

Amended Bill No. 4766, an Ordinance of the City of Wentzville, Missouri, Providing for the Acceptance of All Public Improvements Constructed in the Arbor Valley Development, and Matters Relating Thereto

WHEREAS, Charlestowne Crossing, LLC (the "Owner") wishes to dedicate the streets, storm sewer, sanitary sewer, and associated infrastructure and appurtenances in the Arbor Valley subdivision (collectively, the "Public Improvements") to the City of Wentzville, Missouri (the "City") and requests that the City accept the Public Improvements as City property and to adopt the Public Improvements for maintenance; and

WHEREAS, the Engineering Department has inspected the Public Improvements, and has determined the Public Improvements have been constructed in a manner consistent with the approved plans for construction and comply with the requirements and standards adopted by the City for such Public Improvements; and

WHEREAS, Section 410.140 ("Improvements Installed and Guaranteed") of the City's Land Use Regulations requires that, prior to the acceptance of the Public Improvements, the Owner shall file a deposit with the City on the provided Agreement Guaranteeing Maintenance of Subdivision Improvements form in an amount to ensure continuing maintenance and/or repair obligations are fulfilled after improvements have been accepted by the City; and

WHEREAS, Section 410.140 ("Improvements Installed and Guaranteed") of the City's Land Use Regulations requires that the Owner shall file a deposit with the City on the provided Agreement Guaranteeing Installation of Subdivision Water Quality/Post-Construction Improvements form in an amount to ensure performance of any obligations of the applicant to make improvements shown upon the approved improvement plan or attested to in any accompanying documents; and

WHEREAS, the Owner proposes to perform continuing maintenance of the Arbor Valley subdivision improvements and proposes to install the required water quality improvements as set forth in the approved improvement plan for Arbor Valley and has submitted guarantee agreements and escrows, each in a format approved by the City Attorney, that guarantee subdivision improvement maintenance and installation of water quality improvements as set forth in the improvement plan and based on the cost estimate provided by the Owner and approved by the City; and

WHEREAS, the City believes it is in the best interest of the City and its residents for the City to accept the dedication of Public Improvements as City property and to adopt such Public Improvements for public maintenance.

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

Section 1: That such improvements to be dedicated are specifically described as follows: streets, storm sewers, sanitary sewers, and associated infrastructure and appurtenances installed as part of the Arbor Valley subdivision (the "Subdivision"), attached as Exhibit A (the "Public Improvements").

Section 2: The Board of Aldermen of the City of Wentzville, Missouri, approves the Agreement Guaranteeing Maintenance of Subdivision Improvements and the Agreement Guaranteeing Installation of Subdivision Water Quality/Post-Construction Improvements, attached hereto as Exhibit B and Exhibit C, respectively, and together referred to herein as the Maintenance Guarantee Agreements. The terms of the Maintenance Guarantee Agreements shall be substantially similar to, and no less favorable to the City of Wentzville, than the terms reflected within the attached Maintenance Guarantee Agreements.

Section 3: The City shall and the Mayor and other appropriate officers, agents and employees of the City are authorized to execute the Maintenance Guarantee Agreements and to take such further actions and execute and deliver such other documents, easements, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4: All of the City's requirements for construction and dedication of Public Improvements having been met, the City of Wentzville, Missouri, dedicates these Public Improvements as City Property and accepts such Public Improvements for public maintenance.

Section 5: The speed limit of all streets within said subdivision is hereby established at 25 miles per hour, which shall be enforceable under Chapter 320 Speed Regulations of the Wentzville Municipal Code. Streets included within this development are as follows:

- Arbor Trail Court
- Arbor Valley Drive
- Morgan Meadow Court
- Morgan Meadow Drive

Section 6: Schedule III Stop Signs of the Municipal Traffic Code Table III B Stop Intersections shall be amended by adding a Stop Sign at the following locations:

Approach Street at Intersecting Street(s)	Direction of Travel
Arbor Valley Drive at Highway N	Southbound
Arbor Valley Drive at Arbor Trail Court	Northbound
Arbor Trail Court at Morgan Meadow Drive	Eastbound
Morgan Meadow Court at Morgan Meadow Drive	Westbound

Section 7: The City's requirements for installation of street lights have been met, and the City is authorized to pay Ameren for maintenance and operation of Ameren-owned street lights within the Subdivision.

Section 8: By execution of this Ordinance, the Board of Aldermen of the City of Wentzville, Missouri, authorizes the Public Works Department of the City to take all reasonable steps in the future to maintain and repair the Public Improvements.

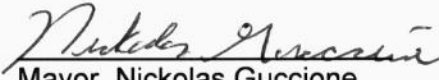
Section 9: By execution of this Ordinance, the Board of Aldermen of the City of Wentzville, Missouri, authorizes the Director of Engineering to release all remaining funds held as a guarantee for site improvements, in accordance with the Agreement Guaranteeing the Construction of Improvements, attached hereto as Exhibit D, and held as a guarantee to ensure proper grading and sediment and erosion control, in accordance with the Agreement Guaranteeing Grading, Sediment and Erosion Control Best Management Practices, attached hereto as Exhibit E.

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Section 10: The portions of this Resolution shall be severable. In the event that any portion of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution shall be deemed valid, unless the court finds the valid portions of this Resolution are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the governing body of the City has enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent. All prior resolutions in conflict herewith shall be and are hereby repealed.

Section 11: This Ordinance shall be in full force and effect from and after its passage and approval.


READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI THIS 11 DAY OF December, 2024.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

APPROVED BY THE MAYOR OF THE CITY OF WENTZVILLE, MISSOURI THIS 12 DAY OF December, 2024.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

Approved as to Form:


Attorney

