BILL NO. 3043 **ORDINANCE NO.** 2857

AN ORDINANCE ESTABLISHING THE BROADMOOR CONDOMINIUMS NEIGHBORHOOD IMPROVEMENT DISTRICT

WHEREAS, the City of Chesterfield, Missouri (the "City"), is authorized and empowered pursuant to the Neighborhood Improvement District Act, Sections 67.453 to 67.475 of the Revised Statutes of Missouri, as amended (the "NID Act"), to establish a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within the proposed district and filed with the City Clerk; and

WHEREAS, such a proper petition was filed with the City Clerk on March 17, 2015 (the "Petition"), pursuant to the NID Act, proposing the creation of the Broadmoor Condominiums Neighborhood Improvement District (the "District"), described in more detail on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the City Council of the City has reviewed the Petition proposing the creation of the District for the purpose of replacing streets and parking lots within the boundaries of the proposed District (the "Project");

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

Section 1. The City Council hereby finds and determines that the Petition was filed in proper form as further described in Section 67.457.3 of the NID Act because:

(a) the Petition was filed in the office of the City Clerk on March 17, 2015 and was signed by the owners of record of at least two-thirds by area of all real property within the proposed District, per Section 67.457.3 of the NID Act, and at least 70% of the owners of all real property located within the District, per the City's policy; and

(b) each owner of record of real property located within the District provided only one signature on the Petition, regardless of the number of parcels owned; and

(c) the names of the signers of the Petition were not withdrawn after filing.

Section 2. Pursuant to Section 67.457.4 of the NID Act and subject to the terms of the Petition, the Broadmoor Condominiums Neighborhood Improvement District is hereby established.

Section 3. The City Council further finds and determines that:

(a) The project name for the improvements described in the Petition shall be the "Broadmoor Condominiums Neighborhood Improvement District Project."

(b) The nature of the improvements includes those costs not to exceed the amount of $1.5 million as set forth on Exhibit B, attached hereto and incorporated herein by reference, which costs are associated with the replacement of the streets within the Broadmoor Condominiums subdivision, including Claymoor Drive, Broadmoor Drive, Green Circle Drive and Green Circle Court, and which constitute improvements as provided in Section 67.453(5) of the NID Act, together with the costs associated with the establishment of the District (collectively, the "Improvements"), exclusive of interest accrued on borrowed money during the period of construction, and the costs of issuance (if any), debt service reserves (if any), and accrued interest on associated temporary notes or neighborhood improvement district bonds issued with respect to any and all portions of the Project.

(c) The current estimated cost of the Improvements to be funded is $1.5 million, to be borrowed from the City's fund reserves. The final cost of the Project assessed against the property within the District and the amount of neighborhood improvement district bonds or other indebtedness issued therefor shall not exceed such estimated cost by more than 25%. There will be no annual assessment pursuant to the NID Act to maintain the Improvements in any year after the neighborhood improvement district bonds issued or other indebtedness issued for the Improvements are paid in full.

(d) The District consists of 108 villa condo units as recorded on plats 1 through 11 of the Gardens of Broadmoor Condominiums Subdivision all within the boundaries of the City, the physical addresses of which are described in Exhibit C, attached hereto and incorporated herein by reference.

(e) The proposed method of assessment is as follows:

(i) the total cost shall be assessed against the real property within the District on a per-lot basis.

Section 4. The City Council finds and determines that the Project is advisable and orders the District to be established for the Project.

Section 5. It is deemed that all of the real property within the District will be benefitted by the Improvements.

Section 6. The City Council orders the plans and specifications for the Project to be prepared and filed with the City Clerk in accordance with the NID Act.

Section 7. The City shall, and the officers, agents and employees of the City are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this ordinance.

Section 8. This Ordinance shall be in full force and effect from and after its passage of the City Council and approval by the Mayor.

Passed and approved this 3rd day of August, 2015.

Bob Nattori
MAYOR

(SEAL)

ATTEST:

Vickie Haas
CITY CLERK

EXHIBIT A
District Description

All of the real property within the Broadmoor Condominiums Subdivision, the plat of which is recorded with the St. Louis County Recorder of Deed's office in Plat Book 199, Pages 66 and 67.

EXHIBIT B
Cost Estimate

	Unit	Estimated Quantities	Estimated Unit Cost	Estimated Total Cost
REMOVAL & REPLACEMENT OF P.C.C. PAVEMENT	Sq. Yd.	19,000	$46.00	$874,000.00
JOINT SEALANT	Sq. Yd.	19,000	$2.00	$38,000.00
4" ROLLED STONE BASE	Sq. Yd.	19,000	$4.50	$85,500.00
UNDERGRADING	Cu. Ft.	200	$3.00	$600.00
GEOTEXTILE FABRIC	Sq. Yd.	19,000	$1.50	$28,500.00
STRUCTURAL GEOGRID	Sq. Yd.	100	$2.50	$250.00
SEEDING & MULCHING	Sq. Yd.	1,100	$3.00	$3,300.00
TRAFFIC CONTROL	L.S.	1.00	$15,000.00	$15,000.00
Paved Driveway Approaches	Sq. Yd.	950	$60.00	$57,000.00
Paved Parking Areas	Sq. Yd.	3,100	$20.00	$62,000.00
SAWCUTTING	Lin. Ft.	50	$4.00	$200.00
UNDERDRAINS	Lin. Ft.	400	$20.00	$8,000.00
Handicap Ramps	Each	20	$1,500.00	$30,000.00
SIDEWALKS	Sq. Ft.	100	$6.50	$650.00
REPLACE INLET SILL	Each	19	$500.00	$9,500.00
Replace Grated Inlet	Each	4	$1,000.00	$4,000.00
DRILLING AND DOWELING	Each	50	$12.00	$600.00
A2 JOINTS	Lin. Ft.	100	$20.00	$2,000.00
SILT FENCE	Lin. Ft.	100	$2.00	$200.00
INLET PROTECTION	Each	23	$100.00	$2,300.00
SUBTOTAL			$18,307.00	$1,221,600.00
Testing and On Site Supervision (8%)				$97,728.00
Admin costs (10%)				$122,160.00
GRAND TOTAL				$1,441,488.00
Total Cost Excluding Paved Parking Areas				$1,379,488.00

Exhibit C

List of Properties

Address ID	Parcel ID	Owner
44349	4485	Antry Julie & Robert Dale H/H
46004	4485	Fields Susan L
46005	4485	Thompson Gordon C Mareta G H/W
46006	4485	Spalding Robert K Pauline N H/W
46007	4485	Ruiz Living Trust C/O John R Ruiz &
46008	4485	Oak Investment Partners Ltd
46009	4485	Kane Jane Erica
46010	4485	Rozier Francesjane Trustee
46011	4485	Spalding Pauline
46012	4485	Dennis Jean Conrath
46013	4485	Burris Kittie M
46014	4485	Jordan Catherine J & Thomas E W/H
46015	4485	Boswell D Paul & P Verniece H/W
46016	4485	Battram Gregory
46017	4485	Ziervogel Mary C Trustee
46018	4485	Bello Dorothy J
46019	4485	Richards Jonathan B
46020	4485	Koenig Jerry & Linda H/W
46021	4485	Bulte Raymond H & Joyce L H/W
46022	4498	Weitzel Steve Etal
46023	4498	Gerber Susanne J Living Trust
46103	4485	Baker Theresa M
46429	11318	Killion Henrietta G
46430	11318	Hoerchler Sandra
46431	11318	Weir William Gordon & Mary L H/W Trustee
46432	11318	Perez Julio E Living Trust
46433	11318	Resler Paul E Marion M H/W
46434	11318	Brooks Vicki A
46435	11318	Metroulas Dorothy Faye
46436	11318	Greene Ronald L
46437	11318	Becker Cynthia L
46438	11318	Dowling Patrick J Barbara H/W
46439	11318	Vescovo Robert E Sr & Joella Revocable
46440	11318	Gee Mary E Revocable Trust
46441	11318	Anderson Sandra L
46442	11318	Neff Judy K Declaration Of Trust
46443	11318	Howard Ramona G Living Trust

