

BILL NO. 2171

ORDINANCE NO. 1946

AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR TRACTS OF LAND BEING LOTS 108 AND 109, OF RESUBDIVISION OF LOTS 1, 2, 3, 4, 5 AND 7 OF CHESTERFIELD COMMONS. LOCATED IN U.S. SURVEYS 125 & 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, the owner has proposed a Boundary Adjustment Plat for the aforementioned tract and proposes to remove the property lines between Lot 108, and Lot 109, creating a new Adjusted Lot 108, while deleting Lot 109; and,

WHEREAS, the Department of Planning have reviewed the Boundary Adjustment Plat in accordance with the Boundary Adjustment regulations of the City of Chesterfield and has found it to be in compliance with all applicable ordinances and has 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 COUNTY, MISSOURI, AS FOLLOWS:

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

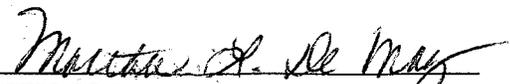
Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of said Boundary Adjustment Plat by affixing their signatures and the official seal of the City of Chesterfield as required on said documents.

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

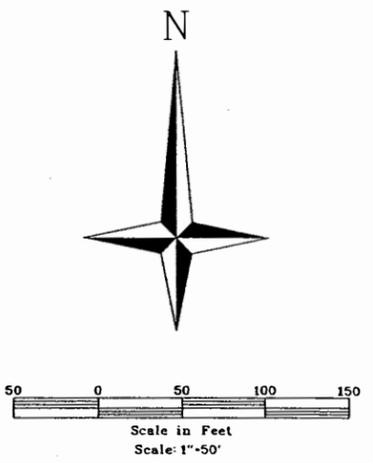
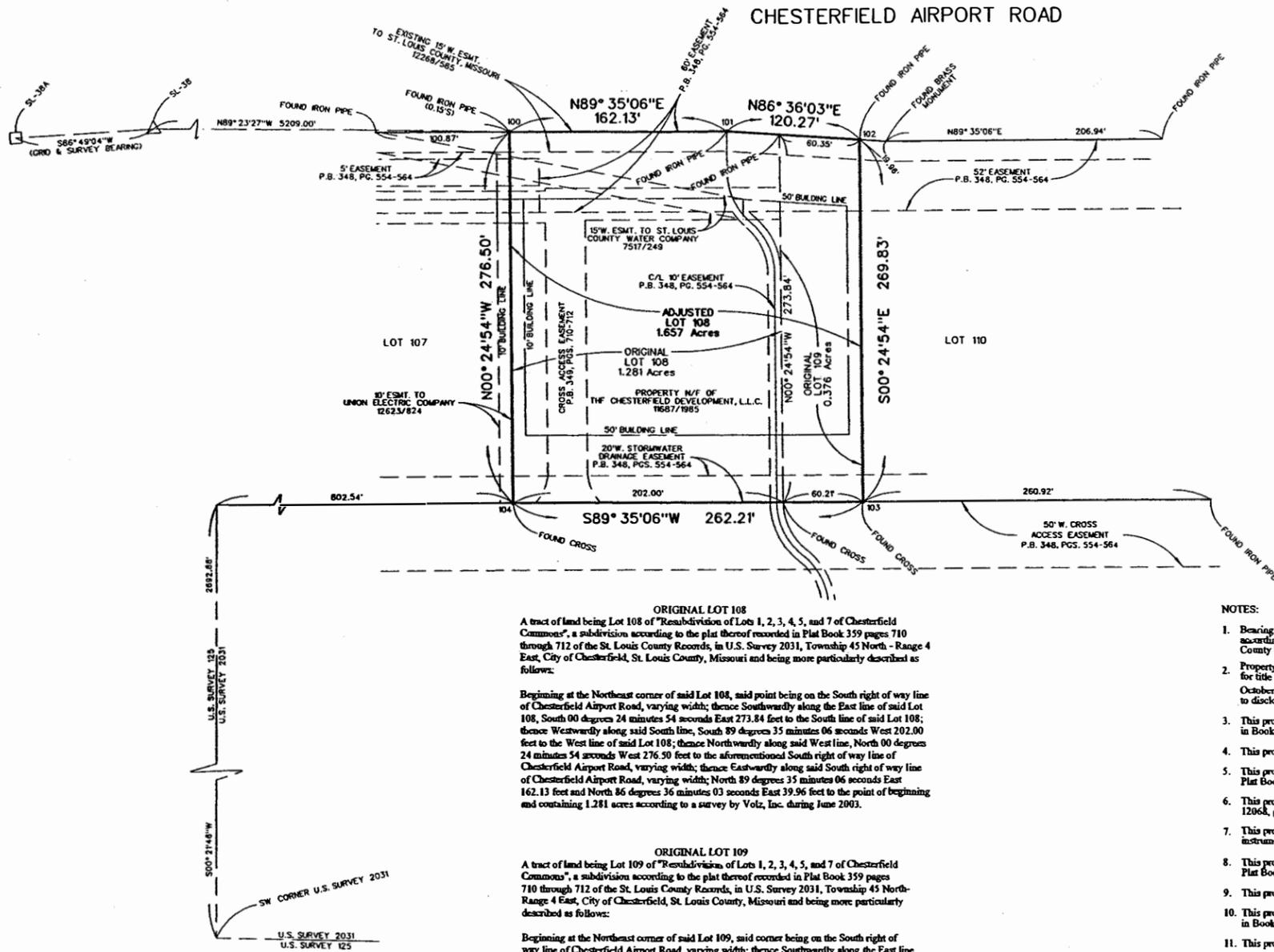
Passed and approved this 4th day of August, 2003


