

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING THE MAYOR OF THE CITY OF WILDWOOD, MISSOURI TO ACCEPT AN AREA OF EXCESS RIGHT-OF-WAY FROM THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, WHICH IS SITUATED AT THE INTERSECTION OF TAYLOR ROAD AND STATE ROUTE 100, FOR PUBLIC USE PURPOSES BY THIS COMMUNITY. (Ward Five)

WHEREAS, the development of the Villages at Bright Leaf Subdivision has led to a number of changes at the intersection of State Route 100 and Taylor Road, one (1) of which is the installation of the new Taylor Road Extension through the site (paralleling State Route 100), thereby changing the configuration of the overall area, where it meets the State of Missouri's right-of-way area of State Route 100; and

WHEREAS, this change led to an area of right-of-way that had been dedicated to the State of Missouri many years ago to no longer being needed by it at this time, thereby allowing the Missouri Highways and Transportation Commission to consider its transfer from one (1) public entity to another for its on-going use in the future; and

WHEREAS, the City of Wildwood would like to accept this right-of-way for purposes of the planned and required enhanced streetscape at this intersection, along with related public space purposes in the future, all being consistent with the needs of the community in terms of safe access and passive recreation areas, near new Town Center Area residential locations; and

WHEREAS, the development consortium contacted the City in this regard, which agreed to accept the excess right-of-way area, which ultimately led to these entities undertaking the required survey work for Wildwood and the needed preparation of the plat and related items, at no cost to the public; and

WHEREAS, the Record Plat has been reviewed by the City and found to comply with the requirements of Wildwood's *Subdivision and Development Regulations* for this type of transfer, while also being considered by the St. Louis District of the Missouri Department of Transportation (MoDOT), which has authorized it as well and provided the checklist of items for this transfer to occur, as currently submitted; and

WHEREAS, with the completion of the plat, and the associated reviews of it, the matter is now ready for the City Council's consideration and action, with by such would allow the right-of-way area to become the property of the City of Wildwood and add to its existing public space dedications in this general vicinity, while ensuring the area of new City roadway improvements is under its direct jurisdiction as well; and

WHEREAS, the review and action on plats by the City Council reflects its past adoptions of codes, regulations, and requirements for the purposes of ensuring the public's health, safety, and general welfare are provided and protected by this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:

Section One. The City Council of the City of Wildwood, Missouri hereby approves the transfer of this excess right-of-way area from the State of Missouri, via the Missouri Highways and Transportation Commission, to the City of Wildwood, Missouri for its acceptance, including its ultimate maintenance and upkeep, as indicated on the attached Record Plat and associated exhibits provided herein, and now are attached hereto and on file with the City Clerk. Said right-of-way area being part of Section 1, Township 44 North, Range 3 East, City of Wildwood, St. Louis County, Missouri and more specifically at the intersection

of State Route 100 and Taylor Road. This transfer of excess right-of-way is graphically represented on the attached Record Plat and associated exhibits and hereby adopted and made a part of this ordinance.

Section Two. The acceptance of this excess right-of-way area herein identified does include the responsibility for its maintenance and upkeep hereafter by the City of Wildwood, Missouri.

Section Three. The Director of Planning and the City Clerk are authorized and directed to evidence the approval of this documentation and exhibits by affixing their signatures and the official seal of the City of Wildwood a Certificate of Approval upon these instruments. The City shall record the approved Record Plat and associated exhibits in the Office of the Recorder of Deeds of St. Louis County, Missouri (within sixty (60) days of its approval by the City Council of the City of Wildwood, Missouri).

Section Four. This Ordinance shall be in full force and effect, from and after its date of passage and approval, provided recorded copies of the Record Plat and associated exhibits are delivered to the City by the property owner for its receipt and filing.

THIS BILL WAS PASSED AND APPROVED THIS ___ DAY OF _____, 2019 BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AFTER HAVING BEEN READ BY TITLE, OR IN ITS ENTIRETY, TWO (2) TIMES PRIOR TO ITS PASSAGE.

Presiding Officer

The Honorable James R. Bowlin, Mayor

ATTEST:

Jessica Meyer, Assistant City Clerk

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