

BILL NO. 2078

ORDINANCE NO. 1854

AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR LOTS 36, 37, AND 41 OF AUGUST HILL ON CONWAY PLAT TWO, MORE PARTICULARLY DESCRIBED AS A TRACT OF LAND BEING RECORDED IN PLAT BOOK 350, PAGES 118-119 OF ST. LOUIS COUNTY MISSOURI, LOCATED WITHIN THE CITY OF CHESTERFIELD.

WHEREAS, Volz, Incorporated, for Hayden Homes, Inc. have submitted a proposed Boundary Adjustment Plat for August Hill on Conway Lots 36, 37, and 41 to the Department of Planning for its consideration, proposing to adjust the lot lines of the aforementioned lots.

WHEREAS, the Department of Planning and Department of Public Works have reviewed the Boundary Adjustment Plat in accordance with the City of Chesterfield's subdivision regulations and zoning ordinances and has recommended approval of same and forwarded said boundary Adjustment Plat to the City Council.

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

Section 1. The Boundary Adjustment Plat, that is attached hereto as Exhibit "A" and made a part hereof as fully set out herein, is hereby approved; the owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

Section 2. The Mayor and the City Clerk are authorized and directed to evidence the approval of the said Boundary Adjustment Plat by affixing their signatures and the official seal of the City of Chesterfield as required on said document.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of June, 2002.


Mayor John Nations

ATTEST:


City Clerk Marty DeMay

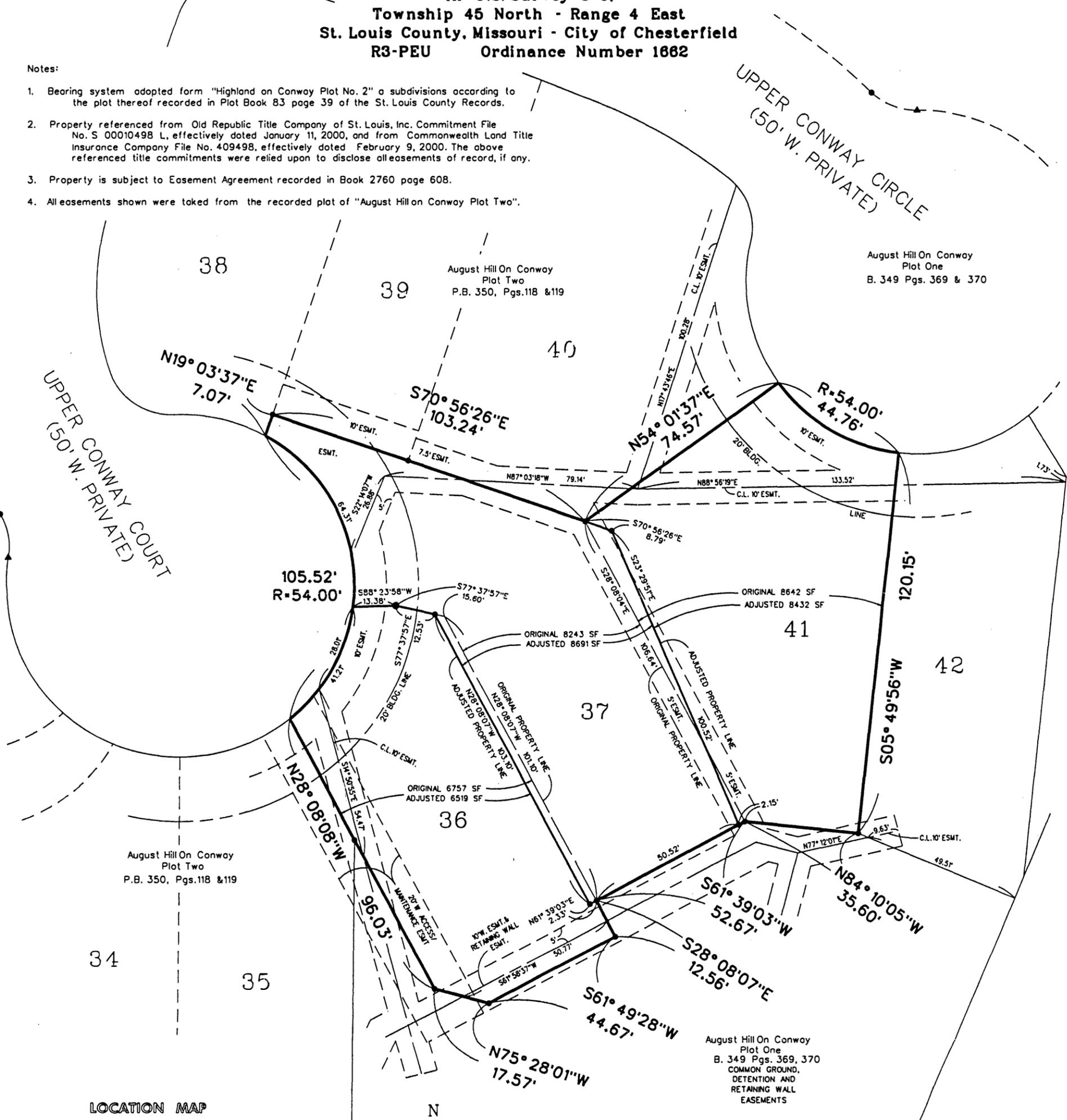
**A Boundary Adjustment Plat of Lots 36, 37 and 41 of
"August Hill on Conway Plat Two"**

