

BILL NO. 2428

ORDINANCE NO. 2389

AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOTS 8 AND 9 OF SPIRIT 40 PARK SUBDIVISION IN U.S. SURVEY 122, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI.

WHEREAS, Volz Engineering, on behalf of Nine West, L.L.C., has proposed a Boundary Adjustment Plat for the aforementioned tracts; and,

WHEREAS, the Department of Planning and Department of Public Works have reviewed the Boundary Adjustment Plat in accordance with the Boundary Adjustment regulations of the City of Chesterfield and found it to be in compliance with all applicable ordinances and 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 5th day of SEPTEMBER, 2007.


MAYOR

ATTEST:

Pamela Shelton, Deputy
CITY CLERK.

**BOUNDARY ADJUSTMENT PLAT
TRACTS OF LAND BEING LOT 8 AND LOT 9 OF SPIRIT 40 PARK
IN U.S. SURVEY 122, TOWNSHIP 45 NORTH - RANGE 3 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI**

We, Volz Incorporated, have by order of Eight East, L.L.C., completed a Boundary Adjustment Plat of "Tracts of land being Lot 8 and Lot 9 of 'Spirit 40 Park', a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri" and the results are represented hereon. This Boundary Adjustment Plat was executed in compliance with the current Missouri Minimum 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, and meets the accuracy requirements set forth for Urban Property.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this ____ day of _____, 2007.

VO LZ INCORPORATED

Richard W. Norvell, P.L.S.
Professional Land Surveyor
Mo. P.L.S. #1437

The undersigned owners have caused these parcels to be adjusted in land area in the manner shown on the above Boundary Adjustment Plat.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this ____ day of _____, 2007.

Eight East, L.L.C. _____
Name Printed

Nine East, L.L.C. _____
Name Printed

STATE OF MISSOURI }
}SS
COUNTY OF ST. LOUIS }

On this _____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that _____ is the _____ of Eight East, 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 _____ acknowledged said instrument to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal in the County and State aforesaid, the day and year first above written.

My Commission Expires: _____

Notary Public

Printed Name

The undersigned holder or legal owner of notes secured by a deed of trust recorded in Book 12371, page 380, of the St. Louis County records, joins in and approves in every detail this Boundary Adjustment Plat.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2007.

First National Bank of St. Louis _____
Name Printed

STATE OF MISSOURI }
}SS
COUNTY OF ST. LOUIS }

On this _____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that _____ is the _____ of First National Bank of St. Louis, a Missouri Corporation, 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 hereunto set my hand and affixed my notarial seal in the County and State aforesaid, the day and year first above written.

My Commission Expires: _____

Notary Public

Printed Name

STATE OF MISSOURI }
}SS
COUNTY OF ST. LOUIS }

On this _____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that _____ is the _____ of Nine East, 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 _____ acknowledged said instrument to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal in the County and State aforesaid, the day and year first above written.

My Commission Expires: _____

Notary Public

Printed Name

The undersigned holder or legal owner of notes secured by a deed of trust recorded in Book 11933, page 451, of the St. Louis County records, joins in and approves in every detail this Boundary Adjustment Plat.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2007.

U.S. Bank, National Association _____
Name Printed

STATE OF MISSOURI }
}SS
COUNTY OF ST. LOUIS }

On this _____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that _____ is the _____ of U.S. Bank, National Association, and that the seal affixed to the foregoing instrument is the seal of said National Association, and that said instrument was signed and sealed on behalf of said National Association by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said National Association.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal in the County and State aforesaid, the day and year first above written.

My Commission Expires: _____

Notary Public

Printed Name

This is to certify that this Boundary Adjustment Plat was approved by the City Council for the City of Chesterfield by Ordinance No. _____, on the _____ day of _____, 2007, and thereby authorizes the recording of this Boundary Adjustment Plat with the office of the St. Louis County Recorder of Deeds.