46444	11318	Robert L & Janet E Jones Trust The
46445	11318	Ahlquist Gretchen
46446	11318	Wynn James P Carol J H/W
46447	11261	Barton Margaret R Revocable Living Trust
46448	11261	Cloyd Catherine Josephine Trustee Etal
46449	11261	Stewart Charles A
46450	11261	Heller Randall L Jr Etal
46451	11261	Heller Randall L Trust
46452	11261	Garthe Joan Trustee
46453	11261	Maurer Donna
46454	11261	Schooley John H Sr Trustee Etal
46455	11261	Anderson Revocable Living Trust The
46456	11261	Schreiber John A & Betty J H/W
46457	11261	Spalding John David
46458	11261	Doyle Lauren E
46459	11261	Laiben Mary Christine
46460	11261	Reichardt Mary Elizabeth
46461	11261	Sawyer Living Trust
46462	11261	Povich M Michele Living Trust
46463	11261	Fishman Karen S
46464	11261	Clements Ronald E & Diane M H/W
46465	11190	Zito Rosalie Trustee Etal
46466	11190	Sievers Richard H Margaret M H/W Trust
46467	11190	Yewell Juanita L Trustee
46468	11190	Welde Craig J & Jennifer L H/W
46469	11190	Rezak Sarajoan Trustee
46470	11190	Reichman Ruth Trustee
46471	11190	Bosche Jane F
46472	11190	Paulsen Emerson & Betty H/W Etal J/T
46473	11190	Carter Virginia B Trustee
46474	11190	Featherstone Ruth L
46475	11190	Fishman Michael L & Delena Jamison H/W
46476	11190	Moldane Meryle G
46477	11190	P120612c
46478	11190	Mccance Geneva H
46479	11190	Mocciola Mimi J
46480	11190	Walshauser Andrea
46481	11190	Cain Joan Trustee
46482	11208	Fountain Sharon & Glen H/H
46483	11208	Younger Doris L & Henry W H/H
46484	11208	Wolf Patricia A
46485	11208	Swan Mary Louise
46486	11208	Kasperski Patricia Anne
46487	11208	Humme Carol J
46488	11208	Platipodis Charles Etal

46489	11208	Hartman Rosalie V
46490	11208	Roberts Kathleen M
46491	11208	Powell Living Trust
46492	11208	Oberman Steven & Susan H/W
46493	11208	William & Brenda Ernst Revoc Liv Trust
46494	11208	Steffan George John & Mary A Rev Liv
46495	11208	Saenz Mary Ellen
46496	11208	Arnold Martha M
46497	11208	Litwicki Stephen J & Judith A H/W
46498	11208	Zuber Sean C & Terry L H/W
46499	11233	Oneill Lunt Joan
46500	11233	Lobko Audrey M Etal
46501	11233	Reidy Mary C Trustee
46502	11233	Buhr Henry E Sr Trustee Etal
46503	11233	Kersting Richard N & Nancy D H/W
46504	11233	Henderson Reynolds J & Margaret V
46505	11233	Yansen Kathryn E Trustee
46506	11233	Nielsen Suzanne W
46507	11233	Fox Russell C
46508	11233	Ellis Mark & Sandy Qualified Spousal Tr
46509	11233	Kagan Andrew A Jayne M H/W
46510	11233	Moeller John W & Patricia A H/W
46511	11233	Fick Joan S
46512	11233	Schuler Lee J & Judith E H/W
46513	11233	Bryant Sharon L & Terry L H/H
46514	11233	Birner Philip J Rosemary M H/W
46515	11233	Surkamp Thomas E & Diana R H/W
46516	11239	D & H Holdings Llc
46517	11239	Gerber Judith M Trustee
46518	11239	Witte Richard H Trustee
46519	11239	Reese Deborah J
46520	11239	Rapp George W Mary Sue H/W Etal J/T
46521	11239	Miller Barbara B
46522	11239	Miller Edward M Sr Karen K H/W
46523	11239	Morrissey Family Legacy Trust
46524	11239	Walters Michael L Alonda J H/W
46525	11239	Lussky John W & Carol H/W
46526	11239	Real Norma M Living Trust
46527	11239	Braun Anthony G Trustee Etal
46528	11239	Ambient Investments Llc
46529	11239	Tourkakis Homer & Harriet W H/W
46530	11239	Di Rollo Francesca
46531	11239	Rich Melvin E Geraldine N H/W Trustees
46532	11239	Amendola Margaret
46533	11253	Klugesherz Ann

46534	11253	Jeter Phyllis J
46535	11261	Newman Morton R & Chris R Trust
46536	11261	Lee Clayton F Darla J H/W Trustees
46537	11261	Burtelow Maria Trustee Etal
46538	11261	Waddell Kristen
46539	11261	Haviluk Cheryl
46540	11261	Tessler Michael & Alicia H/W
46541	11261	Orlando Josephsamuel Trustee
46542	11261	Flora Maria
46543	11266	England Revocable Trust
46544	11266	Mendelsohn Morton D Leanore G H/W Trus
46545	11268	Berg William Kess & Amy S H/W
46546	11268	Dolan Patrick H Trustee
46547	11268	Lowe Timothy J & Janet G H/W
46548	11268	Koch Mary H Trustee
46549	11268	Trout Sue Ann Etal
46550	11268	Herzog Patricia M
46551	11280	Marschke Darryl E
46552	11280	Griffin John J Jr Trustee
46553	11280	Lombardo Sharon L & Kenneth P H/H J/T
46554	11280	Leahy Virgil P & Genevieve L H/W Trustee
46555	11280	Konneman Larry D & Jerri D H/W
46556	11280	House Donald L Madonna M H/W
46557	11280	Brown Julie L
46558	11280	Woltzen E Sigrid & Herschel E H/H Truste
46559	11280	Briles Raymond & Strifler Briles Pamela
46560	11297	Wolf Jean P Living Trust
46561	11297	Warren Harold L & Lorraine H H/W
46562	11297	Schuman Stephen
46563	11297	Clear Carolyn H
46564	11297	Larose Charles G & Linda D H/W
46565	11297	Schneider Matthew W
46566	11297	Baldwin George & Janice H/W
46567	11297	Radwick Mark S Etal J/T
46568	11297	Archer Dolores F
46569	11297	Dominguez Oscar R
46570	11297	Haney Barbara J
46571	11297	Casey Mary P
46572	11297	Scissors Robert I & Saundra L H/W Trs
46573	11297	Shapiro Sylvia
46574	11297	Sherman Suzanne Etal J/T
46575	11297	Sanders Bert C Jr & E Sue H/W
46576	11297	Flynn Margaret O
46577	11334	Baron Richard E & Janet E H/W
46578	11334	Janik Angela M

46579	11334	Russell Kenneth R & Caralynne H/W
46580	11334	Gunning Thomas E & Jeffalene L H/W
46581	11334	Link Family Legacy Trust
46582	11334	Barnes Bob O Carol L H/W Trustees
46583	11334	Anderson James C Iii Tr Etal
46584	11334	Huang Keuilan H
46585	11334	Stroot Frank & Clara H/W
46586	11318	Schneider Rudy H
46587	11318	Reed John Jr Etal J/T
55173	11318	Stevens Edward & Melita H/W
55201	11318	Senci Peter W & Piroska Trustees
55203	11318	Gomez Cesar A & Marie R H/W Trustee
46591	11318	Meyer Robert W Vera J H/W Trustees
46592	11318	Deiss Rita L
46593	11322	Topside Partnership
55204	11322	Boraz Mitch
46595	11322	Oberman Mark & Jane S H/W
55205	11334	Bgb Homes
55225	11334	Horner Michele D
55206	11334	Leonhardt Jacqueline J Trustee
46599	11334	Frueh Rose C Trustee
46600	11334	Orth Robert L & Margot J H/W Trs
55224	11334	Hof Stephanie
55223	11334	Pasek Family Revocable Living Trust
55222	11334	Babu Ajit N & Madhu S H/W
46604	11334	Sulzer Roger J Revoc Trust Etal
46605	11334	Kessler Gerald Natalie S H/W Trustees
46606	11334	Tebbe Jane E
46607	11334	Oliver Jane W Revocable Trust
4485	4485	Marty Keith A & Diana J H/W
4498	4498	Bertsch Philip & Ly Bong H/W
11190	11190	Voris Marilyn E
11208	11208	Schmitz Lila E
11233	11233	Ibur Betty Trustee
11239	11239	Borgers Jo Ann Trust
11253	11253	Mcbride Allen & Carol H/W
11261	11261	Dibner Steven & Julia Janes H/W
11266	11266	Maitz Carlos A
11268	11268	Saemisch Frederick C Bobbette B Trs
11280	11280	Orr Edwin Scott Revocable Trust Etal
11297	11297	Davis Sara J
11318	11318	Paap Heidi C
11322	11322	Klohmann Richard H Helen W H/W
11334	11334	Garvin Amelia M Trustee