Recorded in Plat Book 350, Pages 118 & 119
of the St. Louis County Records
in U.S. Survey 370.

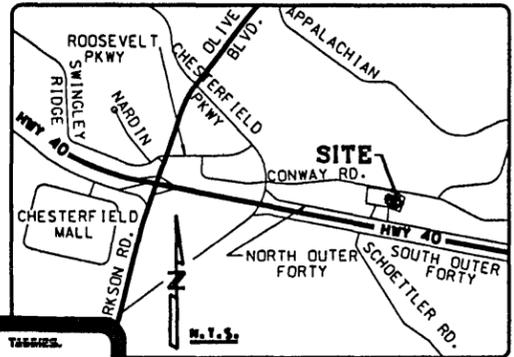
Township 45 North - Range 4 East
St. Louis County, Missouri - City of Chesterfield
R3-PEU Ordinance Number 1682

Notes:

1. Bearing system adopted from "Highland on Conway Plot No. 2" a subdivisions according to the plat thereof recorded in Plat Book 83 page 39 of the St. Louis County Records.
2. Property referenced from Old Republic Title Company of St. Louis, Inc. Commitment File No. S 00010498 L, effectively dated January 11, 2000, and from Commonwealth Land Title Insurance Company File No. 409498, effectively dated February 9, 2000. The above referenced title commitments were relied upon to disclose all easements of record, if any.
3. Property is subject to Easement Agreement recorded in Book 2760 page 608.
4. All easements shown were taken from the recorded plat of "August Hill on Conway Plot Two".



LOCATION MAP



- LEGEND:**
- IRON PIPE
 - ▲ BRASS MONUMENT
 - ▭ URBAN CLASS PROPERTY

VOLZ
INCORPORATED
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD IND'L BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212

B6212
Sheet 2 of 2
August Hill on Conway
B.A.P. 36, 37 and 41

Roger G. Allen
Mo. P.L.S. #2185

EXHIBIT

A Boundary Plat of Lots 36, 37 and 41 of "August Hill On Conway Plat Two"

Recorded in Plat Book 350, Pages 118 & 119
of the St. Louis County Records
in U.S. Surveys 370, Township 45 North - Range 4 East
St. Louis County, Missouri - City of Chesterfield
R3-PEU Ordinance Number 1662

We have during the month of May 2002, by order of HaydenHomes, Inc., completed a Boundary Adjustment Plat of Lots 36, 37 and 41 of August Hill on Conway Plat Two recorded in Plat Book 350, Pages 118 and 119 of the St. Louis County Records in U.S. Survey 370, Township 45 North - Range 4 East, St. Louis County, Missouri, City of Chesterfield, and the results are shown hereon. This Boundary Adjustment Plat was executed in compliance with the current Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers and Land Surveyors and The Missouri Department of Natural Resources, and meets the accuracy requirements set forth for Urban Property. Monumentation shown on this plat will be set upon completion of construction.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this _____ day of _____, 2002.

