Bill No. 4865

Requested by: Michael Hurlbert
Sponsored by: Terry Hollander

AN ORDINANCE ESTABLISHING THE FORESTWOOD LANE ROAD NEIGHBORHOOD IMPROVEMENT DISTRICT AND ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS

WHEREAS, the owners of lots within the proposed Forestwood Lane Road Neighborhood Improvement District filed with the County Registrar a unanimous petition for the creation of the Neighborhood Improvement District on June 4, 2020; and

WHEREAS, the owners of lots within the proposed Neighborhood Improvement District seek to upgrade the existing street, named Forestwood Lane; and

WHEREAS, Section 67.457, Revised Statutes of Missouri (RSMo), authorizes the establishment of a Neighborhood Improvement District upon such a petition and a finding of advisability by the County Council.

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

Section 1. The County Council hereby deems the proposed improvements for the Forestwood Lane Road Neighborhood Improvement District to be advisable and
necessary and hereby orders that the district be established.

Section 2. With regard to the above-referenced Neighborhood Improvement District, the County Council hereby finds as follows:

The name of the district shall be the Forestwood Lane Road Neighborhood Improvement District.

The name of the project shall be the Forestwood Lane Road Improvement Project.

The nature of the project shall be the construction of improvement to the road named Forestwood Lane, serving the properties within the improvement district.

The estimated cost of such improvements is one hundred thirty-five thousand Dollars ($135,000.)

The final cost of the improvements shall not exceed the estimated cost by more than twenty-five percent (25%) without a new petition or election.

After the bonds issued for the original improvements are paid in full, there shall be no annual assessment for maintenance costs imposed by the County.

Section 3. Notwithstanding anything to the contrary contained therein, the minimum standards applicable to the proposed improvements for Forestwood Lane Road
Neighborhood Improvement District shall be those standards set forth in the St. Charles County, Missouri, Ordinances Section 410.405 Minimum Public Standards For Existing Subdivisions Upgrading Their Private Street and Storm Sewer Improvements For Dedication To and Maintenance By The Public, except that the minimum street pavement width shall be 20 feet.

Section 4. The total cost of the proposed improvements will be divided and assessed over a period of twenty (20) years, by the St. Charles County Council equally per each parcel of property or lot located within the district and apportioning the cost equally to each parcel or lot within the district, regardless of whether such parcel or lot is developed or undeveloped land at the time of such initial assessment; provided, however, that in the case of property on which a single residence is situated on two (2) or more parcels or lots at the time of such initial assessment in such a manner as to prevent the issuance of permits for additional residences thereon without the demolition of the existing residence, such parcels or lots shall be treated as if they were a single parcel or lot. The costs associated with the exercise of eminent domain to acquire an easement and/or right-of-way on a particular parcel or lot within the district and which is receiving a benefit from the improvements shall be assessed solely against that parcel.

Section 5. The boundaries of the proposed neighborhood improvement district to be assessed are the boundaries of the tracts of land located at 713 Forestwood Lane; 715
Forestwood Lane; 716 Forestwood Lane, 717 Forestwood Lane; and 718 Forestwood Lane, more particularly described in the respective instruments per tract, recorded in the St. Charles County Records.

Section 6. The County Council hereby orders that preliminary plans and specifications for the improvements be made, that a proposed assessment roll be prepared, and that these plans and specifications and the proposed assessment roll be filed in the Office of the County Registrar for public inspection. The Council further orders that, after the preliminary plans and specifications and the proposed assessment roll are filed in that Office, the Chair of the Council shall schedule a hearing to consider the proposed improvements and assessments, and shall cause notice of that hearing to be given as required by Section 67.461.2, RSMo, as amended.

Section 7. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE