

BILL NO. 2122

ORDINANCE NO. 1891

**AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RECORD PLAT FOR THE VILLAS AT NOONING TREE ADDITION (VILLAGE A) SUBDIVISION, A 16.664 ACRE TRACT OF LAND ZONED "R-3" RESIDENCE DISTRICT WITH A PEU, LOCATED SOUTH OF OLIVE BOULEVARD AND WEST OF WHITE ROAD.**

WHEREAS, Volz Engineering, on behalf of Taylor-Morley Homes, has submitted for review and approval the Record Plat for The Villas at Noonning Tree Addition Subdivision located south of Olive Boulevard and west of White Road; and,

WHEREAS, the petitioner has submitted a Record Plat for 16.664 acres creating 70 lots for attached single-family dwellings, in the "R-3" Residence District with a PEU; and,

WHEREAS, the Planning Commission having reviewed the same and has recommended approval there of.

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

Section 1. The Record Plat for The Villas at Noonning Tree Addition Subdivision, which is made a part hereof and attached hereto as Exhibit 1, is hereby approved; provided, however, that nothing in this ordinance shall be construed or interpreted as an acceptance of the public utilities or public easement which are dedicated on the subdivision plat.

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

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

Passed and approved this 4<sup>th</sup> day of November, 2002.

  
MAYOR

ATTEST:

  
CITY CLERK

# Nooning Tree Addition Village 'A'

## (The Villas At Nooning Tree Addition)

A tract of land being part of Lot 2 of the partition of Frederick Bates Estates in U.S. Survey 157 as shown on the plat accompanying commissioners report recorded in Book 3 page 461 of the St. Louis County Records and being part of U.S. Survey 415 in Township 45 North Range 4 East of the Fifth Principal Meridian City of Chesterfield, St. Louis County, Missouri  
A Planned Environment Unit  
Ordinance No. 1271-Zoned R-3



We have during the month of May 2002, by order of Nooning Tree II, LLC, made a Survey and Subdivision of "A tract of land being part of Lot 2 of the partition of Frederick Bates Estates in U.S. Survey 157 as shown on the plat accompanying commissioners report recorded in Book 3 page 461 of the St. Louis County Records and being part of U.S. Survey 415 in Township 45 North Range 4 East of the Fifth Principal Meridian City of Chesterfield, St. Louis County, Missouri," and the results of said Survey are represented on this plat. This survey was executed in compliance with the current Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers and Professional 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 P.L.S. #2185

We, the undersigned owners of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereafter be known as "Nooning Tree Addition Village A (The Villas At Nooning Tree Addition)". Thornbird Manor Parkway, varying width, and Solar Terrace Court, 40' wide, are private streets, which for better identification are shown hachured on this plat, are for use and benefit of the present and future owners or residents of this subdivision, and may be used for parking, ingress and egress, sewers, and public utilities. All private streets within this plat are private and are to remain private, never to be accepted for maintenance by the City of Chesterfield.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to the City of Chesterfield, Missouri, Missouri American Water Company, Laclede Gas Company, Ameren UE, Southwestern Bell Telephone Company, Metropolitan St. Louis Sewer District, the relevant cable television company, their successors and assigns as their interests may appear for the purpose of improving, constructing, maintaining, and repairing public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of said utilities, sewers and drainage facilities.

The pump station easement as shown on this plat is hereby given, granted, extended and conveyed to The Metropolitan St. Louis Sewer District for the exclusive right to build and maintain a lift and/or pump station, sewer or sewers, including stormwater improvements, roadway, and appurtenances, and to use such additional space adjacent to the easement (s) so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned lift and/or pump station, sewer or sewers, including stormwater improvements, roadway, and appurtenances. The Metropolitan St. Louis Sewer District may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforesaid lift and/or pump station, sewer or sewers, including stormwater improvements, roadway, and appurtenances, and may assign its rights herein to the State, County, City or other political subdivision of the State. The easements hereby granted are irrevocable and shall continue forever.

The Detention Easements as shown on this plat are hereby given, granted, extended, and conveyed to the Trustees of the subdivision for the exclusive right to build and maintain a sewer or sewers, including stormwater improvements, on the strip or strips of ground which have been identified on this plat, and to use such additional space adjacent to the easement so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned sewer or sewers, including stormwater improvements and they may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforesaid sewer or sewers, including stormwater improvements, and may assign their rights in the easements to the State, County, City or other political subdivision of the State. The easements hereby granted are irrevocable and shall continue forever.

The Sidewalk, Maintenance, Utility, Sewer, and Roadway Widening Easement along Callope Place is hereby dedicated to the City of Chesterfield, Missouri for public use forever.

The Retaining Wall Easements and Retaining Wall Access Easements are hereby dedicated to the Trustees of this subdivision to be used as a means of ingress and egress to and to repair, maintain and reconstruct the retaining walls as needed.

The Landscape Buffer Easement as shown on this plat is hereby granted to the Trustees of this subdivision to be used for construction and maintenance of a landscape buffer.

The Entrance Monument Easements as shown on this plat are hereby dedicated to the Trustees of this subdivision, their successors and assigns, for the purpose of constructing, maintaining, and repairing an entrance monument.

The Easement for Emergency Access is dedicated to the Trustees, their successors and assigns as their interests may appear for the purpose of maintaining, repairing, replacement and landscaping of an emergency access road.

Building lines as shown on this plat are hereby established.

This subdivision is subject to conditions and restrictions filed on \_\_\_\_\_, as Daily Number \_\_\_\_\_ of the St. Louis County Records.

The common ground shown on the plat has been conveyed forever to the trustees of Nooning Tree Addition by General Warranty Deed recorded the \_\_\_\_\_ day of \_\_\_\_\_, 2002, as Daily Number \_\_\_\_\_ in the St. Louis County Records.

All common ground easements, such as cul-de-sac islands and divided street islands or median strips, are hereby dedicated to the Trustees of the aforementioned subdivision for landscape maintenance.

Two permanent monuments for each block created (indicated as **A**) and semi permanent monuments at all lot corners (indicated as **B**) will be set, with the exception that the front lot corners may be monumented by notches or crosses cut in concrete paving on the prolongation of the lot line, within twelve (12) months after the recording of this subdivision plat, in accordance with 10 CSR 30-2.090 of the Missouri Department of Natural Resources and 4 CSR 30-16.090 of the Missouri Department of Economic Development. In addition, other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri 1005.250 will be set.

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat.

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

**NOONING TREE II, LLC**

STATE OF MISSOURI )  
COUNTY OF ST. LOUIS ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before me personally appeared \_\_\_\_\_, who being by me duly sworn did say that he is \_\_\_\_\_ Nooning Tree II, LLC, a Limited Liability Company of the State of Missouri, and that the said instrument was signed on behalf of said Limited Liability Company and the said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said Limited Liability Company.

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

My Commission Expires:

\_\_\_\_\_  
Notary Public

WHEREAS, \_\_\_\_\_ by a deed of trust, dated \_\_\_\_\_, \_\_\_\_\_, and recorded in the Recorder's office, in and for the \_\_\_\_\_ of \_\_\_\_\_ and State of Missouri, in Book \_\_\_\_\_ at page \_\_\_\_\_ 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 \_\_\_\_\_, 2002.

STATE OF MISSOURI )  
COUNTY OF ST. LOUIS ) SS

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

This is to certify that this plat of "Nooning Tree Addition Village A (The Villas At Nooning Tree Addition)" was approved by the City Council of the City of Chesterfield by Ordinance Number \_\_\_\_\_ on \_\_\_\_\_, 2002 and thereby authorizes the recording of this plat with the office of the St. Louis County Recorder of Deeds.

ATTEST:

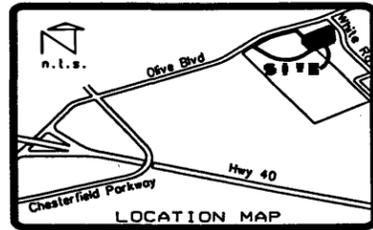
\_\_\_\_\_  
John Nations, MAYOR

\_\_\_\_\_  
Martha DeMay, CITY CLERK

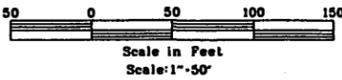
**VOLZ INCORPORATED**

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PHONE (314) 426-6212  
FAX (314) 890-1250

6600-0  
Sheet 1 of 2  
Nooning Tree Addition  
Village A



THIS PLAT CONTAINS 16.664 ACRES.



THE VILLAS AT WHITEBROOK  
P.B. 344 PGS. 56&57

PROPERTY N/F  
WILLIAM L. SEEGER JR. & WIFE  
5185/73

