

BILL NO. 2404

ORDINANCE NO. 2222

AN ORDINANCE VACATING THE REMAINING PORTION OF RIGHT-OF-WAY OF OLD OLIVE STREET ROAD, REFERRED TO AS THE ABICHANDANI TRACT, EXCEPT FROM ANY REQUEST FOR VACATION OF RIGHTS OR EASEMENTS FOR MISSOURI AMERICAN WATER COMPANY DEPICTED ON THE EXHIBIT "A" BEING PART OF U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

WHEREAS, a petition has been filed by Michael Doster, with Doster, James LLC requesting the City to vacate the final portion of the right of way of said tract of land on Old Olive Street Road; and,

WHEREAS, THF Chesterfield Two Development LLC owns the property adjacent to said rights-of-way to be vacated; and,

WHEREAS, the Department of Planning and Department of Public Works have reviewed the petition and have determined that said petition meets all applicable regulations and determined that the vacation will have no adverse effect on the City of Chesterfield; and,

WHEREAS, the petitioner has agreed to, as part of this petition, grant an easement to and to record said easement into public record to Missouri-American Water Company for its existing facilities currently installed in said rights-of-way, within 30 days of the approval of this ordinance vacating Old Olive Street Road by the City of Chesterfield.

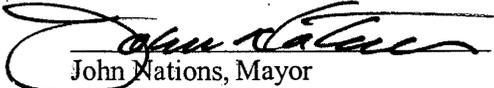
NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:

Section 1. The City Council of the City of Chesterfield hereby approve the vacation of the right-of-way located on Old Olive Street Road, as depicted in Exhibit A, where is attached hereto and made part of here of, and,

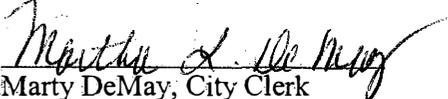
Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of this vacation of way by affixing their signatures and the Official Seal of the City of Chesterfield to a certificate of Approval as required on said documents. The petitioner is required and directed to record this easement vacation with the Saint Louis County Recorder of Deeds Office.

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

Passed and approved this 21ST day of November, 2005.


John Nations, Mayor

ATTEST:


Marty DeMay, City Clerk

**Lot 2 Silver Maple Farms
5259-78**

A tract of land being Lot 2 of Silver Maple Farms, a subdivision according to the plat thereof recorded in Plat Book 274, Page 96 of the St. Louis County Records being part of Lot 7 of James Long's Subdivision in U.S. Survey 2031, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Southwest corner of said Lot 2 of Silver Maple Farms; thence along the boundary lines of said Lot 2 the following courses and distances: North 0 degrees 00 minutes 00 seconds East 527.20 feet, South 90 degrees 00 minutes 00 seconds East 74.27 feet, along a curve to the left whose radius point bears North 90 degrees 00 minutes 00 seconds East 75.00 feet from the last mentioned point, a distance of 89.85 feet, along a curve to the right whose radius point bears South 68 degrees 38 minutes 36 seconds East 60.00 feet from the last mentioned point, a distance of 71.88 feet, South 0 degrees 00 minutes 00 seconds West 646.09 feet and North 80 degrees 36 minutes 56 seconds West 202.71 feet to the point of beginning and containing 2.614 acres according to calculations based on record information by Volz Incorporated on October 27, 2004.