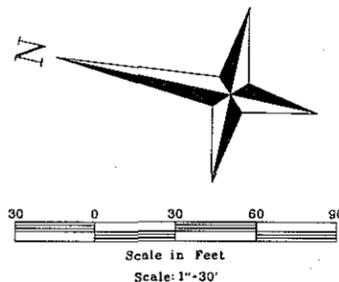
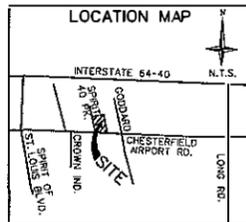
John Nations, Mayor

Marty De May, City Clerk

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INCORPORATED
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD IND'L BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212

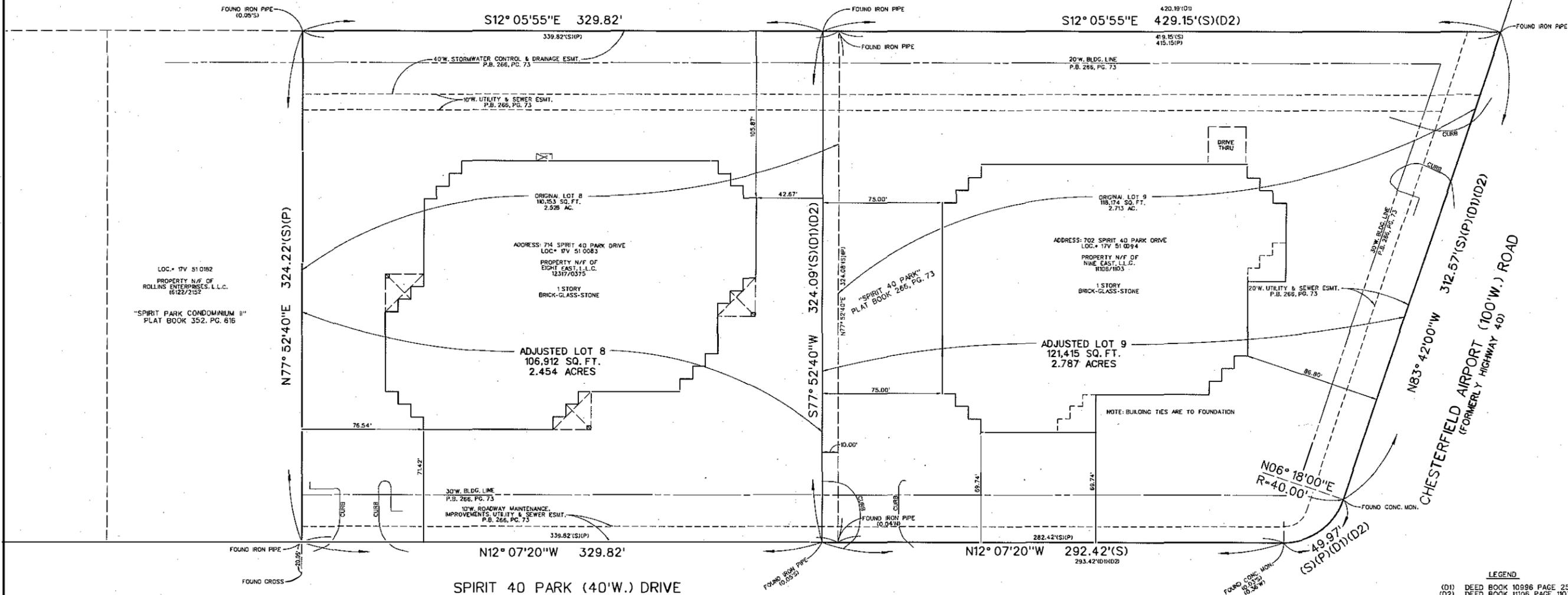
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Sheet 1 of 2
Spirit 40 Park

BOUNDARY ADJUSTMENT PLAT
TRACTS OF LAND BEING LOT 8 AND LOT 9 OF SPIRIT 40 PARK
IN U.S. SURVEY 122, TOWNSHIP 45 NORTH - RANGE 3 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



LOC. 17V 510016
 PROPERTY N/F OF
 NAPLES MELFIELD VENTURE, L.L.C.
 17407/2741

- Notes:
- Bearing system adapted from the plat of "Spirit 40 Park," recorded in Plat Book 266 page 73.
 - Property referenced from Commonwealth Land Title Insurance Company Abstract No. 261676, Revision No. 1, effective date of October 3, 1996, for Lot 9.
- Lots 8 and 9 are subject to the following:
- Restrictions, conditions, and easements contained in instruments recorded in Plat Book 266 page 73 and Book 8203 page 190R.
 - Terms and provisions of the development plans, according to the plats thereon recorded in Plat Book 234 page 79 and Plat Book 347 page 209.
 - Terms and provisions of Ordinance Number 1377 of the City of Chesterfield.
 - Reciprocal Cross-Access Easement and Parking Easement according to instrument recorded in Book 12153 page 2410 which is of an unplottable nature.



