

BILL NO. 2124

ORDINANCE NO. 1893

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RE-SUBDIVISION PLAT OF "TRACT E" OF RIVER CROSSINGS SUBDIVISION, A 4.80 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT, LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, ACROSS FROM PUBLIC WORKS DRIVE, AND WEST OF BOONE'S CROSSING.

WHEREAS, Retail Realty Group has submitted for review and approval the Re-subdivision Plat for Tract E of River Crossings Subdivision located on the north side of Chesterfield Airport Road and west of Boone's Crossing; and,

WHEREAS, the petitioner has submitted a Re-subdivision Plat for a 4.80 acres creating 3 lots for commercial development, in the "PC" Planned Commercial District; 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 Re-subdivision Plat for Tract E of River Crossings 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 4th day of November, 2002.


MAYOR

ATTEST:


CITY CLERK

LEGAL DESCRIPTION FOR RIVER CROSSINGS SITE

Lot One (1)

A part of Tract "E" of the final plat of River Crossings, a subdivision in the City of Chesterfield, St. Louis County, Missouri according to the recorded plat thereof (Book 350 at Page 205) being more particularly described as follows:

Commencing at the Southwest corner of said River Crossings subdivision; thence North 89 degrees 36 minutes 00 seconds East along the South line of said River Crossings subdivision a distance of 185.04 feet for the point of beginning; said point also being the Southwesterly corner of said Tract "E" of River Crossings subdivision; thence North 60 degrees 14 minutes 59 seconds West along the Westerly line of said Tract "E" a distance of 56.86 feet; thence North 37 degrees 17 minutes 49 seconds East along said West line a distance of 66.38 feet; thence Northerly on a tangent curve to the right having a radius of 93.00 feet, an internal angle of 37 degrees 53 minutes 00 seconds an arc length of 61.49 feet; thence North 00 degrees 35 minutes 11 seconds East along said West line a distance of 173.56 feet to the Northwest corner of said Tract "E"; thence South 89 degrees 23 minutes 45 seconds East along the North line of said Tract "E" a distance of 293.09 feet; thence South 00 degrees 35 minutes 14 seconds West a distance of 307.53 feet to a point on the South line of said Tract "E"; thence South 89 degrees 36 minutes 00 seconds West along said South line a distance of 183.10 feet to the point of beginning. Said tract of land contains 1.97 acres (85,970 square feet) being subject to any easements and rights of way of record.

Lot Two (2)

//

A part of Tract "E" of the final plat of River Crossings, a subdivision in the City of Chesterfield, St. Louis County, Missouri according to the recorded plat thereof (Book 350 at Page 205) being more particularly described as follows:

Commencing at the Southwest corner of said River Crossings subdivision; thence North 89 degrees 36 minutes 00 seconds East along the South line of said River Crossings subdivision a distance of 368.14 feet for the point of beginning; thence North 00 degrees 35 minutes 14 seconds East, a distance of 307.53 feet to a point on the North line of said Tract "E"; thence South 89 degrees 23 minutes 45 seconds East along the North line of said Tract "E" a distance of 246.17 feet; thence South 00 degrees 35 minutes 12 seconds West a distance of 303.21 feet to a point on the South line of said Tract "E"; thence South 89 degrees 36 minutes 00 seconds West along the said South line a distance of 246.21 feet to the point of beginning. Said tract of land contains 1.73 acres (75,173 square feet) being subject to any easements and rights of way of record.

Lot Three (3)

A part of Tract "E" of the final plat of River Crossings, a subdivision in the City of Chesterfield, St. Louis County, Missouri according to the recorded plat thereof (Book 350 at Page 205) being more particularly described as follows:

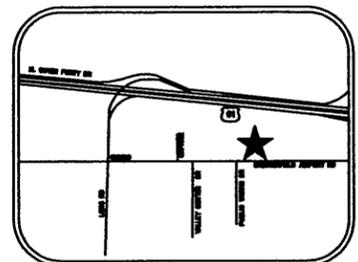
Beginning at the Southeast corner of said River Crossings subdivision; thence South 89 degrees 36 minutes 00 seconds West along the South line of said Tract "E" of River Crossings subdivision, a distance of 159.00 feet; thence North 00 degrees 35 minutes 12 seconds West a distance of 303.21 feet to a point on the North line of said Tract "E"; thence South 89 degrees 23 minutes 45 seconds East along the said North line a distance of 158.97 feet to the Northeast corner of said Tract "E"; thence South 00 degrees 35 minutes 05 seconds West along the East line of said Tract "E" a distance of 300.43 feet to the point of beginning. Said tract of land contains 1.10 acres (47,982 square feet) being subject to any easements and rights of way of record.



INITIAL POINT SURVEYING, INC.

1010 N.W. T STREET SUITE T
BENTONVILLE, AR 72712
PHONE: (479) 254-4059
EMAIL: mmillon@initialpointsurveying.com

SCALE 1" = 60'
DRAWN BY: CS DATE: 8/13/02
FIELD CREW: RL/AM DWG:
CHECKED BY: MM/SH 1 OF 1



RIVER CROSSINGS
RETAIL REALTY, LLC
ZONED: PC - PLANNED COMMERCIAL

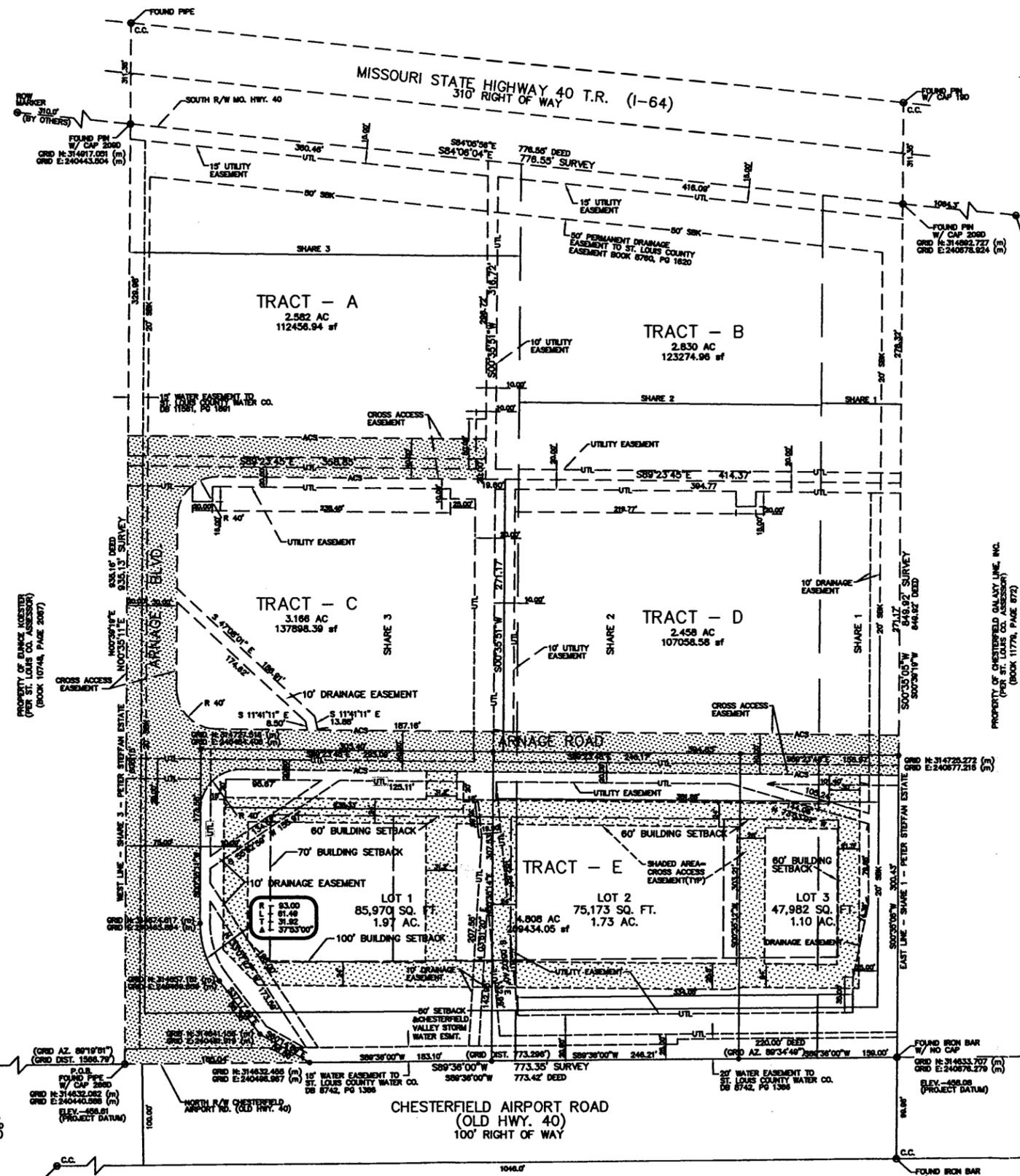


60 0 60
SCALE IN FEET

LEGEND:

- P.O.B. POINT OF BEGINNING
- C.C. CONTROLLING CORNER AS NOTED
- SET IRON PIN W/ CAP
- BOUNDARY LINE
- LOT LINE
- SBK PARKING & LOADING SETBACK LINE
- ACS ACCESS EASEMENT
- UTL UTILITY EASEMENT

