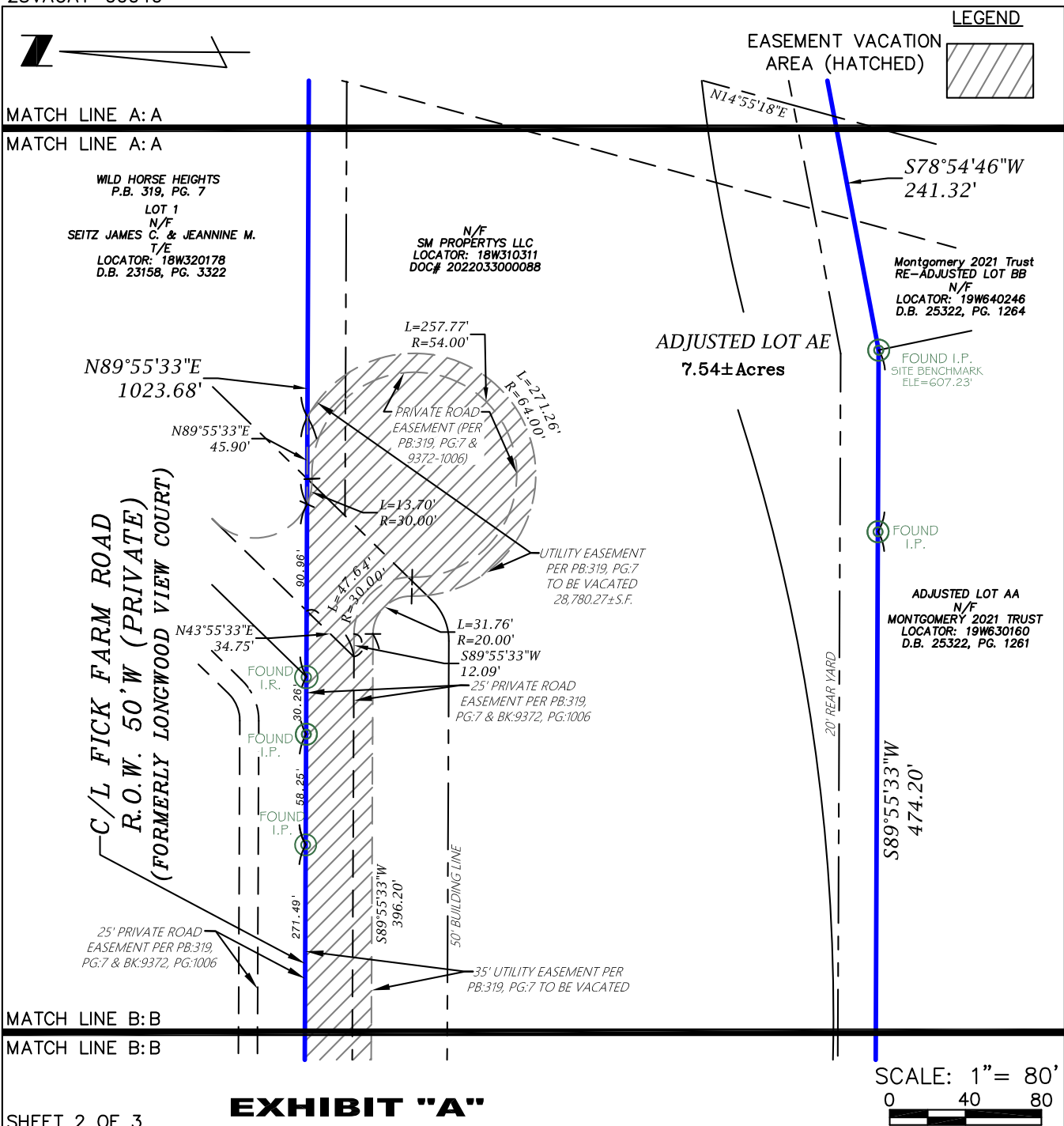
LEGEND

(R)-RECORDED SUBDIVISION
(D)-RECORDED DEED
(C)-CALCULATED

BK-BOOK
PG-PAGE

DAVID J. MORTON, P.L.S. MISSOURI
LICENSE NO. LS-2276
DATE: 10/13/23





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<p>ALTEA, LLC</p> <p>Consulting Land Surveyors</p> <p>3906 S. OLD HWY 94, SUITE 600</p> <p>ST. CHARLES, MO 63304</p> <p>PHONE: (636) 477-6000</p> <p>WWW.ALTEALS.COM</p> <p>CERTIFICATE OF AUTHORITY:</p> <p>2013023731</p> <p>© 2023 ALTEA, LLC</p>		<p>LEGEND</p> <p>(R)–RECORDED SUBDIVISION</p> <p>(D)–RECORDED DEED</p> <p>(C)–CALCULATED</p> <p>BK–BOOK</p> <p>PG–PAGE</p> <p>DAVID J. MORTON, P.L.S. MISSOURI</p> <p>LICENSE NO. LS-2276</p> <p>DATE: 10/13/23</p>		