AN ORDINANCE ADOPTING THE SUBDIVISION PLAT FOR CONSOLIDATION OF HILLTOP MINOR SUBDIVISION AS PROVIDED IN SECTION 410.030 AND 410.150 OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKTOWN; ACCEPTING DEDICATION OF EASEMENTS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Tie Properties, LLC has submitted a minor subdivision plat for consolidation of Lots 1, 2 and 3 of Hilltop Minor Subdivision within the corporate limits of the City of Fredericktown, Missouri; and

WHEREAS, Tie Properties, LLC has indicated on said plat the required improvements necessary to comply with Chapter 410 of the Code of Ordinances of the City of Fredericktown, Missouri; and

WHEREAS, the Fredericktown Planning and Zoning Commission has reviewed said Plat and found the Plat not in conflict with City ordinances and meeting the requirements of Section 410.230 of the Code of Ordinances and has recommended approval by the Board of Alderman of the City of Fredericktown, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICKTOWN, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen of the City of Fredericktown, Missouri, do hereby approve and accept the minor subdivision plat for consolidation of Lots 1, 2 and 3 of Hilltop Minor Subdivision which is attached hereto as Exhibit A, including all improvements indicated thereon subject to the terms and conditions expressed therein, including all dimensions and easements indicated thereon and subject to the full compliance with the provisions of Chapter 410 of the Code of Ordinances of the City of Fredericktown in the construction of the indicated improvements on the dedicated right of ways and easements.

Section 2. That the Mayor and City Clerk of the City of Fredericktown, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said official subdivision plat.

Section 3. The City Clerk of the City of Fredericktown, Missouri, is hereby directed to file a copy of said plat with the Recorder of Deeds, Madison County, Missouri.

Section 4. This Ordinance shall take effect and be in force from and after its passage and approval.

THIS ORDINANCE having been read by title only on this 10th day of October, 2023, the Board of Aldermen voted as follows:

Long	aye	Brown	aue
Polete	aye	Miller	aye
Jones	_aye	Shankle	aye
THIS ORDIN	ANCE having been read by	y title only the	second time on this 10th day of
October, 2023, the Bo	ard of Aldermen voted as fo	ollows:	
Long	_aye	Brown	aye
Polete	aige	Miller	aye
Jones	aye	Shankle	aye
PASSED AND	D APPROVED this 10th	day of Octol	ber, 2023, by <u>4</u> ayes,
	abstentions and	absentees.	
		CITY OF FF	REDERICKTOWN, MISSOURI
		By:	s Parker, Mayor

ATTEST: hibeson

Theresa Harbison, City Clerk

APPLICATION FOR SUBDIVISION

EXHIBIT A

CITY USE ONLY			
Date Application filed 7-6- Fee Paid \$ 55.00	23		
Fee Paid \$ 55.04		· · · /.	1
Minor Subdivision_X	Major Subdivision	Number of lots 3 in to	1

Instructions to applicant: Complete all sections, and provide as much information as possible. Return to the City Clerk along with fee of \$100.00 plus \$10.00 for each lot in the subdivision.

1. Name, address and phone number of the person applying for the application:

149 Commercial

2. Name, address and phone number of lot owner(s) if different than applicant:

Tie f	roperties, LLC	DAID
ete de constante	Frederickbown MO	
3.	Present Zoning Classification of that property $R-2$	JUL 1 0 2023 CITX LIGHT & WATER
4.	Definitions:	CHECKCASH

MINOR SUBDIVISION: Any subdivision containing not more than four (4) lots fronting an existing road and not involving the creation of any public improvements or that does not adversely affect the remainder of the parcels or adjoining properties. The subdivider shall confer with the City building and permit Section in regards to the possibility of making the proposed changes in lot boundaries. The developer shall have prepared a final plat in accordance with Section 410.200.

MÁJOR SUBDIVISIONS: The division of land into five (5) or more lots or other divisions of land into parcels of one (1) acre or less in area, and the dedication of streets, ways, or other areas for public use. The subdivider shall submit a preliminary plat in accordance with the specifications of Section 410.130. Following approval of the preliminary plat, the subdivider shall cause to have prepared public improvement plans prepared by a Registered Professional Engineer in the State of Missouri. After the plans are approved by the City, the subdivider shall install the minimum improvements or furnish a bond or provide for an assessment guaranteeing such installation in accordance with the requirements of Section 410.140. Upon approval of improvements or when arrangements for a performance bond are complete, the final plat shall be submitted in accordance with Section 410.200.

5. PRELIMINARY PLAT

A. Whenever any person desires to subdivide land into building lots or to dedicate streets or land for public use within the City, he/she shall submit eight (8) copies of the preliminary

plat conforming to the requirements of Section 410.040 to the City Clerk before submission of the final plat.

- 8. The preliminary plat shall show:
 - (1) The location of present property lines, streets, buildings and water-courses.
 - (2) The proposed location and width of right-of-wayfor streets, lots, buildings, and setback lines and easements.
 - (3) Existing sanitary and storm sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat.
 - (4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract.
 - (5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.
 - (6) North Point, scale and date.
 - (7) The ten (10) foot contour lines of the proposed area to be developed and surrounding areas as required.
 - (8) A subdivision preliminary plat may be approved and the development thereof may be permitted in several phases so long as all of such phases to be developed separately are no less than ninety thousand (90,000) square feet with the property depth no less than three hundred (300) feet. The entire development shall be shown on preliminary plat so that City Officials may see the proposed layout of the entire development.

C. Approval of the preliminary plat by the Board of Aldermen does not constitute acceptance or approval of the final subdivision plat or the public improvement plans.

5. FINAL PLAT AND ACCOMPANYING DOCUMENTS.

A. The final plat of eight (8) prints thereof, together with copies of any deed restrictions where such restrictions are too lengthy to be shown on the plat, shall be submitted to the City Clerk and shall be approved by the Board of Aldermen. The final plat is to be drawn at a scale of not more than one hundred (100) feet to the inch from an accurate survey and one (1) or more sheets whose maximum dimensions are twenty-four (24) inches by thirty-six (36) inches. If more than two (2) sheets are required, an index sheet of the same dimension shall be filed showing the entire subdivision.

B. The final plat shall show:

- (1) The boundary lines of the area being subdivided with accurate distances and bearings.
- (2) The lines of all proposed street rights-of-way and alleys with their widths and names.
- (3) The accurate outline of any portions of the property intended to be discarded or granted for public use.
- (4) The line of departure of one (1) street from another.
- (5) The lines of all adjoining property and the lines of all adjoining streets and alleys with their widths and names.
- (6) All lot lines together with an identification system for all lots.
- (7) The location of all building lines and easements provided for public use, services or utilities.
- (8) All dimensions both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements and any other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.
- (9) The radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- (10) The name of the subdivision, a small sketch showing its general location, and the scale of the plat, points of the compass, and name of owner or owners or subdivider.
- (11) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown.
- (12) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.
- (13) Acknowledgment of the owner or owners to the plat, and restrictions, including dedication to public use of all streets, parks or other open spaces shown thereon and the granting of easements required.
- (14) Certificates of approval for endorsement by the City of Fredericktown.
- (15) Certificates by both the City Collector and County Collector that all taxes on said property have been paid.
- (16) Certificates of approval by the City Engineer that subdivision is approved subject to public improvement plans on file with the City of Fredericktown. Also that subdivision meets current subdivision code.

APPLICATION FOR SUBDIVISION

C. Detailed Plans And Specifications Required. Prior to the time the final plat is submitted for approval the owner/developer shall submit the following document to the City Engineer which shall be signed and sealed by a Registered Professional Engineer in the State of Missouri.