NOTES:
FIELD INVESTIGATION REVEALED EXISTING MONUMENTATION AT ALL EXTERIOR CORNERS OF PROPERTY. DEVIATION FROM DEED INFORMATION WAS MINIMAL AND THE POSITIVE DIFFERENCE OF OTHER EVIDENCE WAS INSUFFICIENT TO DISAGREE WITH FOUND MONUMENTATION. THEREFORE THE EXISTING MONUMENTS WERE ACCEPTED AS FOUND.
PROPERTY WILL BE TRANSFERRED FROM THE "TP 141" FLOOD PLAIN NON-URBAN DISTRICT TO THE "TP C-1" FLOOD PLAIN PLANNED COMMERCIAL DISTRICT AS NOTED IN BOOK 0672 PAGE 2111. APPROVED APRIL 10, 1972.
LIMITED ACCESS TO U.S. HIGHWAY 40-81, I-64 IS RESTRICTED AS SET FORTH IN DEED BOOK 6343 PAGE 824.
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THE SURVEY.
THE TIES TO THE MISSOURI COORDINATE SYSTEM OF 1983 GRID BEARING SYSTEM USED FIRST ORDER MONUMENTS 81.39 & 81.35A; GRID N: 314632.082 (m) E: 240488.967 (m) COORDINATE AND GRID FACTOR INFORMATION FOR 81.39 WAS PROVIDED BY THE CITY OF CHESTERFIELD AND USED TO DETERMINE THE VALUES FOR ALL CORNERS AS SHOWN.
EASEMENT INFORMATION WAS PROVIDED BY U.S. TITLE GUARANTY COMPANY, INC. COMMITMENT NO. 01008833 2ND, 3RD & 4TH REVISION.
MAINTENANCE OF ANY AREA SHOWN HEREIN MARKED DRAINAGE AND/OR DETENTION EASEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS.
THE SPECIFIC CROSS ACCESS BETWEEN INDIVIDUAL LOTS SHALL BE DETERMINED IN CONJUNCTION WITH SECURING THE NECESSARY SITE PLAN APPROVALS AND BUILDING PERMITS FOR THE APPLICABLE LOTS FROM THE CITY OF CHESTERFIELD.
THE ACCESS EASEMENT IS DEDICATED FOR USE BY ALL LOTS IN THIS DEVELOPMENT AS WELL AS THE ADJOINING PROPERTIES TO THE EAST AND WEST OF THIS DEVELOPMENT.
ALL EASEMENTS WITHIN SUBDIVISION ARE HERE BY DEDICATED AS SHOWN ON THE PLAT.
ALL UTILITY EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR OTHER SPECIFIC PURPOSES, ARE HEREBY DEDICATED TO THE CITY OF CHESTERFIELD, MISSOURI, ST. LOUIS COUNTY WATER COMPANY, LACLECHE GAS COMPANY, AMEREN UIC, 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 CONSTRUCTING, MAINTAINING AND REPAIRING PUBLIC UTILITIES AND SEWER AND DRAINAGE FACILITIES, WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUNDS NOT OCCUPIED BY IMPROVEMENTS FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION, REPAIR OR REPLACEMENT OF SAID UTILITIES, SEWERS AND DRAINAGE FACILITIES.
ABOVE OR UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED OR VERIFIED.
BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE SITE DEVELOPMENT PLAN.
REVISED 8-27-02 AS PER CITY OF CHESTERFIELD COMMENTS - MM



LEGAL DESCRIPTION:
ALL OF TRACT "E" OF THE FINAL PLAT OF RIVER CROSSINGS, A SUBDIVISION IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF. (BOOK 390 AT PAGE 290)
BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF CHESTERFIELD AIRPORT ROAD (OLD HIGHWAY 40) AS BEING S 89°04'00" W AS DESCRIBED IN DEED BOOK 7945 PAGE 2117 AND AGAIN IN DEED BOOK 8470 PAGE 824. THIS BEARING WAS USED FOR SIMPLICITY AND CONTINUITY AND WILL DIFFER FROM THE MISSOURI GRID BEARING SYSTEM.

WHEREAS, BY A DEED OF TRUST, DATED _____ AND RECORDED IN THE RECORDER'S OFFICE, IN AND FOR THE _____ AND STATE OF MISSOURI, IN BOOK _____ AT PAGE _____ CONVEYED TO THE TRUSTEE 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 OR SATISFIED.
NOW, THEREFORE, THE UNDERSIGNED, PRESENT HOLDER AND LEGAL OWNER OF SAID DEED OF TRUST AND NOTE OR NOTES, DOES HEREBY 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 IMPURTINENCES THERE TO 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 _____ 200__.