**Roger G. Allen, P.L.S.
Mo. Reg. L.S. #2185**

**Chesterfield Commons East – Lot 8
5259-78**

A tract of land being Lot 8 of Chesterfield Commons East, a subdivision according to the plat thereof recorded in Plat Book 252, Pages 472 through 477 of the St. Louis County Records, in U.S. Survey 2031, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Southeast corner of said Lot 8 of Chesterfield Commons East; thence along the boundary lines of said Lot 8 the following courses and distances: North 80 degrees 01 minutes 40 seconds West 47.15 feet, South 01 degrees 44 minutes 26 seconds West 47.16 feet, South 73 degrees 37 minutes 25 seconds West 72.47 feet, North 15 degrees 39 minutes 00 seconds West 92.51 feet, South 72 degrees 37 minutes 58 seconds West 98.67 feet, along a curve to the right whose radius point bears North 17 degrees 22 minutes 02 seconds West 437.00 feet from the last mentioned point, a distance of 45.81 feet, South 78 degrees 38 minutes 20 seconds West 284.66 feet, South 82 degrees 09 minutes 29 seconds West 85.07 feet, along a curve to the left whose radius point bears South 7 degrees 50 minutes 31 seconds East 713.00 feet from the last mentioned point, a distance of 93.70 feet, South 74 degrees 37 minutes 42 seconds West 56.16 feet, along a curve to the right whose radius point bears North 15 degrees 22 minutes 18 seconds West 437.00 feet from the last mentioned point, a distance of 19.19 feet, North 00 degrees 24 minutes 54 West 325.81 feet, South 89 degrees 35 minutes 06 seconds West 21.99 feet, North 00 degrees 24 minutes 54 West 178.00 feet, South 89 degrees 35 minutes 06 seconds West 11.68 feet, North 00 degrees 24 minutes 54 West 162.00 feet, North 89 degrees 35 minutes 06 seconds East 331.50 feet, North 00 degrees 24 minutes 54 West 9.00 feet, , North 89 degrees 35 minutes 06 seconds East 60.00 feet, North 00 degrees 24 minutes 54 West 122.50 feet, North 89 degrees 35 minutes 06 seconds East 301.61 feet, North 44 degrees 35 minutes 06 seconds East 38.18 feet, North 00 degrees 24 minutes 54 seconds West 123.06 feet, North 45 degrees 24 minutes 54 seconds West 118.80 feet, North 89 degrees 35 minutes 06 seconds East 195.04 feet, South 01 degrees 44 minutes 26 seconds West 32.05 feet, South 00 degrees 40 minutes 21 seconds West 327.49 feet, South 89 degrees 20 minutes 25 seconds East 30.00 feet and South 00 degrees 39 minutes 35 seconds West 560.08 feet to the point of beginning and containing 13.340 acres according to calculations based on record information by Volz Incorporated on October 27, 2004.

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

VOLZ

Exhibit "C"

Engineers
Land Planners
Land Surveyors

10849 Indian Head Industrial Boulevard
St. Louis, Missouri 63132-1166
314-426-6212
314-890-1250 FAX

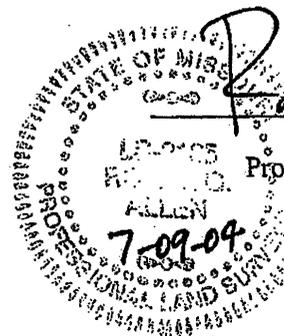
July 9, 2004

EJK

Re: Old Olive Vacation, 3,151 Sq.Ft.
5259-78

A tract of land being part of Old Olive Street Road, 60 feet wide, part of Edison Avenue, as dedicated on the plat of "Chesterfield Commons East" a subdivision according to the plat thereof recorded in Plat Book 352 page 472 - 477 of the St. Louis County Records and part of right of way dedication recorded in Book 13658 page 476 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 a point at the North line of said Old Olive Street Road, 60 feet wide, said point being distant North 80 degrees 01 minutes 40 seconds West 47.15 feet from the intersection of the East line of said "Chesterfield Commons East", with the North line of Old Olive Street Road, 60' wide; thence Eastwardly along said North line of Old Olive Street Road, 60 feet wide, South 80 degrees 01 minutes 40 seconds East 174.66 feet to the North line of right of way dedication to the City of Chesterfield recorded in Book 13658 page 476 of the St. Louis County Records; thence along said North line of the right of way dedication South 83 degrees 04 minutes 54 seconds East 22.54 feet to a point; thence leaving said North line along a curve to the left, whose radius point bears South 06 degrees 55 minutes 36 seconds West 480.00 feet from the last mentioned point, a distance of 195.15 feet to the North line of Edison Avenue, 72 feet wide as dedicated on the plat of "Chesterfield Commons East"; thence Eastwardly along said North line North 73 degrees 37 minutes 25 seconds East 2.94 feet to the East line of said "Chesterfield Commons East"; thence Northwardly along said East line North 01 degrees 44 minutes 26 seconds West 47.16 feet to the point of beginning and containing 3,151 square feet according to calculations by Volz, Inc. during July 2004.



Roger G. Allen
Roger G. Allen, P.L.S.
Professional Land Surveyor
Mo. P.L.S. #2185