

Bill No. 5278

Ordinance No. 24-032

Requested by: John Lyons

Sponsored by: Joe Brazil

AN ORDINANCE VACATING A DRAINAGE
EASEMENT ON WILDFLOWER ESTATE
COMMON GROUND C

WHEREAS, St. Charles County Highway Department acquired the Drainage Easement for the Interstate Drive, Phase IV project; and

WHEREAS, one of the easements acquired by St. Charles County for the Interstate Drive IV project was a permanent drainage easement adjacent to the road that is shown on the plat attached hereto as Exhibit A and described in the legal description attached hereto as Exhibit B; and

WHEREAS, the consultant for the Bax Engineering Co. Inc., has provided documents showing the location of the permanent drainage easement; and

WHEREAS, The developer has built detention areas and reworked the storm systems in the newly annexed property along Interstate Drive, making the Permanent Drainage Easement unnecessary; and

WHEREAS, St. Charles County Charter, Section 2.518 authorizes the County Council to dispose of any real property interest owned by the County under certain conditions; and

WHEREAS, the permanent drainage easement is no longer required due to development of the property which includes re-engineering of the storm water drainage systems; and

WHEREAS, Bax Engineering has relocated the utilities in this easement, and the City of Wentzville has been dedicated to maintaining them; and

WHEREAS, the County Highway Engineer has approved this vacation request; and

WHEREAS, the public will not be injured by the vacation because the site development eliminates the need for a public drainage structure in the area of such drainage easement.

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

- Section 1. Pursuant to St. Charles County Charter, Section 2.518, the County Council hereby approves the vacation of the drainage easement on Main Street as requested by Stock & Associates Consulting Engineers, Inc.
- Section 2. The drainage easement shown on the plat attached hereto as **EXHIBIT A** and described in the legal description attached hereto as **EXHIBIT B** is hereby vacated.
- Section 3. The St. Charles County Executive is hereby authorized to execute any documents required to confirm vacation of the drainage easement.
- Section 4. The County Registrar is hereby directed to record a certified copy of this Ordinance, with attached exhibits, with the office of the Recorder of Deeds.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

March 25, 2024
DATE PASSED

April 5, 2024
DATE APPROVED BY COUNTY EXECUTIVE

T. Hallander
CHAIR OF THE COUNCIL

[Signature]
COUNTY EXECUTIVE

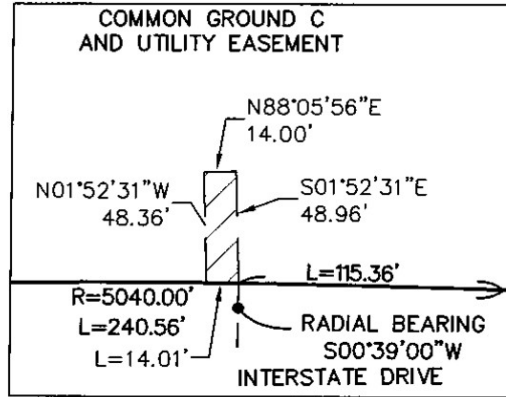
ATTEST:

[Signature]
COUNTY REGISTRAR

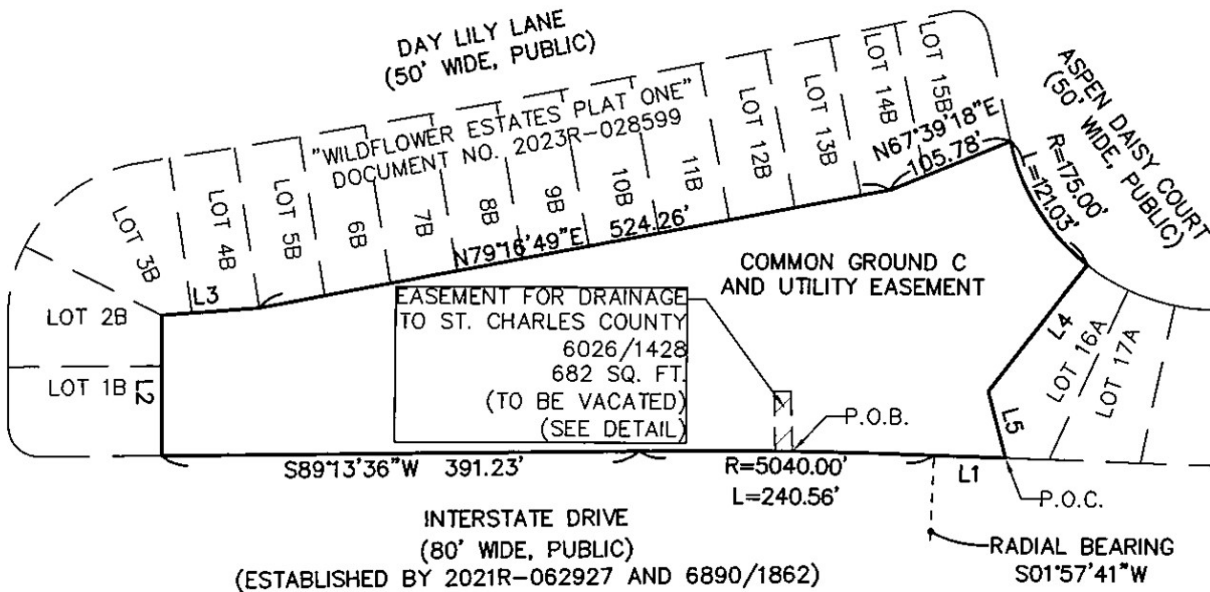


EXHIBIT A

Line Table		
Line #	Length	Direction
L1	58.28'	N88°02'19"W
L2	114.07'	N00°46'24"W
L3	80.44'	N85°41'04"E
L4	130.14'	S37°46'29"W
L5	55.93'	S14°59'40"E



DETAIL: 1"=80'



BAX ENGINEERING CO.
221 POINT WEST BLVD.
ST. CHARLES, MO 63301
636-928-5552

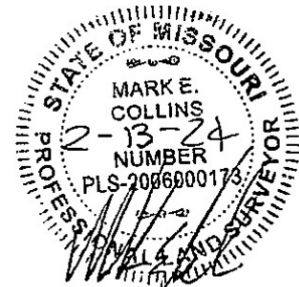
GENERAL NOTES:

1. BASIS OF BEARINGS ADOPTED FROM "WILDFLOWER ESTATES PLAT ONE" DOCUMENT NO. 2023R-028599.
2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

EXHIBIT A
DATE: 02/13/24
DRAWN: GAW
SCALE: 1"=80'
PROJECT: 21-18480
FILE: 18480PDEVAC1
SHEET: 1 OF 1
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144

DRAINAGE EASEMENT VACATION

A TRACT OF LAND BEING PART OF
COMMON GROUND C AND
UTILITY EASEMENT OF
"WILDFLOWER ESTATES PLAT ONE"
DOCUMENT NO. 2023R-028599,
TOWNSHIP 47 NORTH, RANGE 1 EAST
CITY OF WENTZVILLE,
ST. CHARLES COUNTY, MISSOURI



MARK E. COLLINS
PROFESSIONAL LAND SURVEYOR
PLS NO 2006000173

EXHIBIT B

LAND DESCRIPTION
682 SQUARE FEET
FEBRUARY 13, 2024
BAX PROJECT NO. 21-18480
GAW

PERMANENT DRAINAGE EASEMENT VACATION

A TRACT OF LAND BEING PART OF COMMON GROUND C AND UTILITY EASEMENT OF "WILDFLOWER ESTATES PLAT ONE", A SUBDIVISION ACCORDING TO DOCUMENT NO. 2023R-028599 OF THE ST. CHARLES COUNTY RECORDS, TOWNSHIP 47 NORTH, RANGE 1 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WENTZVILLE, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 16A OF SAID "WILDFLOWER ESTATES PLAT ONE", SAID POINT BEING ALSO IN THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE DRIVE (80 FEET WIDE); THENCE ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF INTERSTATE DRIVE (80 FEET WIDE), NORTH 88 DEGREES 02 MINUTES 19 SECONDS WEST 58.28 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 01 DEGREES 57 MINUTES 41 SECONDS WEST 5040.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 115.36 FEET TO THE ACTUAL POINT OF BEGINNING OF THE DESCRIPTION HEREIN; THENCE CONTINUING ALONG THE SAID NORTH RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 00 DEGREES 39 MINUTES 00 SECONDS WEST 5040.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 14.01 FEET TO A POINT; THENCE LEAVING THE SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 01 DEGREES 52 MINUTES 31 SECONDS WEST 48.36 FEET; NORTH 88 DEGREES 05 MINUTES 56 SECONDS EAST 14.00 FEET; AND SOUTH 01 DEGREES 52 MINUTES 31 SECONDS EAST 48.96 FEET TO THE POINT OF BEGINNING, CONTAINING 682 SQUARE FEET ACCORDING TO CALCULATIONS BY BAX ENGINEERING COMPANY DURING FEBRUARY, 2024.