THE CHESTERFIELD VALLEY STORM WATER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE CITY OF CHESTERFIELD, MISSOURI, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR FOR THE PURPOSE OF CONSTRUCTION, MAINTAINING AND REPAIR OF THE DRY/WET BASINS, CHANNELS, DRAINAGE FACILITIES AND SEWER LINES IN CONFORMANCE WITH THE CHESTERFIELD VALLEY STORM WATER PLAN. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING THE WET/DRY BASINS, CHANNELS, DRAINAGE FACILITIES AND SEWER LINES IN GOOD WORKING ORDER AND IN GOOD REPAIR AS APPROPRIATE. IN THE EVENT THAT THE PROPERTY OWNERS OR ITS SUCCESSORS IN TITLE TO SAID PROPERTY SHALL FAIL TO MAINTAIN THE WET/DRY BASINS, CHANNELS, DRAINAGE FACILITIES AND SEWER LINES IN ACCORDANCE WITH THE APPROVED CHESTERFIELD VALLEY STORM WATER PLAN, THE CITY OF CHESTERFIELD, MISSOURI, THEIR SUCCESSORS AND ASSIGNS SHALL BE PERMITTED TO ENTER ONTO THE PROPERTY AND MAKE THE REPAIRS AND CORRECTIONS AND PERFORM SUCH MAINTENANCE AS IT DEEMS NECESSARY AND BILL THE PROPERTY OWNERS OF SAID PROPERTY FOR THE SERVICES PERFORMED. IT IS FURTHER AGREED THAT IN THE EVENT THAT SAID BILL OR CHARGE FOR SERVICES PERFORMED SHALL NOT BE PAID WITHIN A PERIOD OF THIRTY (30) DAYS, SAID BILL SHALL BECOME A LIEN ON THE REAL PROPERTY AND SHALL ACCRUE INTEREST AT A RATE OF EIGHT PERCENT (8%) UNTIL PAID IN FULL.
ALL EASEMENTS THAT OVERLAY THE CHESTERFIELD VALLEY STORM WATER EASEMENTS SHALL BE SUBORDINATE TO THE CHESTERFIELD VALLEY STORM WATER EASEMENTS.

CERTIFICATE OF OWNERSHIP AND DEDICATION:
I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF THE PROPERTY DESCRIBED HEREIN, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF CHESTERFIELD, AND THAT I/WE FREELY ADOPT THIS PLAN OF THE SUBDIVISION.
ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEDICATED FOR ANY OTHER PUBLIC USES AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE CHESTERFIELD BOARD OF ALDERMEN IN THE PUBLIC INTEREST.

VALLEY PARTNERS, LLC.
OWNER THOMAS K. WALKER, TRUSTEE OF THE THOMAS K. WALKER TRUST 1/7/A DATED MARCH 22ND, 1993, AS AMENDED, AUTHORIZED MEMBER
DATE _____

STATE OF MISSOURI
COUNTY OF _____
ON THIS _____ DAY OF _____ 200__, BEFORE ME PERSONALLY APPEARED THOMAS K. WALKER, TRUSTEE, WHO BEING DULY SWORN DID SAY THAT HE IS THE AUTHORIZED MEMBER OF SAID LIMITED LIABILITY COMPANY IN THE STATE OF MISSOURI AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND HAS 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 ABOVE WRITTEN.
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC _____

This Record Plat of the replat of tract "E" of the final plat of River Crossings was approved by the City Council for the City of Chesterfield by Ordinance No. _____ on _____ 200__, and thereby authorizes the recording of this Record Plat with the St. Louis County Recorder of Deeds.

John Nations, Mayor
Marty DeJoy, City Clerk

SURVEYORS CERTIFICATE:
THIS IS TO CERTIFY THAT INITIAL POINT SURVEYING, INC., AT THE REQUEST OF VALLEY PARTNERS, LLC AND HAS EXECUTED A BOUNDARY SURVEY PLAT AND SUBDIVIDED SAID PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS FOR URBAN PROPERTY AS DEFINED BY THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, ESTABLISHED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS 4 CSR 30-16. THE LOCATIONS OF ALL REQUIRED SURVEY MONUMENTS, INSTALLED OR TO BE INSTALLED, ARE CORRECTLY SHOWN ON THIS PLAT. DATE OF FIELD WORK 08-11-02.

MICHAEL D. MILLON MO. P.L.S. 2001015284 DATE _____

REPLAT OF TRACT "E" OF THE FINAL PLAT OF RIVER CROSSINGS
A SUBDIVISION OF A TRACT OF LAND BEING PART OF SHARES 1, 2, AND 3, OF THE SUBDIVISION OF THE ESTATE OF PETER STEFFAN IN U.S. SURVEYS 125 AND 126 TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5th PRINCIPLE MERIDIAN - CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI