



**Planning and Development Services**

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## CONDOMINIUM PLAT SUBMITTAL REQUIREMENTS

### What do I need to submit for Condominium Plat?

The following items must be submitted upon your initial application:

1. Completed Citizenserve application
2. Property Owner Signature Form (see last page)
3. Review fee of \$335 (including nonrefundable \$35 processing fee)
4. A digital PDF of the condominium plat uploaded to the portal
5. A digital PDF of the condominium declaration requirements uploaded to the portal
6. A digital PDF of the condominium bylaws uploaded to the portal

### What information should be shown on the condominium plat?

Listed on the following pages is a general list of plat requirements. All condominium plats are to be prepared by a surveyor, registered to practice in the State of Missouri and shall be drawn on one (1) or more sheets. If multiple sheets are required, then a key map shall be provided on a title sheet showing all units at reduced scale. Contact City Staff for clarification if you have a question on any of the items below.

- Condominium name and project title or name, the north arrow, scale and date.
- Accurate legal description of the boundary of the lot(s).
- Boundary lines, with dimensions and bearings or angles, which provide an accurate survey of the lot(s).
- Names, addresses and telephone numbers of the developer, owner and engineer.
- Accurate location of all existing and recorded streets, the street name(s) and right-of-way width(s), alley(s) or other right-of-way adjacent to the subject lot(s) with accurate dimensions, bearing curve data, including radii arcs, points of tangency and central angles.
- Location, dimensions and purpose of each easement.
- Each building footprint and an identification system for all buildings and units.
- Each unit's identifying number.
- The location and dimensions of limited common elements, including porches, balconies and patios, other than parking spaces and the other limited common elements.
- The area in square feet for lot(s), building(s) and unit(s) in the project.
- A legally sufficient description of any real estate in which the unit owners will own only an estate for years, labeled as "leasehold real estate".

- Any units in which the declarant has reserved the right to create lesser and larger units or common elements, identified appropriately.
- A plat must also show the intended location and dimensions of any contemplated improvement to be constructed anywhere within the condominium. Any contemplated improvement shown must be labeled either "shall be built" or "need not be built".
- The location and dimensions of all real estate not subject to development rights or subject only to the development right to withdraw and the location and dimensions of all existing improvements within that real estate.
- The location and dimensions of the vertical boundaries of each unit.
- Any horizontal unit boundaries, with reference to established datum.
- Building setback lines required by the Clayton Zoning Ordinance with dimensions.
- Location, type, material and size of all survey monuments and lot markers, including bench marks with elevations referenced to mean sea level datum.
- Purposes for which areas are dedicated or reserved (i.e., open space, common area).
- Location of water mains, valves and fire hydrants.
- Certificate of the owner creating the condominium, granting easements with statement of the use or uses for which granted, establishing building lines and referring to the restrictions of all types and trusteeships which will run with the land and become covenants in the deeds for the lots.
- Certificates of all owners and holders of the deeds of trust, approving the plat as prepared and releasing from the lien created by said deeds of trust all land dedicated to the public use on the plat.
- Certification by a registered land surveyor or engineer that the plat represents a survey made by him/her and that all the necessary survey monuments are correctly shown thereon and that the size of each lot, building and unit is correctly indicated by dimensions and square feet of area. Impressed thereon and affixed thereto shall be the personal seal and signature of the registered land surveyor or engineer by whom or under whose authority and direction the plat was prepared in conformance with Missouri Revised Statutes. Any certification of a plat required shall be made by a registered and licensed surveyor, whereas, any certification of a plan required shall be made by an architect or engineer.
- Certification that real estate taxes are paid shall be furnished in the form of copies of paid real estate tax bills on the land subject to the condominium plat or condominium building conversion plat.
- Certificate indicating approval of the plat by the Board of Aldermen of the City of Clayton, prepared for execution by the Mayor and City Clerk over the seal of the City of Clayton. Such certification shall include signature lines for the surveying company, owner(s) or developer(s). These two (2) signature lines must have notary signature lines. Also required is a signature line for the City Clerk and a separate line stating: "Approved by the Board of Aldermen this \_\_\_\_\_ day of \_\_\_\_\_ by Ordinance No. \_\_\_\_\_" to be completed by the City Clerk.
- Additional information, drawings, plans or documentation may be requested when deemed necessary or appropriate for a full and proper consideration and disposition of the application.

