

BILL NO. 2478

ORDINANCE NO. 2290

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT FOR BOONE'S CROSSING NE, FOR A 6.172 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT, LOCATED AT THE NORTHEAST QUADRANT OF BOONE'S CROSSING AND THE HIGHWAY 40 INTERCHANGE.

WHEREAS, Thomas Roof, Inc. Architects has submitted for review and approval the Record Plat for Boone's Crossing NE, located at the Northeast Quadrant of Boones Crossing and Highway 40 Interchange; and,

WHEREAS, the purpose of said Record Plat is to subdivide a 6.172 acre tract of land into 2 lots for Bank, Medical Office and General Office use; and,

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

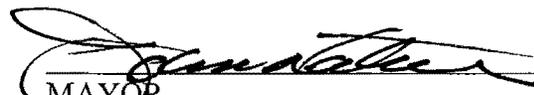
NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Record Plat for Boone's Crossing NE, 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.

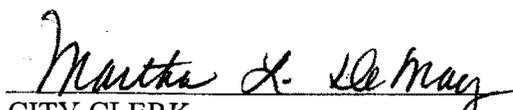
Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the said Record Plat by affixing their signatures and the official seal of the City of Chesterfield as required on the said document.

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

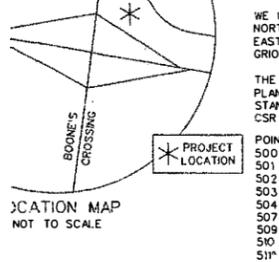
Passed and approved this 21st day of AUGUST, 2006.


MAYOR

ATTEST:


CITY CLERK

(FIRST READING: 8/21/06)



WE USED THE FOLLOWING PUBLISHED VALUE AT SL-38:
 NORTHING - 314628.250 METERS
 EASTING - 239963.018 METERS
 GRID FACTOR - 0.9999175

THE RELATIVE POSITIONAL TOLERANCE OF THE ATTACHED STATE PLANE COORDINATES MEET THE TYPE URBAN PROPERTY ACCURACY STANDARD AS DEFINED FOR PROPERTY BOUNDARY SURVEYS UNDER 4 CSR 30-16 AND 10 CSR 30-2 EFFECTIVE DATE OCTOBER 30, 2003.

POINT NO.	NORTHING	EASTING
500	314976.0294	241376.1934
501	314995.8632	241363.2464
502	315061.3183	241369.9695
503	315084.7253	241392.6293
504	315083.4611	241408.3620
507	315018.4708	241543.4374
509	314902.0977	241605.5774
510	314938.5951	241622.0032
511*	314922.3706	241605.6985

BENCHMARK: SAINT LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC BENCHMARK NO. 12-171
 ELEV. 460.06 - "STANDARD ALUMINUM DISK" STAMPED SL-38, 1990.
 DISK IS SET AT THE NORTHWEST CORNER OF CHESTERFIELD AIRPORT ROAD AND CAPRICE DRIVE.

SITE BENCHMARK: ELEV. 459.09 - SQUARE CHISELED ON NORTH END OF CONCRETE FLARED END FOR PIPE UNDER EXIT RAMP FROM INTERSTATE 64 TO BOONES CROSSING

A TRACT OF LAND BEING PART OF LOTS 5, 6, 7 AND 8 OF THE HERMAN FICKE ESTATE SUBDIVISION, PART OF WHICH COMPREHENS ADJUSTED LOT A OF THE "BOUNDARY ADJUSTMENT PLAT" RECORDED IN PLAT BOOK 354, PAGES 5 AND 6 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST, SAINT LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF PROPERTY DESCRIBED IN THE DEED TO THE CHESTERFIELD DEVELOPMENT, L.L.C. RECORDED IN BOOK 12816 PAGE 174 OF THE SAINT LOUIS COUNTY RECORDS WITH THE WEST LINE OF PROPERTY DESCRIBED IN THE DEED TO MONARCH-CHESTERFIELD LEVEE DISTRICT RECORDED IN BOOK 10877 PAGE 1753 OF THE SAINT LOUIS COUNTY RECORDS, SAID POINT BEING THE SOUTHEAST CORNER OF SAID THE CHESTERFIELD DEVELOPMENT, L.L.C. PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID THE CHESTERFIELD DEVELOPMENT, L.L.C. PROPERTY AND THE SOUTH LINE OF PROPERTY DESCRIBED AS PARCEL 2 IN THE DEED TO THE CHESTERFIELD NORTH INTERSTATE DEVELOPMENT, L.L.C. RECORDED IN BOOK 13550 PAGE 1099 OF THE SAINT LOUIS COUNTY RECORDS NORTH 72 DEGREES 06 MINUTES 54 SECONDS WEST 790.76 FEET TO AN EAST LINE OF BOONES CROSSING, VARYING WIDTH, ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 12097 PAGE 830 OF THE SAINT LOUIS COUNTY RECORDS; THENCE ALONG THE EAST LINES OF BOONES CROSSING THE FOLLOWING COURSES AND DISTANCES: NORTH 33 DEGREES 06 MINUTES 54 SECONDS WEST 77.71 FEET, NORTH 05 DEGREES 53 MINUTES 06 SECONDS EAST 215.90 FEET, AND NORTH 44 DEGREES 05 MINUTES 29 SECONDS EAST 106.89 FEET TO THE SOUTH LINE OF THE RELOCATED NORTH OUTER ROADWAY AS DESCRIBED IN SAID INSTRUMENT RECORDED IN BOOK 12097 PAGE 830; THENCE ALONG THE SOUTH LINES OF SAID RELOCATED NORTH OUTER ROADWAY AND THE DIRECT SOUTHEASTWARDLY PROLONGATION THEREOF SOUTH 84 DEGREES 43 MINUTES 11 SECONDS EAST 45.25 FEET, ALONG AN ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS: SOUTH 05 DEGREES 16 MINUTES 49 SECONDS WEST 723.94 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 508.11 FEET AND SOUTH 44 DEGREES 30 MINUTES 20 SECONDS EAST 367.61 FEET TO THE EAST CORNER OF PROPERTY DESCRIBED IN DEED TO THE CHESTERFIELD DEVELOPMENT, L.L.C. RECORDED IN BOOK 17128 PAGE 4311 OF THE SAINT LOUIS COUNTY RECORDS; THENCE SOUTHWESTWARDLY ALONG THE SOUTHWEST LINE OF SAID PROPERTY DESCRIBED IN DEED TO THE DEVELOPMENT, L.L.C. SOUTH 45 DEGREES 09 MINUTES 43 SECONDS WEST 75.47 FEET TO THE FOREMENTIONED WEST LINE OF THE MONARCH-CHESTERFIELD LEVEE DISTRICT PROPERTY; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 21 MINUTES 46 SECONDS WEST 66.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.172 ACRES.

SUBDIVISION ARE REPRESENTED ON THIS PLAT. THIS SURVEY WAS EXECUTED IN COMPLIANCE WITH THE REQUIREMENTS OF THE STANDARDS FOR PROPERTY BOUNDARY SURVEYS ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, EFFECTIVE OCTOBER 30, 2003 AND MEETS THE ACCURACY REQUIREMENTS SET FORTH FOR TYPE URBAN PROPERTY.

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING THIS _____ DAY OF _____, 2006.

EFK MOEN, L.L.C.

CHRISTOPHER FERRANTE
 MD P.L.S. #2494

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 "BOONE'S CROSSING NE".

THE UNDERSIGNED DECLARES THAT THIS SUBDIVISION SHALL BE SUBJECT TO THE DECLARATION OF RESTRICTIONS RECORDED IN DEED BOOK _____ PAGE _____ IN THE OFFICE OF THE RECORDER OF DEEDS, ST. LOUIS COUNTY, MISSOURI.

ALL BUILDING LINES AS SHOWN HEREON ARE HEREBY ESTABLISHED.

ALL TAXES DUE AND PAYABLE AGAINST THIS PROPERTY HAVE BEEN PAID IN FULL.

TWO PERMANENT MONUMENTS FOR EACH BLOCK CREATED (INDICATED AS A) AND SEMIPERMANENT 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.

THE 35 FEET WIDE CROSS ACCESS EASEMENT SHOWN HEREON IS HEREBY DEDICATED TO THE PRESENT AND FUTURE OWNERS OF LOTS 1 AND 2, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS TO AND FROM NORTH OUTER 40 ROAD.

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 _____, 2006.

CVBBA I, L.L.C. CVBBA II, L.L.C.

ARTHUR E. WEISS, MANAGER JAMES E. THOMAS, MANAGER

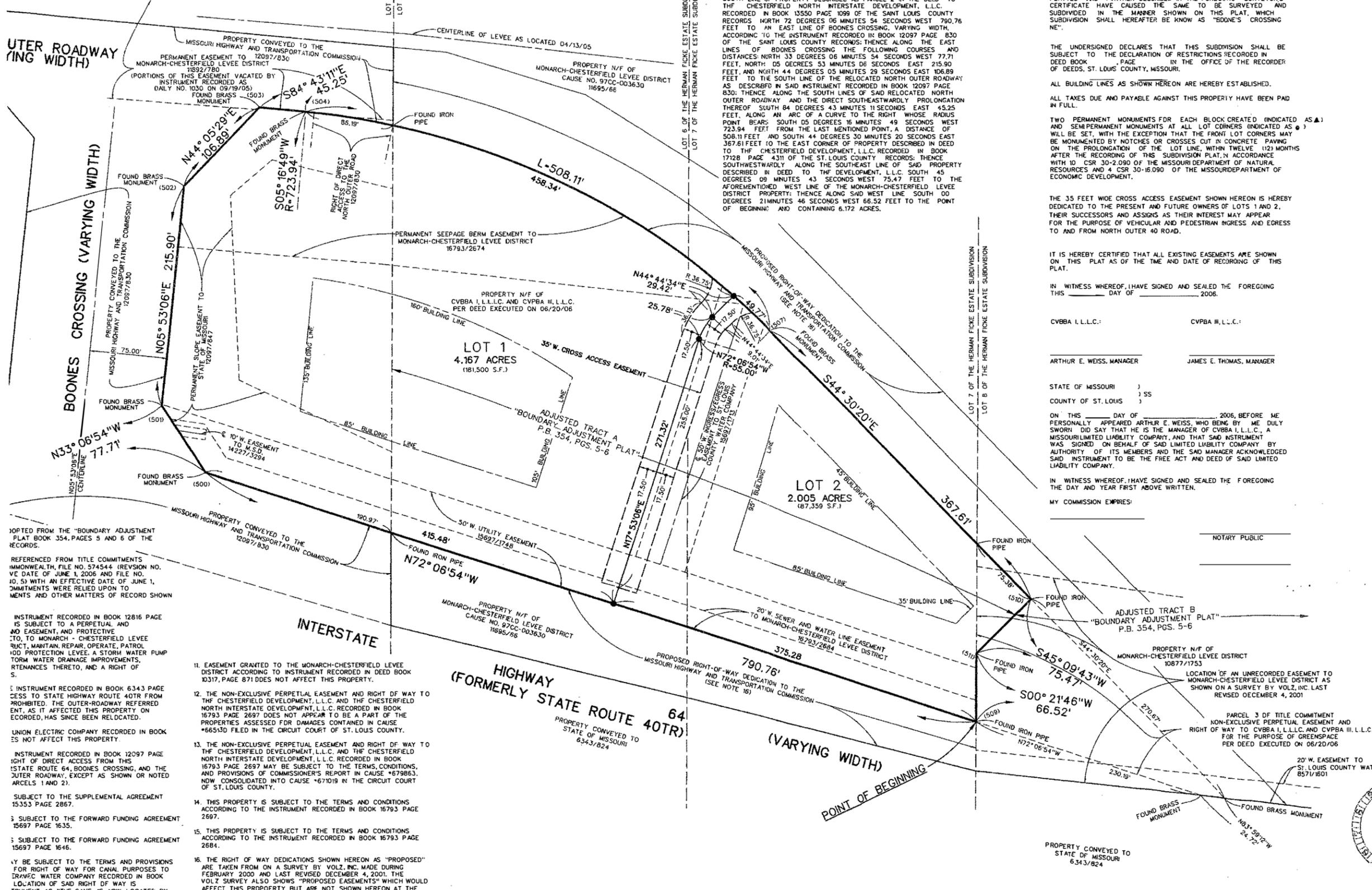
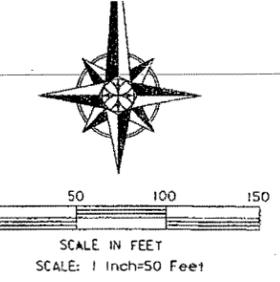
STATE OF MISSOURI)
 COUNTY OF ST. LOUIS) SS

ON THIS _____ DAY OF _____, 2006, BEFORE ME PERSONALLY APPEARED ARTHUR E. WEISS, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGER OF CVBBA I, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, 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



ADAPTED FROM THE "BOUNDARY ADJUSTMENT PLAT BOOK 354, PAGES 5 AND 6 OF THE RECORDS.

REFERENCED FROM TITLE COMMITMENTS COMMONWEALTH, FILE NO. 574544 (REVISION NO. VE DATE OF JUNE 1, 2005 AND FILE NO. 10, 5) WITH AN EFFECTIVE DATE OF JUNE 1, 2005. COMMITMENTS WERE RELIED UPON TO DETERMINE RIGHTS AND OTHER MATTERS OF RECORD SHOWN HEREON.

INSTRUMENT RECORDED IN BOOK 12816 PAGE 174 SUBJECT TO A PERPETUAL AND PROTECTIVE EASEMENT AND TO MONARCH - CHESTERFIELD LEVEE DISTRICT, MAINTAIN, REPAIR, OPERATE, PATROL AND PROTECT LEVEE, A STORM WATER PUMP TOWER, WATER DRAINAGE IMPROVEMENTS, RESTORATIONS THEREON, AND A RIGHT OF WAY.

INSTRUMENT RECORDED IN BOOK 6343 PAGE 207 SUBJECT TO STATE HIGHWAY ROUTE 40TR FROM BOONES CROSSING, THE OUTER-ROADWAY REFERRED TO HEREIN, AS IT AFFECTED THIS PROPERTY ON RECORD, HAS SINCE BEEN RELOCATED.

UNION ELECTRIC COMPANY RECORDED IN BOOK 15697 PAGE 1645 NOT AFFECT THIS PROPERTY.

INSTRUMENT RECORDED IN BOOK 12097 PAGE 830 SUBJECT TO THE SUPPLEMENTAL AGREEMENT 15697 PAGE 2867.

INSTRUMENT RECORDED IN BOOK 15697 PAGE 1635 SUBJECT TO THE FORWARD FUNDING AGREEMENT 15697 PAGE 1645.

INSTRUMENT RECORDED IN BOOK 15697 PAGE 1645 SUBJECT TO THE TERMS AND PROVISIONS FOR RIGHT OF WAY FOR CANAL PURPOSES TO ST. LOUIS COUNTY WATER COMPANY RECORDED IN BOOK 15697 PAGE 1645. LOCATION OF SAID RIGHT OF WAY IS SHOWN ON THIS PLAT AS NOW LOCATED BY SAID WATER COMPANY.

- EASEMENT GRANTED TO THE MONARCH-CHESTERFIELD LEVEE DISTRICT ACCORDING TO INSTRUMENT RECORDED IN DEED BOOK 10317, PAGE 871 DOES NOT AFFECT THIS PROPERTY.
- THE NON-EXCLUSIVE PERPETUAL EASEMENT AND RIGHT OF WAY TO THE CHESTERFIELD DEVELOPMENT, L.L.C. AND THE CHESTERFIELD NORTH INTERSTATE DEVELOPMENT, L.L.C. RECORDED IN BOOK 16793 PAGE 2697 DOES NOT AFFECT THIS PROPERTY.
- THE NON-EXCLUSIVE PERPETUAL EASEMENT AND RIGHT OF WAY TO THE CHESTERFIELD DEVELOPMENT, L.L.C. AND THE CHESTERFIELD NORTH INTERSTATE DEVELOPMENT, L.L.C. RECORDED IN BOOK 16793 PAGE 2697 MAY BE SUBJECT TO THE TERMS, CONDITIONS, AND PROVISIONS OF COMMISSIONER'S REPORT IN CAUSE #679863, NOW CONSOLIDATED INTO CAUSE #71019 IN THE CIRCUIT COURT OF ST. LOUIS COUNTY.
- THIS PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 16793 PAGE 2697.
- THIS PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 16793 PAGE 2684.
- THE RIGHT OF WAY DEDICATIONS SHOWN HEREON AS "PROPOSED" ARE TAKEN FROM ON A SURVEY BY VOLZ, INC. MADE DURING FEBRUARY 2000 AND LAST REVISED DECEMBER 4, 2001. THE VOLZ SURVEY ALSO SHOWS "PROPOSED EASEMENTS" WHICH WOULD AFFECT THIS PROPERTY BUT ARE NOT SHOWN HEREON AT THE REQUEST OF THE CLIENT.

STATE OF MISSOURI)
 COUNTY OF ST. LOUIS) SS

ON THIS _____ DAY OF _____, 2006, BEFORE ME PERSONALLY APPEARED JAMES E. THOMAS, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGER OF CVBBA II, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, 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

THE UNDERSIGNED HOLDER OR LEGAL OWNER OF NOTES SECURED BY DEED RECORDED IN BOOK _____ PAGE _____ OF THE ST. LOUIS COUNTY RECORDS, JOINS IN AND APPROVES IN EVERY DETAIL THIS SUBDIVISION OF "BOONE'S CROSSING NE".

IN WITNESS WHEREOF, IT HAS SIGNED AND SEALED THE FOREGOING THIS _____ DAY OF _____, 2006.

ST. LOUIS BANK:

BY: _____
 (PRINT NAME AND TITLE)

STATE OF MISSOURI)
 COUNTY OF ST. LOUIS) SS

ON THIS _____ DAY OF _____, 2006, BEFORE ME PERSONALLY APPEARED _____, WHO BEING BY ME DULY SWORN DID SAY THAT _____ IS THE _____ OF ST. LOUIS BANK, 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 "BOONE'S CROSSING NE" WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD BY ORDINANCE NUMBER _____ ON _____, 2006 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



PREPARED BY:
EFK Moen, LLC
 Civil Engineering Design
 13523 Barrett Parkway, Suite 250
 St. Louis, Missouri 63021
 Voice: 314-729-4100
 Fax: 314-729-4199

THIS PLAT CONTAINS 6.172 ACRES (268,859 S.F.)

PROJECT NAME: CVBBA I/CVPBA II
 PROJECT NO.: 05054 SHEET 1 OF 1