

Bill No. 13794

Ordinance No. 24-031

Sponsor: Michael Galba

AN ORDINANCE FINDING AND DECLARING THE ACQUISITION OF CERTAIN LAND AND REAL PROPERTY INTERESTS FOR THE FOUNTAIN LAKES PARK CONNECTOR TRAIL PROJECT IS NECESSARY FOR MUNICIPAL PURPOSES AND AUTHORIZING ACQUISITION OF SAID LAND AND REAL PROPERTY INTERESTS.

Be it Ordained by the Council of the City of St. Charles, Missouri, as Follows:

SECTION 1. The acquisition of land and real property interests by purchase, donation, or the exercise of the power of eminent domain for the Fountain Lakes Park Connector Trail Project, to connect Fountain Lakes Park North and Fountain Lakes Park South, is declared to be necessary for municipal purposes and the acquisition of the property interests is authorized.

SECTION 2. The Mayor is authorized to perform all acts necessary to acquire the property interests described in Section 1, and as generally depicted in Exhibit 1 attached hereto and incorporated herein.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

March 19, 2024
Date Passed

Vince F. Hatchford
Vince Hatchford, Presiding Officer

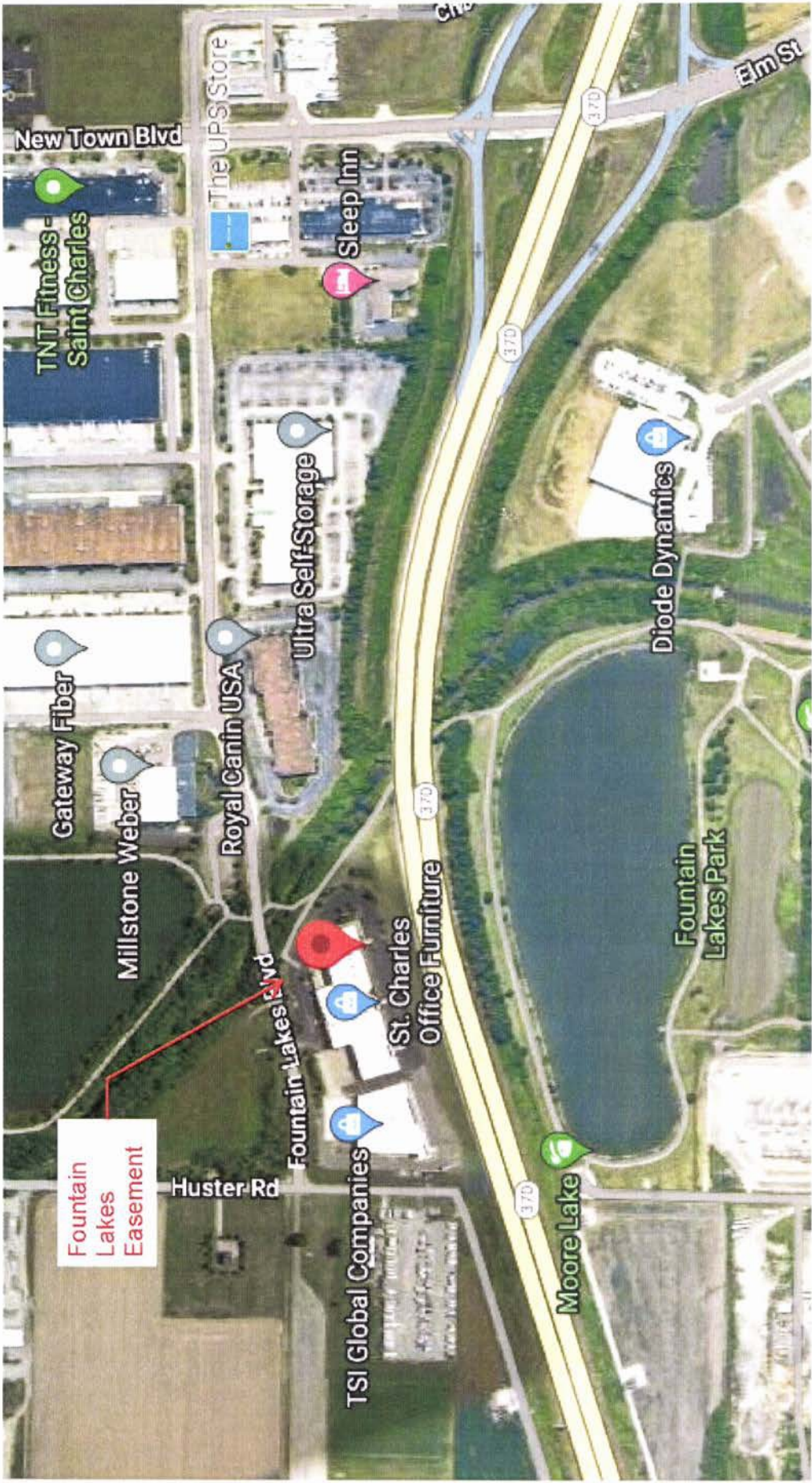
3-20-24
Date Approved by Mayor

Daniel J. Borgmeyer
Daniel J. Borgmeyer, Mayor

Approved as to Form:
Michael P. Cullen 2/2/24
Michael P. Cullen, City Attorney Date

Attest:
Kimberly Hodson
City Clerk





Fountain Lakes Easement Location Map

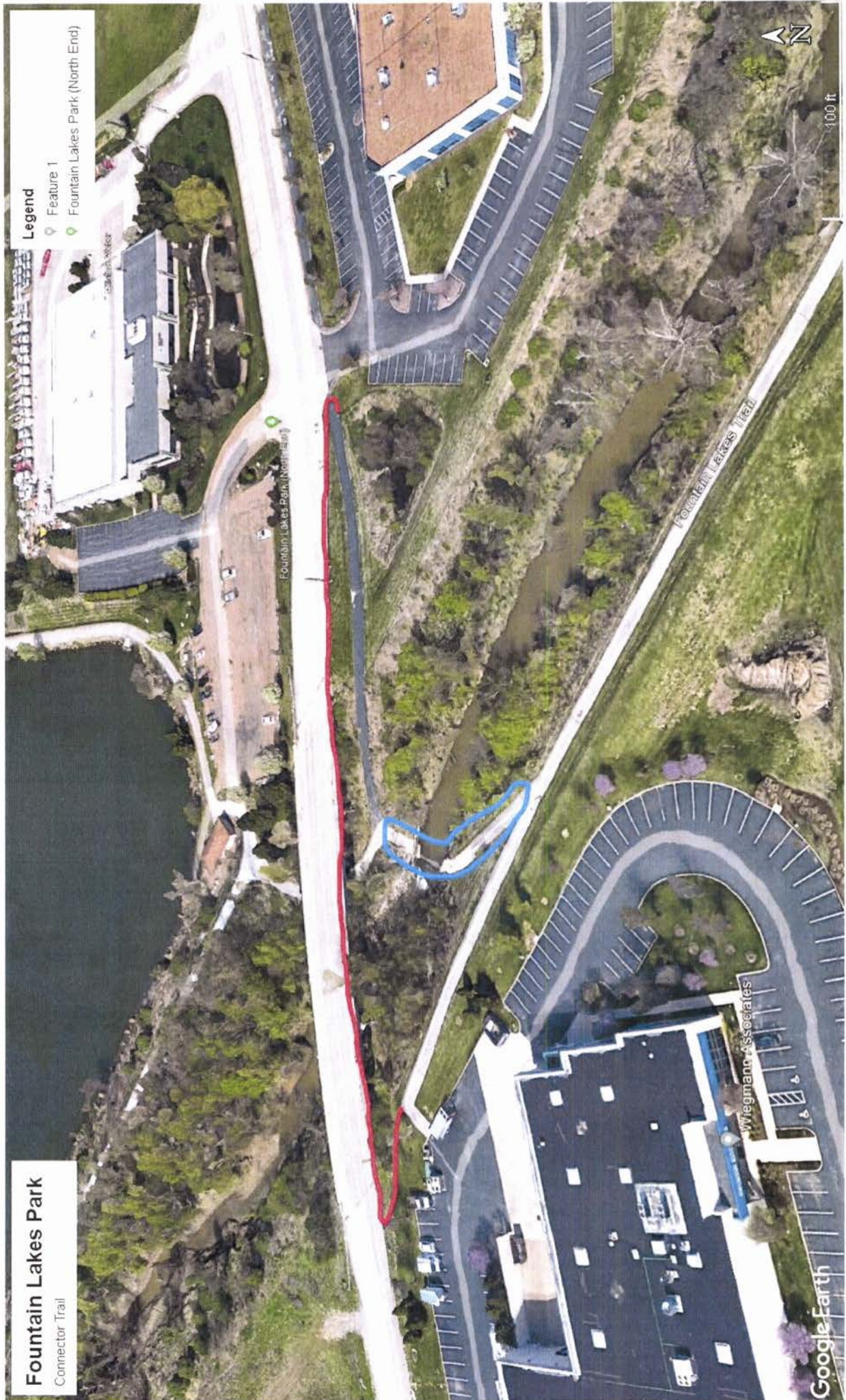


Fountain Lakes Park

Connector Trail

Legend

- Feature 1
- Fountain Lakes Park (North End)



Google Earth

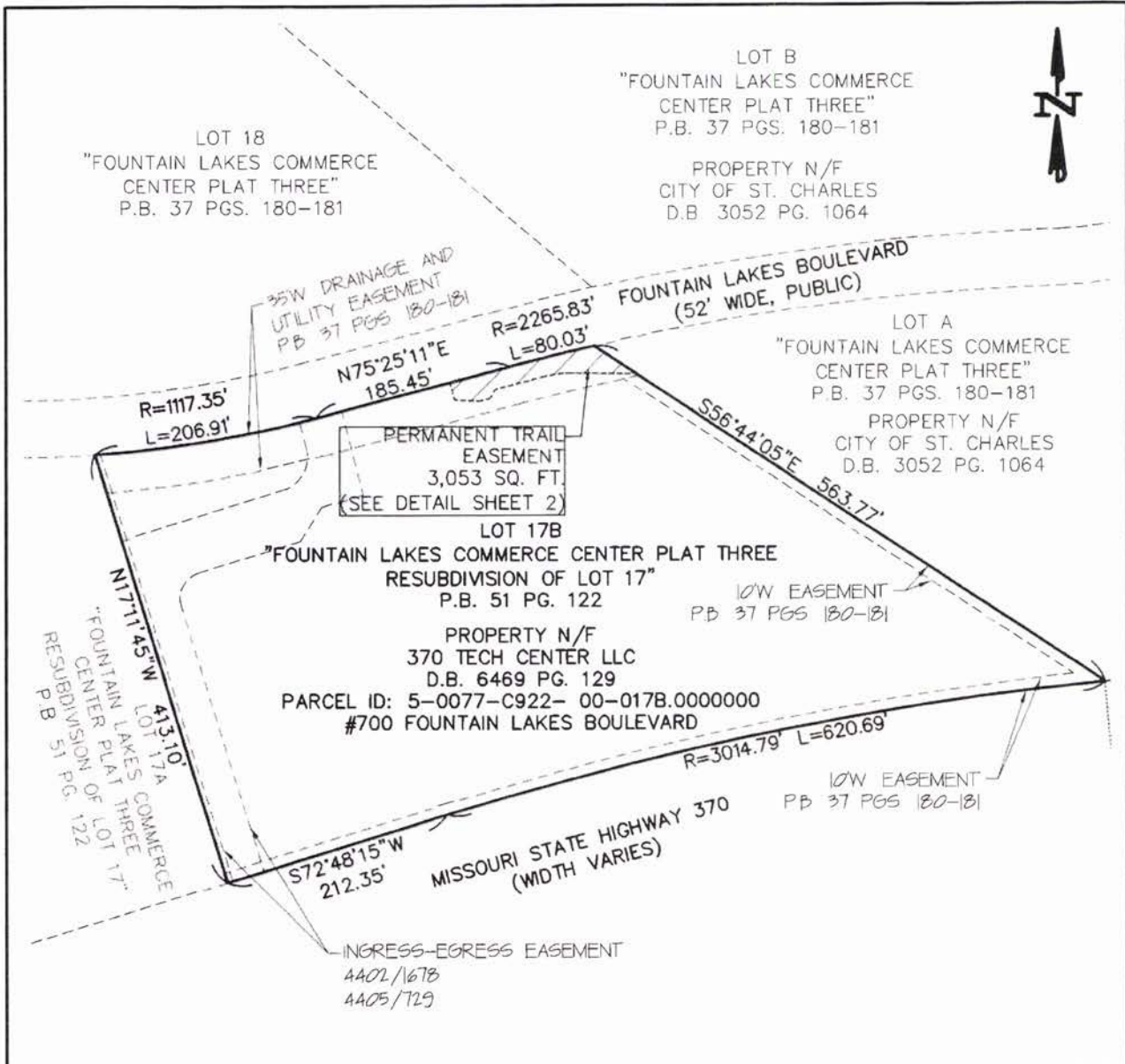
Wiegmann Associates

Fountain Lakes Trail

Fountain Lakes Park (North End)