MAYOR

ATTEST:


CITY CLERK

**BOUNDARY ADJUSTMENT PLAT
A TRACT OF LAND BEING LOTS 108 AND 109 OF
"RESUBDIVISION OF LOTS 1, 2, 3, 4, 5, & 7 OF CHESTERFIELD COMMONS"
IN U.S. SURVEYS 125 & 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI**



ORIGINAL LOT 108
A tract of land being Lot 108 of "Resubdivision of Lots 1, 2, 3, 4, 5, and 7 of Chesterfield Commons", a subdivision according to the plat thereof recorded in Plat Book 359 pages 710 through 712 of the St. Louis County Records, in U.S. Survey 2031, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Northeast corner of said Lot 108, said point being on the South right of way line of Chesterfield Airport Road, varying width; thence Southwardly along the East line of said Lot 108, South 00 degrees 24 minutes 54 seconds East 273.84 feet to the South line of said Lot 108; thence Westwardly along said South line, South 89 degrees 35 minutes 06 seconds West 202.00 feet to the West line of said Lot 108; thence Northwardly along said West line, North 00 degrees 24 minutes 54 seconds West 276.50 feet to the aforementioned South right of way line of Chesterfield Airport Road, varying width; thence Eastwardly along said South right of way line of Chesterfield Airport Road, varying width; North 89 degrees 35 minutes 06 seconds East 162.13 feet and North 86 degrees 36 minutes 03 seconds East 39.96 feet to the point of beginning and containing 1.281 acres according to a survey by Volt, Inc. during June 2003.

ORIGINAL LOT 109
A tract of land being Lot 109 of "Resubdivision of Lots 1, 2, 3, 4, 5, and 7 of Chesterfield Commons", a subdivision according to the plat thereof recorded in Plat Book 359 pages 710 through 712 of the St. Louis County Records, in U.S. Survey 2031, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Northeast corner of said Lot 109, said corner being on the South right of way line of Chesterfield Airport Road, varying width; thence Southwardly along the East line of said Lot 109, South 00 degrees 24 minutes 54 seconds East 269.83 feet to the South line of said Lot 109; thence Westwardly along said South line of Lot 109, South 89 degrees 35 minutes 06 seconds West 60.21 feet to the West line of said Lot 109; thence Northwardly along said West line of Lot 109, North 00 degrees 24 minutes 54 seconds West 273.84 feet to the aforementioned South right of way line of Chesterfield Airport Road, varying width; thence Eastwardly along said South right of way line of Chesterfield Airport Road, varying width; North 86 degrees 36 minutes 03 seconds East 60.35 feet to the point of beginning and containing 0.376 acres according to a survey by Volt, Inc. during June 2003.

ADJUSTED LOT 108
A tract of land being Lots 108 and 109 of "Resubdivision of Lots 1, 2, 3, 4, 5, and 7 of Chesterfield Commons", a subdivision according to the plat thereof recorded in Plat Book 359 pages 710 through 712 of the St. Louis County Records, in U.S. Survey 2031, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Northeast corner of said Lot 109, said point being on the South right of way line of Chesterfield Airport Road, varying width; thence Southwardly along the East line of said Lot 109, South 00 degrees 24 minutes 54 seconds East 269.83 feet to the South line of said Lot 109; thence Westwardly along said South line of Lot 109 and the South line of said Lot 108, South 89 degrees 35 minutes 06 seconds West 262.21 feet to the West line of Lot 108; thence Northwardly along said West line of Lot 108, North 00 degrees 24 minutes 54 seconds West 276.50 feet to the aforementioned South right of way line of Chesterfield Airport Road, varying width; thence Eastwardly along said South right of way line of Chesterfield Airport Road, varying width; North 89 degrees 35 minutes 06 seconds East 162.13 feet and North 86 degrees 36 minutes 03 seconds East 120.27 feet to the point of beginning and containing 1.657 acres according to a survey by Volt, Inc. during June 2003.