## **What information should be included in the declaration?**

The declaration establishes the legal framework of the condominium and defines the relationships between individual unit owners and the condominium association. The declaration shall contain the following information:

- The name of the condominium, which shall include the word "condominium" or be followed by the words "a condominium" and the association.
- The name of every County in which any part of the condominium is situated.
- A legally sufficient description of the real estate included in the condominium.
- A statement of the maximum number of units, which the declarant reserves the right to create.
- A description of the boundaries of each unit created by the declaration, including each unit's identifying number.
- A description of any limited common elements.
- A description of any real estate, except real estate subject to development rights, which may be allocated subsequently as limited common elements, together with a statement that they may be so allocated.
- A description of any development rights and other special declarant rights reserved by the declarant, together with a legally sufficient description of the real estate to which each of those rights applies and a time limit within which each of those rights shall be exercised.
- If any development right may be exercised with respect to different parcels of real estate at different times, a statement to that effect, together with (a) either a statement fixing the boundaries of those portions and regulating the order in which those portions may be subjected to the exercise of each development right or a statement that no assurances are made in those regards and (b) a statement as to whether, if any development right is exercised in any portion of the real estate subject to that development right, that development right shall be exercised in all or in any other portion of the remainder of that real estate.
- Any other conditions or limitations under which rights may be exercised or will lapse.
- An allocation to each unit of the allocated interests.
- Any restrictions on use, occupancy and alienation of the units.
- The recording data for recorded easements and licenses appurtenant to or included in the condominium or to which any portion of the condominium is or may become subject by virtue of a reservation in the declaration.
- All matters required under Chapter 448, RSMo.
- The declaration may contain any other matters the declarant deems appropriate.

## **What information should be included in the bylaws?**

Bylaws are a set of rules and regulations that dictate how the condominium association is organized and operates. They specify the responsibilities of the association's board of directors, voting procedures, meetings, and other administrative matters. The bylaws shall contain the following information:

- The number of members of the executive board and the titles of the officers of the association;
- Election by the executive board of a president, treasurer, secretary and any other officers of the association the bylaws specify;

- The qualifications, powers and duties, terms of office and manner of electing and removing executive board members and officers and filling vacancies;
- Which, if any, of its powers the executive board or officers may delegate to other persons or to a managing agent;
- Which of its officers may prepare, execute, certify and record amendments to the declaration on behalf of the association; and
- The method of amending the bylaws subject to the following:
  - Unless the declarant otherwise agrees in writing to permit an amendment to the bylaws, for so long as a declarant is the owner of units representing an aggregate of ten percent (10%) or more of the units in which votes in the association are allocated, the bylaws may only be amended with the affirmative vote of at least sixty-seven percent (67%) of the unit owners of units to which votes in the association are allocated; and
  - After the declarant ceases to own ten percent (10%) or more of the units to which votes in the association are allocated, the bylaws may only be amended with the affirmative vote of a majority of the unit owners of units to which the votes in the association are allocated.

## **Review for Condominium Plats**

### **What is a condominium plat?**

A condominium plat is a survey or map outlining the boundaries and layout of a condominium development, specifying individual unit dimensions, common areas, and other features. It serves as a document for property owners, developers, and local authorities to understand and manage condominium property.

### **When is a condominium plat required?**

All proposed new condominium construction or conversion of existing multifamily structure to condominiums must apply for a condominium plat.

### **Who is responsible for reviewing a condominium plat?**

Following a preliminary review by city staff, the Board of Aldermen will consider condominium plats at their regularly scheduled meetings. It is necessary that the applicant or applicant's representative familiar with the requested condominium plat appear personally at the meeting to answer questions. A condominium plat is approved by ordinance.

# APPLICATION SIGNATURE FORM

## SIGNATURES (FULL LEGAL NAME IS REQUIRED)

I \_\_\_\_\_ certify that I am the legal property owner, or an authorized representative of the property ownership, and I grant permission for application of this permit and permission for all work shown and requested.

*Signature of **Property Owner** (Required):* \_\_\_\_\_

*Print name:* \_\_\_\_\_

Date: \_\_\_\_\_ Business Name/title (if applicable): \_\_\_\_\_

Email: \_\_\_\_\_