VOLZ INCORPORATED

Roger G. Allen, R.L.S.
MO Reg. L.S. #2185

The undersigned owner has caused these parcels to be adjusted in land area in the manner shown on the above Boundary Adjustment Plat.

IN WITNESS WHEREOF, It has signed and sealed the foregoing this _____ day of _____, 2002.

HAYDEN HOMES, INC.

STATE OF MISSOURI)
)SS
COUNTY OF ST. LOUIS)

On this _____ day of _____, 2002, before me personally appeared _____, who being by me duly sworn did say that he is the _____ of Hayden Homes, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:

Notary Public

WHEREAS, Allegiant Bank by a deed of trust, dated November 6, 2000, and recorded in the Recorder's office, in and for the County of St. Louis and State of Missouri, in Book 12754 at page 1671 conveyed to the trustee therein named, certain real estate, to secure the payment of certain note or notes in said deed described and set forth; and whereas, said deed of trust and note or notes has or have been **PARTLY** paid and satisfied.

NOW, THEREFORE, the undersigned, present holder and legal owner of said deed of trust and note or notes, does here by **REMISE, RELEASE AND QUIT-CLAIM** unto the present owners, **PART** of the estate in said deed of trust described, situated in the County of St. Louis, and State of Missouri, to wit: All common ground or common land shown on this plat and all streets, public or private, or roadway easements on this plat.

TO HAVE AND TO HOLD the same, with all the appurtenances thereto belonging free, clear and discharged from the encumbrance of said deed of trust.

IN WITNESS WHEREOF, the undersigned has executed these presents this _____ day of _____, _____

STATE OF MISSOURI)
)SS
COUNTY OF ST. LOUIS)

On this _____ day of _____, 2002, before me personally appeared _____, who being by me duly sworn did say that he is the _____ of _____, a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:

Notary Public

ORIGINAL LOT 36

A tract of land being Lot 36 of "August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Eastern corner of said Lot 36 of "August Hill on Conway Plat Two"; thence along the boundary lines of said Lot 36 the following courses and distances: South 61 degrees 49 minutes 28 seconds West 44.67 feet, North 75 degrees 28 minutes 01 seconds West 17.57 feet, North 28 degrees 08 minutes 08 seconds West 96.03 feet, along a curve to the left whose radius point bears North 39 degrees 11 minutes 16 seconds West 54.00 feet from the last mentioned point, a distance of 41.21 feet, North 88 degrees 23 minutes 58 seconds East 13.38 feet, South 77 degrees 37 minutes 57 seconds East 15.60 feet and South 28 degrees 08 minutes 07 seconds East 113.66 feet to the point of beginning and containing 6757 square feet.

ADJUSTED LOT 36

A tract of land being part of Lot 36 of "August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Eastern corner of said Lot 36 of "August Hill on Conway Plat Two"; thence along the boundary lines of said Lot 36 the following courses and distances: South 61 degrees 49 minutes 28 seconds West 44.67 feet, North 75 degrees 28 minutes 01 seconds West 17.57 feet, North 28 degrees 08 minutes 08 seconds West 96.03 feet, along a curve to the left whose radius point bears North 39 degrees 11 minutes 16 seconds West 54.00 feet from the last mentioned point, a distance of 41.21 feet, North 88 degrees 23 minutes 58 seconds East 13.38 feet, South 77 degrees 37 minutes 57 seconds East 12.53 feet to a point; thence South 28 degrees 08 minutes 07 seconds East 103.10 feet to a point; thence North 61 degrees 39 minutes 03 seconds East 2.33 feet to the Northeast line of said Lot 36; thence Southeastwardly along said Northeast line of Lot 36 South 28 degrees 08 minutes 07 seconds East 12.56 feet to the point of beginning and containing 6519 square feet.