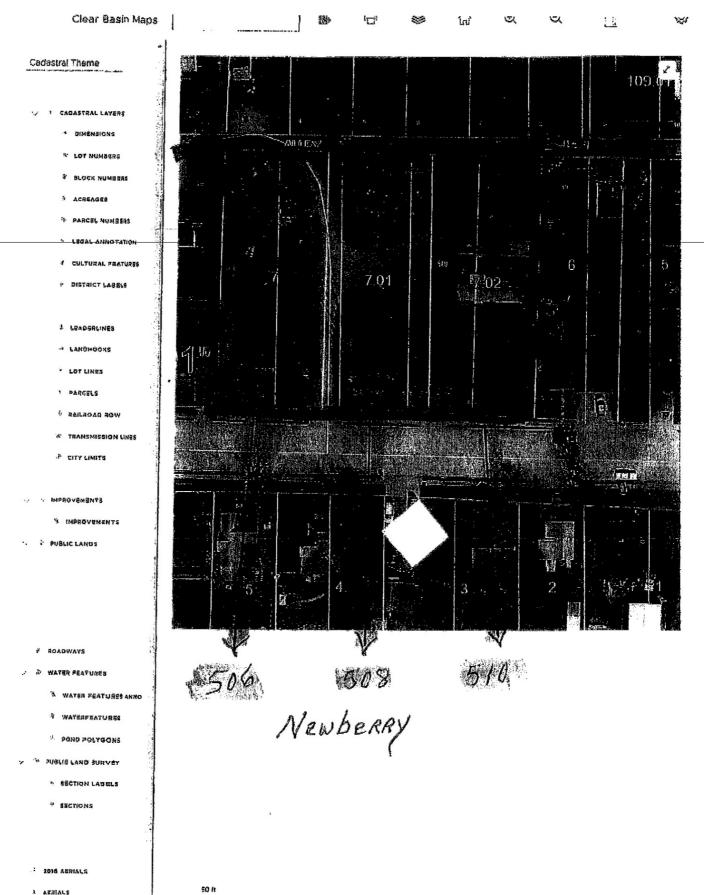
- Profiles and grades of street including typical cross-sections, additional cross-sections at street intersections, information on vertical and horizontal curves, and other pertinent data on the design of the street system.
- (2) Profiles and grades of storm sewer system including design documents justifying pipe sizes, swale sizes, inlet locations, capabilities of subdivision to pass required storms, and detention basin design data.
- (2) Design data and layout on sanitary sewer and water systems including line sizing, flow capacities, grades, etc.
- (3) A coordinate or station and off-set system which provides a horizontal location and vertical elevation of all improvements within the subdivision so they may be easily located by the developer's surveyor or engineer and verified by the City.
- (4) Contour lines at a minimum two (2) foot intervals.
- 6. VARIATIONS AND EXCEPTIONS. Whenever the tract to be subdivided is of such unusual shape or size, is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties or substantial hardship or injustice, the Board of Aldermen may vary or modify such requirements so that the subdivider may develop his/her property in a reasonable manner, but so that, at the same time, the public welfare and interests of the City are protected and the general intent of these regulations preserved.

I state that all the information contained in this application is true to the best of my knowledge/belief.

Owner/Applicant 7-6-23

Owner/Applicant

Öwner/ Applicant

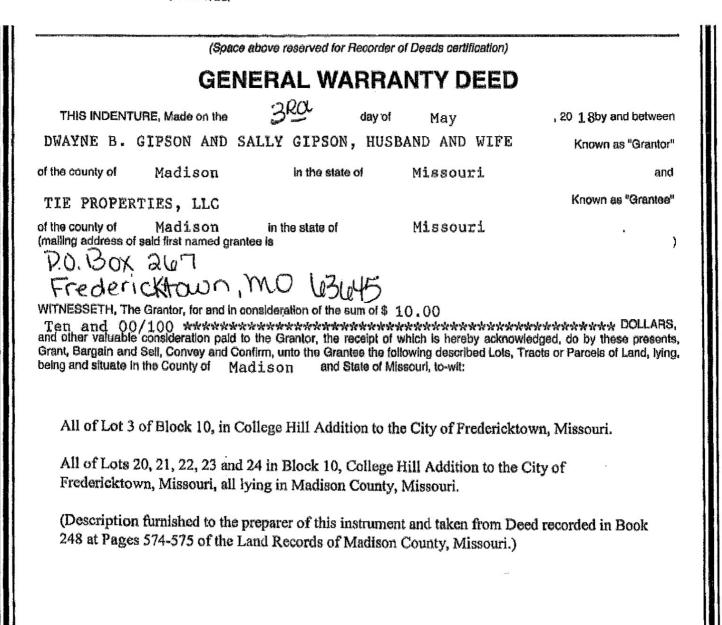


AZZIALS

BK 495 PG 119

Instrument #:2017002634 Office of County Recorder, Madison County, Missouri I hereby certify this instrument was recorded on 5/7/2018 at 11:34:29 AM Total Fees: \$27.00 Book: 495 Page: 119 Pages: 2

Paula Francis Madison County Recorder



BK 495 PG 120 TO HAVE AND TO HOLD the premises aforesald, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining unto the said Grantee and unto successors and assigns forever, the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that they have good right to convey the same; that the premises are free and clear of any encumbrances done or suffered by them or those under whom they claimed litle ; and that they will warrant and defend the title to said premises unto the said grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons. IN WITNESS WHEREOF, The said Grantor has bereunto set his/her hand the day and year first above written. GRANTORS: TPSON STATE OF MISSOURI COUNTY OF Madison 3Rd-day of May On this , 20 18, before me personally appeared Dwayne B. Gipson and Sally Gipson, husband and wife to me known to be the person(s) described in and who executed the within Warranty Deed, and acknowledged to me that they executed the same as their free act and deed and for the purposes therein stated. IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year first above written. CYDNEY COX Cipiney Cox My Commission Expires (SEAL) September 12, 2019 Madison County Notary Public Commission #15506652 U-12-19 My commission expires: AFTER RECORDING RETURN TO:

BK 541 PG 178

Instrument #:2022000618 Office of County Recorder, Madison County, Missouri I hereby certify this instrument was recorded on 4/11/2022 at 11:29:19 AM Total Fees: \$30.00 Book: 541 Page: 178 Pages: 3

Saundra Ivison Madison County Recorder



FULL RELEASE OF EASEMENT

THIS INSTRUMENT, made this _____ day of ______ day of ______, 2022,

WITNESSETH THAT:

WHEREAS there has heretofore been granted to SPIRE MISSOURI INC., a Missouri corporation, ("GRANTOR"), easement ("Easement") in certain land located within Lots 21, 22 and 23 of Block 10 of College Hill Addition now being Lot 1 of Hillop Minor Subdivision recorded in Cabinet A at Page 647 and further described in Book 218 at Page 295 of the Madison County, Missouri Records wherein the nature and extent of the Easement and the lands affected are described; and

WHEREAS the present owner. THE PROPERTIES, LLC ("GRANTEE") of the lands so affected, has requested that GRANTOR release the Easement, and GRANTOR is willing to do so to the extent hereinafter described.

NOW THEREFORE, in consideration of One Dollar (\$1.00) in hand paid to GRANTOR by said GRANTEE, the receipt of which is hereby acknowledged, GRANTOR hereby RELEASES AND QUITCLAIMS to said GRANTEE all of GRANTOR'S right, title and interest in and to the Easement as shown hachured on the attached exhibit little "Easement Release Exhibit".

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be signed by its Vice President, Safety Management Systems the day and year first above written.

Legal Dept, Approval to Form: Marker

SPIRE MISSOURY Lane

Graig R. Hoeferlin Vice President, Safety Management Systems

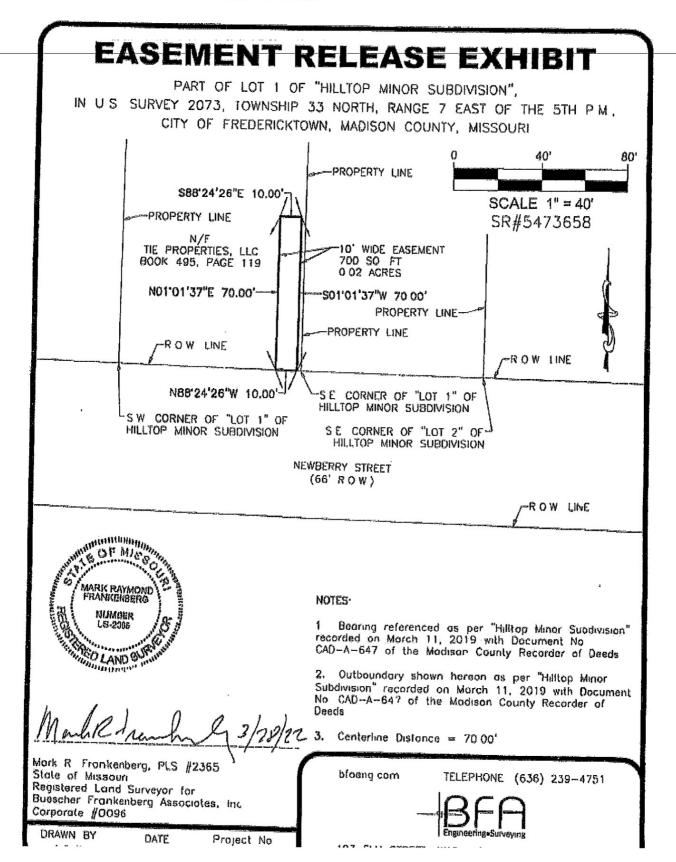
Engineering Dept. Approval: System Planning Approval: Right of Way Dept. Approval:

BK 541 PG 179

STATE OF MISSOURI	
) \$5.	
CITY OF ST. LOUIS	
On the day of Apr.]	, 2022, before
me, hair, a	notary public in and for said state,
appeared Craig R. Hoeferlin, to me personally known, who being by	y me duly sworn, did say that he is the
Vice President, Safety Management Systems of SPIRE MISSOURI IN	NC., and that said instrument was
signed and sealed in behalf of said corporation by authority of its B	oard of Directors and said
Craig R. Hoeferlin acknowledged said instrument to be the free act	and deed of said corporation.
My Commission expires: 10910026	
	JOHN LAIR

Notary Public SON as Printed Name

JOHN LAIR Notary Public - Notary Seal STATE OF MISSOURI St Louis County My Commission Expires: Jan. 29, 2026 Commission #18103602 BK 541 PG 180



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