100 ft





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

GENERAL NOTES:
 1. BASIS OF BEARINGS IS THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE (GRID NORTH).
 2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

EXHIBIT A
DATE: 04/04/23
DRAWN: GAW
SCALE: 1"=150'
PROJECT: 22-18820
FILE: 18820TRAIL
SHEET: 1 OF 2
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144

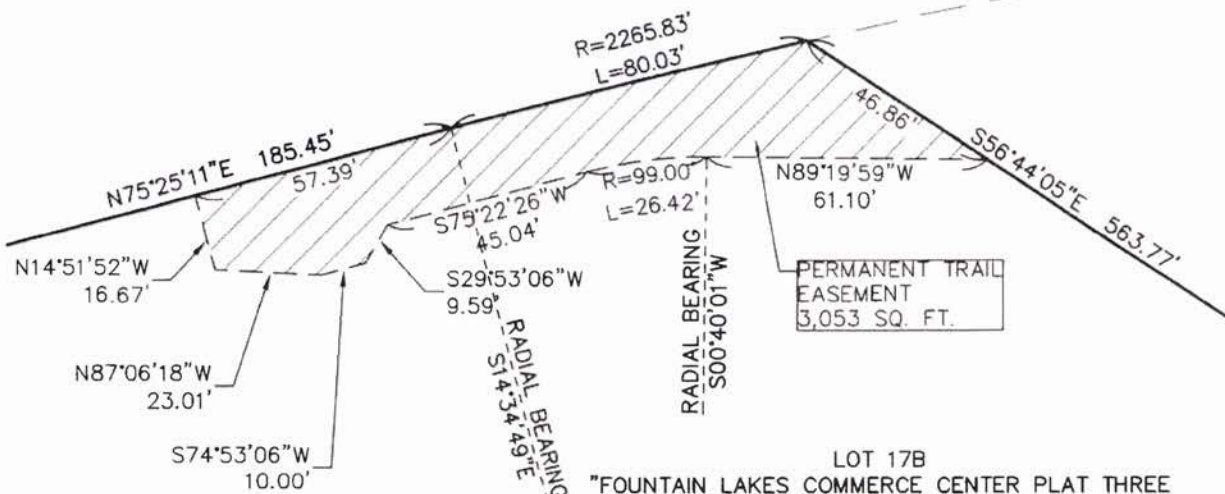
PERMANENT TRAIL EASEMENT

A TRACT OF LAND BEING PART OF LOT 17B OF "FOUNTAIN LAKES COMMERCE CENTER PLAT THREE RESUBDIVISION OF LOT 17", PLAT BOOK 51, PAGE 122 TOWNSHIP 47 NORTH, RANGE 4 EAST CITY OF ST. CHARLES, ST. CHARLES COUNTY, MISSOURI

STATE OF MISSOURI
 MARK E. COLLINS
 4-14-23
 NUMBER
 PLS-2006000173
 PROFESSIONAL LAND SURVEYOR
 MARK E. COLLINS
 PROFESSIONAL LAND SURVEYOR
 PLS NO 2006000173



FOUNTAIN LAKES BOULEVARD
(52' WIDE, PUBLIC)



LOT 17B
"FOUNTAIN LAKES COMMERCE CENTER PLAT THREE
RESUBDIVISION OF LOT 17"
P.B. 51 PG. 122

PROPERTY N/F
370 TECH CENTER LLC
D.B. 6469 PG. 129
PARCEL ID: 5-0077-C922- 00-017B.0000000
#700 FOUNTAIN LAKES BOULEVARD



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

GENERAL NOTES:

1. BASIS OF BEARINGS IS THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE (GRID NORTH).
2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

EXHIBIT A
DATE: 04/04/23
DRAWN: GAW
SCALE: 1"=150'
PROJECT: 22-18820
FILE: 18820TRAIL
SHEET: 2 OF 2
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144

