

BILL NO. 2511

ORDINANCE NO. 2328

**AN ORDINANCE VACATING THE RIGHT-OF-WAY OF OLD WILD HORSE CREEK ROAD AS DEPICTED ON THE EXHIBIT "A" LOCATED IN U.S. SURVEY 164 AND FRACTIONAL SECTION 15 IN TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.**

**WHEREAS**, a petition has been filed by Fischer and Frichtel, requesting the City of Chesterfield to vacate a portion of the right-of-way of the above-referenced tract of land;. The portion of the right-of-way, to be vacated, is shown on an attached plat, marked Exhibit "A"; and,

**WHEREAS**, the Department of Public Works also desires to have a portion of a right-of-way situated in the City of Chesterfield, Missouri, vacated. The portion of the right-of-way, to be vacated, is shown on an attached plat, marked Exhibit "A"; and,

**WHEREAS**, the right-of-way shown on the attached plat, marked on Exhibit "A" and a separate legal description has been prepared and provided herein; and,

**WHEREAS**, the portion of the right-of-way that is to be vacated is not necessary for public use; and,

**WHEREAS**, the vacation herein petitioned for is in the interest of the public necessity, convenience and general welfare, and will not interfere with the best interest of the public use; and,

**WHEREAS**, the City of Chesterfield has reviewed the petition and determined that said petition meets all applicable regulations and determined that the vacation will have no adverse effect on the City of Chesterfield.

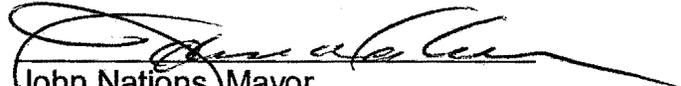
**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

Section 1. The City Council of the City of Chesterfield hereby approves the right-of-way vacation of Old Wild Horse Creek Road, as depicted in Exhibit A, which 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 this right-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.

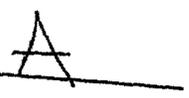
Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of JANUARY, 2007.

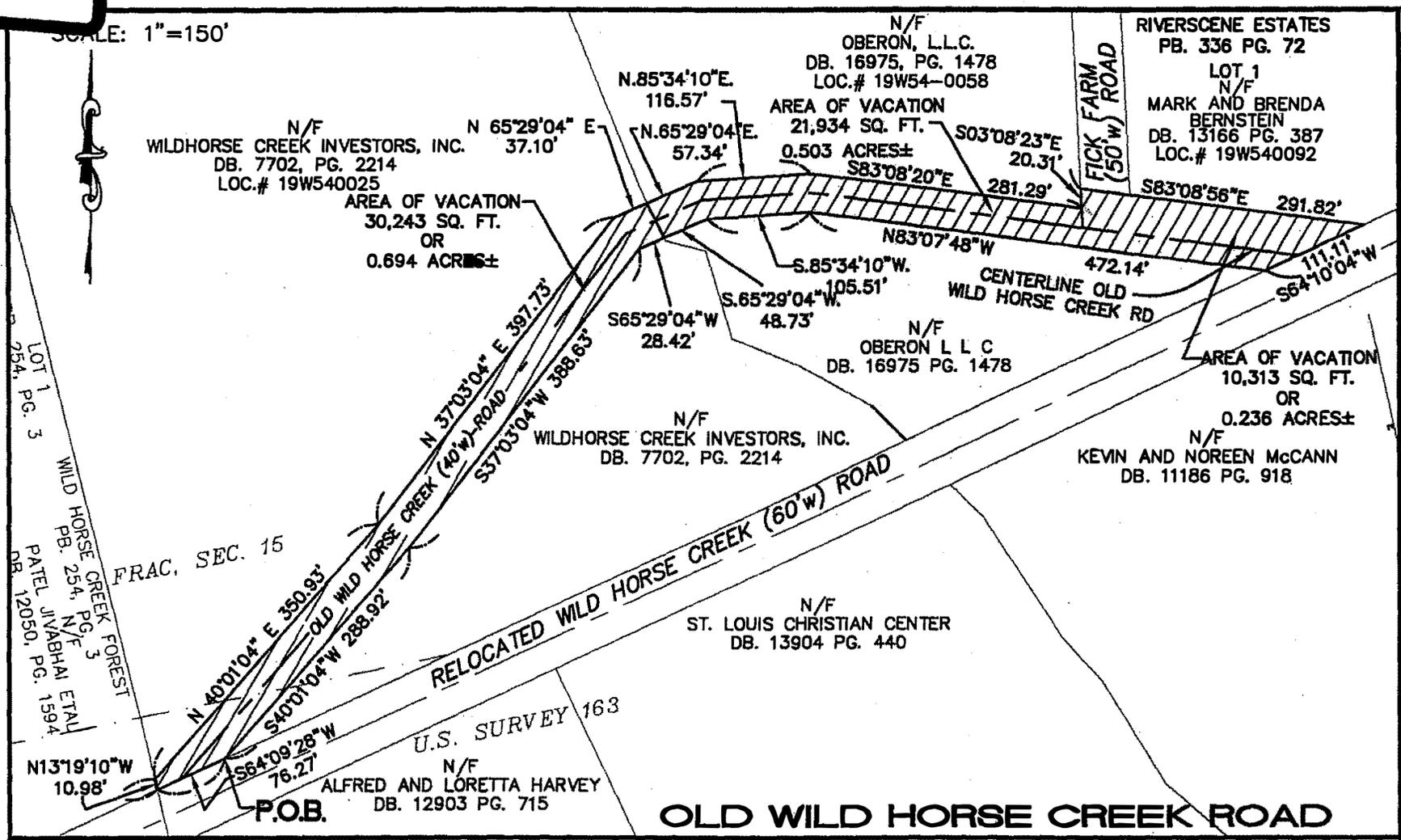
  
John Nations, Mayor

ATTEST:

  
Marty DeMay, City Clerk



SCALE: 1"=150'



# ROADWAY VACATION EXHIBIT

A TRACT OF LAND BEING PART OF OLD WILD HORSE CREEK ROAD AND BEING LOCATED IN PART OF U.S. SURVEYS 163 AND 164, AND PART OF FRACTIONAL SECTION 15, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

DATE: 11/16/06

2043357/SURVEY/3357ROADVACATE.DWG

**STOCK & ASSOCIATES**  
**Consulting Engineers, Inc.**

Old Wild Horse Creek Road.  
Vacation Description

A tract of land being the right-of-way of Old Wild Horse Creek Road as it runs through tracts of land described in a deed to Wildhorse Creek Investors, Inc. as recorded in Deed Book 7702, Page 2214, and a tract of land conveyed in a deed to Oberon L.L.C. as recorded in deed book 16975, page 1478, and as it fronts on the property conveyed in a deed to Mark and Brenda Bernstein as recorded in deed book 13166, page 387 of the St. Louis County Recorder's Office. Said tract being part of U. S. Survey 164 and Fractional Section 15 in Township 45 North, Range 3 East, St. Louis County, Missouri and being more particularly described as follows:

BEGINNING at a point on the northern right-of-way line of relocated Wild Horse Creek Road, said point being at the point of intersection with the southeastern line of Old Wild Horse Creek Road (40' wide); thence along the northern line of relocated Wild Horse Creek Road South 64 degrees 09 minutes 28 seconds West, 76.27 feet to the point of intersection with prolongation of the western line of a tract of land described in a deed to Wildhorse creek Investors, Inc. as recorded in Deed Book 7702, Page 2214 of the St. Louis County, Missouri Recorder's office; thence along said prolongation North 13 degrees 19 minutes 10 seconds West, 10.98 feet to the point of intersection with the northwestern line of Old Wild Horse Creek Road (40' wide); thence along said northwestern line the following courses and distances; North 40 degrees 01 minutes 04 seconds East, 350.93 feet to a point; North 37 degrees 03 minutes 04 seconds East, 397.73 feet to a point; thence North 65 degrees 29 minutes 04 seconds East, 37.10 feet to the point of intersection with the eastern line of the aforesaid Wildhorse Creek Investors, said point being on the western line of a tract of land described in a deed to Oberon L.L.C. as recorded in Deed Book 16975, Page 1478 of the St. Louis County Recorder's Office; thence continuing along said northern right-of-way line North 65 degrees 29 minutes 04 seconds East, 57.34 feet to a point; thence North 85 degrees 34 minutes 10 seconds East, 116.57 feet to a point; thence South 83 degrees 08 minutes 20 seconds East, 281.29 feet to the point of intersection with the western line of Fick Farm Road (50' wide); thence along said western line North 03 degrees 08 minutes 23 seconds West, 20.31 feet to a point; thence leaving said line along the northern line of Old Wild Horse Creek Road South 83 degrees 08 minutes 56 seconds East, 291.82 feet to the point of intersection with the northern line of the relocated Wild Horse Creek Road; thence along said northern line South 64 degrees 10 minutes 44 seconds West, 111.11 feet to the point of intersection with the southern right-of-way line of Old Wild Horse Creek Road (40'

wide); thence along said southern right-of-way line North 83 degrees 07 minutes 48 seconds West, 472.14 feet to a point; thence South 85 degrees 34 minutes 10 seconds West, 105.51 feet to a point; thence South 65 degrees 29 minutes 04 seconds West, 48.73 feet to the point of intersection with the western line of a tract of land described in a deed to Oberon L.L.C. as recorded in Deed Book 16975, Page 1478 of the St. Louis County Recorder's Office; said point also being on the eastern line of the aforesaid Wildhorse Creek Investors, Inc. tract; thence continuing along said southeastern line South 65 degrees 29 minutes 04 seconds West, 28.42 feet to a point; thence South 37 degrees 03 minutes 04 seconds West, 388.63 feet to a point; thence South 40 degrees 01 minutes 04 seconds West, 288.92 feet to the point of beginning.