- NOTES:**
- Bearing system adopted from the plat of "Chesterfield Commons", a subdivision according to the plat thereof recorded in Plat Book 348, pages 554-564 of the St. Louis County Records.
 - Property referenced from Commonwealth Land Title Insurance Company commitment for title insurance, commitment number 000005787, file number 428606, effective date: October 25, 2000. The above referenced commitment for title insurance was relied upon to disclose all easements of record, which affect this property.
 - This property is subject to the terms and provisions of Ordinance Number 1344, recorded in Book 12008, page 1759.
 - This property is subject to the agreement recorded in Book 7645, page 1617.
 - This property is subject to the terms and provisions of the development plan recorded in Plat Book 347, pages 101-143.
 - This property is subject to the notice of consolidation by instrument recorded in Book 12068, page 606.
 - This property is subject to the declaration of easements, covenants and restrictions by instrument recorded in Book 12096, page 774.
 - This property is subject to the terms and provisions of the development plan recorded in Plat Book 347, page 690.
 - This property is subject to the Declaration of Restrictions recorded in Book 12329, page 298.
 - This property is subject to the terms and provisions of Ordinance Number 1600, recorded in Book 12460, page 2051.
 - This property is subject to the declaration of Restrictions recorded in Book 12477, page 2684.
 - This property is subject to the terms and provisions of the development plan recorded in Plat Book 348, page 256.
 - Lot 2 of "Chesterfield Commons" is subject to the terms and provisions of the development plan recorded in Plat Book 348, page 430.

We have during the month of June, 2003 by order of THF Chesterfield Development, L.L.C., made a Survey and Boundary Adjustment Plat of "a tract of land being Lots 108 & 109 of Resubdivision of Lots 1, 2, 3, 4, 5, & 7 of Chesterfield Commons" and part of U.S. Surveys 125, in Township 45 North - Range 4 East, City of Chesterfield, Missouri, 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 of Architects, Professional Engineers and Land Surveyors and The Missouri Department of Natural Resources, and meets the accuracy requirements set forth for Urban Property.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this _____ day of _____, 2003.
VOLZ INCORPORATED

Roger G. Allen
Professional Land Surveyor
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 adjusted in the manner shown on this plat, which shall hereafter be known as "Boundary Adjustment Plat of Lots 108 & 109 of Resubdivision of Lots 1, 2, 3, 4, 5, & 7 of Chesterfield Commons"

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 _____, 2003.
THF CHESTERFIELD DEVELOPMENT, L.L.C.

Michael H. Staenberg, Manager

STATE OF MISSOURI)
COUNTY OF ST. LOUIS)SS

On this _____ day of _____, 2003, before me personally appeared Michael H. Staenberg, who being by me duly sworn did say that he is the Manager of _____, a Missouri limited liability company and that he is the Manager of THF Chesterfield Development, L.L.C., and that said instrument was signed on behalf of said limited liability company by authority of its members and the said Manager 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 County of St. Louis and State of Missouri, in Book _____ at page _____, as amended 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.

NOW, THEREFORE, the undersigned, present holder and legal owner of said deed of trust and note or notes as amended through the date of this plat, does hereby consent to the boundary adjustment of the subject property in the manner shown on this plat and.

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 _____, 2003

STATE OF MISSOURI)
COUNTY OF ST. LOUIS)SS

On this _____ day of _____, 2003, 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 "Boundary Adjustment Plat of Lots 108 & 109 of Resubdivision of Lots 1, 2, 3, 4, 5, & 7 of Chesterfield Commons" was approved by the City Council of the City of Chesterfield by Ordinance Number _____ on _____, 2003 and thereby authorizes the recording of this plat with the office of the St. Louis County Recorder of Deeds.

ATTEST:
John Naffios, MAYOR
Martha DeMay, CITY CLERK



VOLZ INCORPORATED
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD RD., BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-4212

Stamp: 3259-94
B.A.P. Lot 108

BASIS OF STATE PLANE COORDINATES:

STATION NAME: SL-38
NORTHING: 314628.250 (METERS)
EASTING: 239963.018 (METERS)
GRID FACTOR: 0.9999175
(NOTE: 1 METER = 3.28083333)

STATE PLANE COORDINATES (METERS)

PT. NO.	NORTHING	EASTING
100	314611.314	241550.505
101	314611.131	241539.917
102	314609.919	241630.434
103	314527.684	241631.029
104	314527.105	241551.115

St. Louis County Bench Mark
12-171 460.06 - "Standard Aluminum Disk" stamped SL-38, 1990. Disk is set at the northwest corner of Chesterfield Airport Road and Caprice Drive.