PERMANENT TRAIL EASEMENT

A TRACT OF LAND BEING PART OF
LOT 17B OF "FOUNTAIN LAKES COMMERCE
CENTER PLAT THREE RESUBDIVISION OF LOT 17",
PLAT BOOK 51, PAGE 122
TOWNSHIP 47 NORTH, RANGE 4 EAST
CITY OF ST. CHARLES,
ST. CHARLES COUNTY, MISSOURI

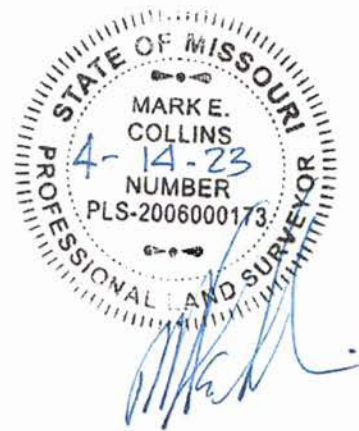


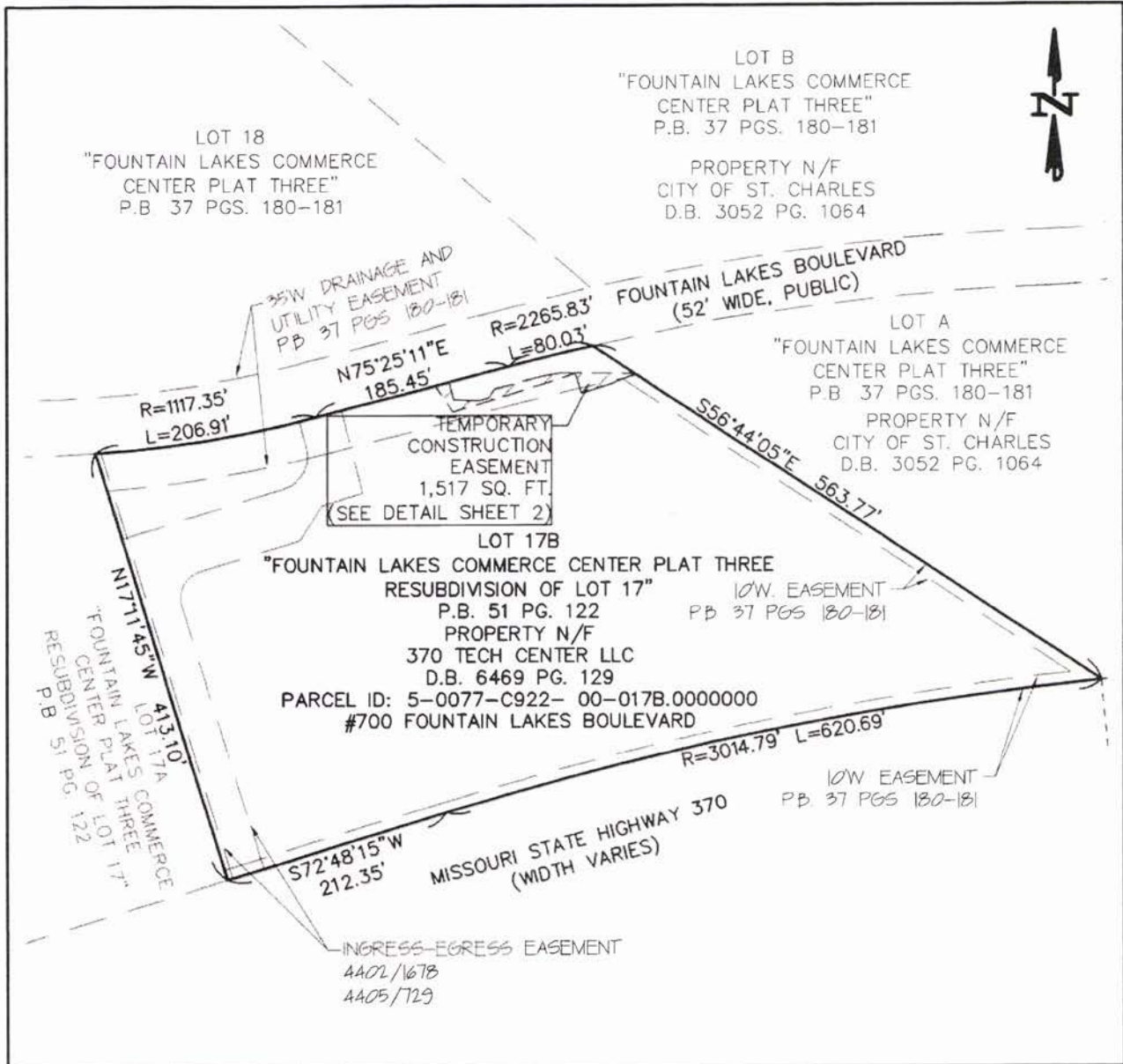
EASEMENT DESCRIPTION
3,053 SQUARE FEET
APRIL 14, 2023
BAX PROJECT NO. 22-18820
GAW

PERMANENT TRAIL EASEMENT

A TRACT OF LAND BEING PART OF LOT 17B OF "FOUNTAIN LAKES COMMERCE CENTER PLAT THREE RESUBDIVISION OF LOT 17", A SUBDIVISION ACCORDING TO THE INSTRUMENT RECORDED IN PLAT BOOK 51 PAGE 122 OF THE ST. CHARLES COUNTY RECORDS, TOWNSHIP 47 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ST. CHARLES, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 17B, SAID POINT ALSO BEING IN THE SOUTH RIGHT-OF-WAY LINE OF FOUNTAIN LAKES BOULEVARD (52 FEET WIDE); THENCE ALONG THE EAST LINE OF SAID LOT 17B, SOUTH 56 DEGREES 44 MINUTES 05 SECONDS EAST 46.86 FEET TO A POINT; THENCE LEAVING THE SAID EAST LINE OF LOT 17B, NORTH 89 DEGREES 19 MINUTES 59 SECONDS WEST 61.10 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 00 DEGREES 40 MINUTES 01 SECONDS WEST 99.00 FEET FROM LAST MENTIONED POINT, AN ARC DISTANCE OF 26.42 FEET TO A POINT; THENCE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75 DEGREES 22 MINUTES 26 SECONDS WEST 45.04 FEET; SOUTH 29 DEGREES 53 MINUTES 06 SECONDS WEST 9.59 FEET; SOUTH 74 DEGREES 53 MINUTES 06 SECONDS WEST 10.00 FEET; NORTH 87 DEGREES 06 MINUTES 18 SECONDS WEST 23.01 FEET; AND NORTH 14 DEGREES 51 MINUTES 52 SECONDS WEST 16.67 FEET TO A POINT IN THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF FOUNTAIN LAKES BOULEVARD (52 FEET WIDE); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF FOUNTAIN LAKES BOULEVARD (52 FEET WIDE), NORTH 75 DEGREES 25 MINUTES 11 SECONDS EAST 57.39 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 14 DEGREES 34 MINUTES 49 SECONDS EAST 2265.83 FEET FROM LAST MENTIONED POINT, AN ARC DISTANCE OF 80.03 FEET TO THE POINT OF BEGINNING, CONTAINING 3,053 SQUARE FEET ACCORDING TO CALCULATIONS BY BAX ENGINEERING COMPANY DURING APRIL, 2023.





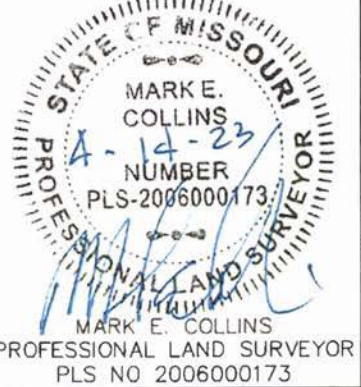
BAX ENGINEERING CO.
221 POINT WEST BLVD.
ST. CHARLES, MO 63301
636-928-5552

- GENERAL NOTES:
1. BASIS OF BEARINGS IS THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE (GRID NORTH).
 2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

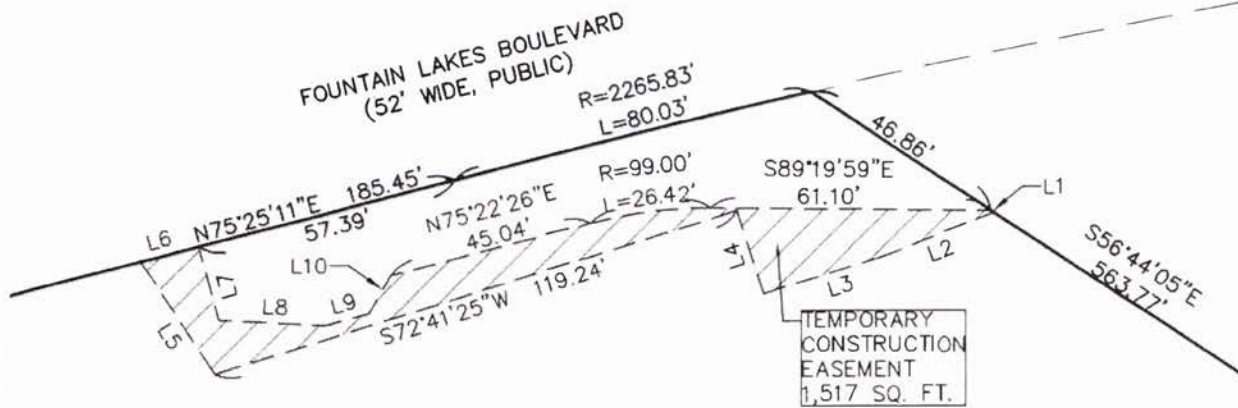
EXHIBIT A
DATE: 04/04/23
DRAWN: GAW
SCALE: 1"=150'
PROJECT: 22-18820
FILE: 18820TCE
SHEET: 1 OF 2
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144

TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND BEING PART OF
LOT 17B OF "FOUNTAIN LAKES COMMERCE
CENTER PLAT THREE RESUBDIVISION OF LOT 17",
PLAT BOOK 51, PAGE 122
TOWNSHIP 47 NORTH, RANGE 4 EAST
CITY OF ST. CHARLES,
ST. CHARLES COUNTY, MISSOURI



Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	0.73'	S56°44'05"E	L6	13.13'	N75°25'11"E
L2	25.58'	S68°26'30"W	L7	16.67'	S14°51'52"E
L3	27.58'	S72°33'17"W	L8	23.01'	S87°06'18"E
L4	19.12'	N17°32'20"W	L9	10.00'	N74°53'06"E
L5	29.32'	N33°21'58"W	L10	9.59'	N29°53'06"E



LOT 17B
 "FOUNTAIN LAKES COMMERCE CENTER PLAT THREE
 RESUBDIVISION OF LOT 17"
 P.B. 51 PG. 122

PROPERTY N/F
 370 TECH CENTER LLC
 D.B. 6469 PG. 129
 PARCEL ID: 5-0077-C922- 00-017B.0000000
 #700 FOUNTAIN LAKES BOULEVARD



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

GENERAL NOTES:

1. BASIS OF BEARINGS IS THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE (GRID NORTH).
2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

EXHIBIT A
DATE: 04/04/23
DRAWN: GAW
SCALE: 1"=150'
PROJECT: 22-18820
FILE: 18820TCE
SHEET: 2 OF 2
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144

TEMPORARY CONSTRUCTION EASEMENT

A TRACT OF LAND BEING PART OF
 LOT 17B OF "FOUNTAIN LAKES COMMERCE
 CENTER PLAT THREE RESUBDIVISION OF LOT 17",
 PLAT BOOK 51, PAGE 122
 TOWNSHIP 47 NORTH, RANGE 4 EAST
 CITY OF ST. CHARLES,
 ST. CHARLES COUNTY, MISSOURI



RCA FORM (OFFICE USE ONLY)

Bill # 13794

MEETING/DATE: 3/5/2024

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 8

Sponsor(s): Galba

Description:

Authorization to acquire right-of-way and easements required for the Trail Project at 650-700 Fountain Lakes Blvd. by purchase, donation, or eminent domain.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The current trail that connects Fountain Lakes Park North and Fountain Lakes Park South runs under Hwy 370 and under Fountain Lakes Blvd. The low water trail that crossed over the creek close to Fountain Lakes Blvd. has washed out over time.

Rather than making continuous and expensive repairs to the low water crossing, staff would like to eliminate the creek crossing and re-route the trail onto some private property, then along the shoulder of Fountain Lakes Blvd., then back to the Parks trail system.

A new connection to the path is planned through a corner portion of the 370 Tech Center property located at 650-700 Fountain Lakes Blvd., pursuant to an easement agreement. This easement will be a donation from the 370 Tech Center.

The Parks & Recreation Board has approved the project and it is funded in the 2024 C.I.P.

Staff recommends approval of this Ordinance.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: \$ 0.00 N/A

Account #: N/A

Project #: N/A

RCA prepared by: CA Dept. Dir. MMB Finance Dir. Qaw Dir. of Admin. 9