

## **Transferring Private Streets to Public Maintenance**

After a request has been received by the Department of Highways & Traffic for private streets to be taken over for public maintenance (please send the maintenance request letter to: Sheryl L. Hodges, D.E., P.E., L.P.G., Director, St. Louis County Department of Highways & Traffic, 121 S. Meramec Avenue, Clayton, Missouri 63105), the following steps will be followed:

- 1) The Division of Highway Planning will check the status of the streets in question by:
  - a) Checking the current subdivision record plat, as filed for public record by the subdivision developer with the Recorder of Deeds office. The subdivision record plat must indicate that the developer intended for the streets to be publicly maintained at some future date. Otherwise, we are under no obligation to accept them for maintenance. All costs to bring them up to our current St. Louis County standards are borne by the subdivision property owners, trustees or responsible parties. Usually, a record plat establishing private streets indicates in the script that they are to remain as "*private streets forever*".
  - b) Checking the original approved site development plan that depicts said subdivision streets. The site development plan must indicate that the subdivision developer intended for the streets to be publicly maintained at some future date.
  - c) Checking improvement plans approved by the Department of Highways & Traffic. The streets in the subdivision must be built or able to be retrofitted to current St. Louis County standards, as depicted in the current "Design Criteria for the Preparation of Improvement Plans" manual and current St. Louis County "Standard Drawings", located on the internet at our "Publications & Manuals" website. The website address is: [www.stlouisco.com/PropertyandRoads/HighwayPublicationsManuals/DesignCriteriaManual](http://www.stlouisco.com/PropertyandRoads/HighwayPublicationsManuals/DesignCriteriaManual). Existing private streets may have non-conforming typical sections; may lack sidewalks; may have insufficient right-of-way; may have utility and/or private roadway easements located within the area required for the public right-of-way; may not be paved; may have perpendicular parking adjacent to the street especially in multi-family developments, etc.
- 2) If it is determined by the Department of Highways & Traffic that the streets may be a candidate for acceptance by St. Louis County for public maintenance, the following applies:
  - a) The subdivision trustees or responsible parties are required to contact the Division of Construction for a formal street inspection of the streets proposed for acceptance by St. Louis County. The subdivision trustees or responsible parties are required to correct all deficiencies and complete any required improvements to their subdivision streets, and are required to pay all costs associated the street acceptance, including but not limited to the correction of all street and right-of-way deficiencies, required roadway improvements, required engineering and surveying costs, etc.
  - b) The subdivision trustees or responsible parties are required to hire a registered land surveyor to create a new roadway dedication plat, so that public road right-of-way can be established. The plat must be signed by each property owner in the subdivision required to dedicate right-of-way, by the trustees of the subdivision (if they are required by the existing subdivision indentures), and/or by any other individuals having an interest in the roadways. Proper procedures will be dictated by the existing subdivision record plat and/or subdivision indentures. The roadway dedication record plat will dedicate the

street(s) or roadway(s) to "*St. Louis County for public use forever*". The Division of Highway Planning will review the preliminary roadway dedication record plat.

- c) If the preliminary roadway dedication record plat is approved by the Department of Highways & Traffic, and the County is willing to take over the streets for public maintenance, the trustees or responsible parties will be instructed to get the road dedication record plat recorded in the St. Louis County Recorder of Deeds office.
  - d) The Department of Highways & Traffic requires that all utility and miscellaneous easements located within public road right-of-way be subordinated to St. Louis County. The subdivision trustees or responsible parties will be required to secure all of the necessary subordinations from the various utility companies and other easement holders, so that the County holds all of the authority over the new public road right-of-way.
  - e) After all correction of deficiencies and required improvements are satisfactorily completed, a final inspection and approval of the subdivision streets is completed by the Division of Construction. The Division of Construction verifies that the streets meet the latest St. Louis County design criteria standards. Notice of final approval is forwarded by the Division of Construction to the Division of Highway Planning for further action.
  - f) After the road dedication plat is recorded and the streets receive final approval, the Division of Highway Planning prepares a council report recommending that the St. Louis County Council accept for maintenance these public streets. The council report shall contain the names, limits, width, pavement type, etc., for the streets proposed for acceptance. The St. Louis County Council can accept or reject by Council Order maintenance of the streets.
  - g) After the St. Louis County Council accepts the streets for maintenance, the Division of Highway Planning notifies all of the other Highway Department Divisions of the street acceptance on the monthly road acceptance and mileage report. Upon acceptance for maintenance by the St. Louis County Council, the streets will be monitored for future street preservation work and snow plowing.
- 3) The street acceptance process could take up to 12 months or more to complete.
- 4) Please contact Mr. Jerry Lippold of the St. Louis County Department of Highways & Traffic, Division of Highway Planning, at (314) 615-8514 if you have any questions.