- LEGEND
- (O) DEED BOOK 10986 PAGE 2584
 - (D) DEED BOOK 11106 PAGE 103
 - (P) PLAT BOOK 266 PAGE 73
 - (S) SURVEY

Original Lot 8

A tract of land being Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northwest corner of said Lot 8 of "Spirit 40 Park," said point being also a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Eastwardly along said North line of Lot 8 North 77 degrees 52 minutes 40 seconds East 324.22 feet to the Northeast corner thereof; thence Southwardly along the East line of Lot 8 South 12 degrees 05 minutes 55 seconds East 339.82 feet to the Southeast corner thereof; thence Westwardly along the South line of Lot 8 South 77 degrees 52 minutes 40 seconds West 324.08 feet to the Southwest corner thereof; said point being also a point in the East line of aforementioned Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line of Spirit 40 Park Drive, North 12 degrees 07 minutes 20 seconds West 329.82 feet to the point of beginning and containing 2,528 acres.

Adjusted Lot 8

A tract of land being part of Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northwest corner of said Lot 8 of "Spirit 40 Park," said point being also a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Eastwardly along said North line of Lot 8 North 77 degrees 52 minutes 40 seconds East 324.22 feet to the Northeast corner thereof; thence Southwardly along the East line of Lot 8 South 12 degrees 05 minutes 55 seconds East 339.82 feet to a point; thence South 77 degrees 52 minutes 40 seconds West 324.09 feet to a point in the East line of aforementioned Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line of Spirit 40 Park Drive, North 12 degrees 07 minutes 20 seconds West 329.82 feet to the point of beginning and containing 2,454 acres.

Original Lot 9

A tract of land being Lot 9 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Southeast corner of said Lot 9 of "Spirit 40 Park," said point being also a point in the North line of Chesterfield Airport Road, 100 feet wide; thence Westwardly along said North line of Chesterfield Airport Road, North 83 degrees 42 minutes 00 seconds West 312.57 feet to a point; thence along a curve to the right, whose radius point bears North 06 degrees 18 minutes 00 seconds East 40.00 feet from the last mentioned point, a distance of 49.97 feet to a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line North 12 degrees 07 minutes 20 seconds West 292.42 feet to the Northwest corner thereof; thence Eastwardly along the North line of said Lot 9, North 77 degrees 52 minutes 40 seconds East 324.08 feet to the Northeast corner thereof; thence Southwardly along the East line of said Lot 9 South 12 degrees 05 minutes 55 seconds East 419.15 feet to the point of beginning and containing 2,713 acres.

Adjusted Lot 9

A tract of land being Lot 9 and part of Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Southeast corner of said Lot 9 of "Spirit 40 Park," said point being also a point in the North line of Chesterfield Airport Road, 100 feet wide; thence Westwardly along said North line of Chesterfield Airport Road, North 83 degrees 42 minutes 00 seconds West 312.57 feet to a point; thence along a curve to the right, whose radius point bears North 06 degrees 18 minutes 00 seconds East 40.00 feet from the last mentioned point, a distance of 49.97 feet to a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line North 12 degrees 07 minutes 20 seconds West 292.42 feet to a point; thence North 77 degrees 52 minutes 40 seconds East 324.09 feet to a point in the East line of aforementioned Lot 8 of "Spirit 40 Park," thence Southwardly along said East line of Lot 8 and the East line of aforesaid Lot 9 South 12 degrees 05 minutes 55 seconds East 429.15 feet to the point of beginning and containing 2,787 acres.

Richard W. Norvell, P.L.S.
 Professional Land Surveyor
 Mo. P.L.S. #1437

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 SPIRIT 40 PARK