ORIGINAL LOT 37

A tract of land being Lot 37 of "August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Northern corner of said Lot 37 of "August Hill on Conway Plat Two"; thence along the boundary lines of said Lot 37 the following courses and distances: South 70 degrees 56 minutes 26 seconds East 103.24 feet, South 28 degrees 08 minutes 04 seconds East 106.64 feet, South 61 degrees 39 minutes 03 seconds West 52.67 feet, North 28 degrees 08 minutes 07 seconds West 101.10 feet, North 77 degrees 37 minutes 57 seconds West 15.60 feet, South 88 degrees 23 minutes 58 seconds West 13.38 feet, along a curve to the left whose radius point bears North 82 degrees 54 minutes 57 seconds West 54.00 feet from the last mentioned point, a distance of 64.31 feet and North 19 degrees 03 minutes 37 seconds East 7.07 feet to the point of beginning and containing 8243 square feet.

ADJUSTED LOT 37

A tract of land being part of Lots 36, 37 and 41 of "August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Northern corner of said Lot 37 of "August Hill on Conway Plat Two"; thence Eastwardly along the North line of said Lot 37 and its prolongation South 70 degrees 56 minute 26 seconds East 112.03 feet to a point; thence South 23 degrees 29 minutes 51 seconds East 100.52 feet to a South line of said Lot 37; thence Westwardly along said South line of Lot 37 and its prolongation South 61 degrees 39 minutes 03 seconds West 52.85 feet to a point; thence North 28 degrees 08 minutes 07 seconds West 103.10 feet to a South line of said Lot 37; thence along the boundary lines of said Lot 37 the following courses and distances: North 77 degrees 37 minutes 57 seconds West 12.53 feet, South 88 degrees 23 minutes 58 seconds West 13.38 feet, along a curve to the left whose radius point bears North 82 degrees 54 minutes 57 seconds West 54.00 feet from the last mentioned point, a distance of 64.31 feet and North 19 degrees 03 minutes 37 seconds East 7.07 feet to the point of beginning and containing 8691 square feet.

ORIGINAL LOT 41

A tract of land being Lot 41 of August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Western corner of said Lot 41 of August Hill on Conway Plat Two"; thence along the boundary lines of said Lot 41 the following courses and distances: North 54 degrees 01 minutes 37 seconds East 74.57 feet, along a curve to the left whose radius point bears North 54 degree 01 minute 25 seconds East 54.00 feet from the last mentioned point, a distance of 44.76 feet, South 05 degrees 49 minutes 56 seconds West 120.15 feet, North 84 degrees 10 minutes 05 seconds West 35.60 feet and North 28 degrees 08 minutes 04 seconds West 106.64 feet to the point of beginning and containing 8642 square feet.

ADJUSTED LOT 41

A tract of land being part Lots 37 and 41 of August Hill on Conway Plat Two", a subdivision according to the plat thereof recorded in Plat Book 350 pages 118 and 119 of the St. Louis County Records, in U.S. Survey 370, Township 45 North Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the most Western corner of said Lot 41 of August Hill on Conway Plat Two"; thence along the boundary lines of said Lot 41 the following courses and distances: North 54 degrees 01 minutes 37 seconds East 74.57 feet, along a curve to the left whose radius point bears North 54 degree 01 minute 25 seconds East 54.00 feet from the last mentioned point, a distance of 44.76 feet, South 05 degrees 49 minutes 56 seconds West 120.15 feet, and North 84 degrees 10 minutes 05 seconds West 35.60 feet to the Southwest corner thereof; thence Westwardly along the South line of said Lot 37 South 61 degrees 39 minutes 03 seconds West 2.15 feet to a point; thence North 23 degrees 29 minutes 51 seconds West 100.52 feet to a point; thence North 70 degrees 56 minutes 26 seconds West 8.79 feet to the point of beginning and containing 8432 square feet.

This drawing has been reviewed under Section 1005.360 PLATTING EXCEPTIONS of City of Chesterfield Subdivision Ordinance (Chapter 1005), and approved by the City Council for the City of Chesterfield by Ordinance No. _____, on _____, 2002. The purpose of this plat is to adjust a boundary between adjoining properties, no additional lots are created, and the new lots are not reduced below the minimum size required in the Zoning Ordinance or Subdivision Ordinance.

ATTEST:

John Nations, MAYOR

Martha DeMay, CITY CLERK

**VOLZ
INCORPORATED**

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SHEET 1 OF 2
August Hill On Conway
EAP 36, 37 and 41