

BILL NO. 2611

ORDINANCE NO. 2427

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT FOR FOX HILL FARMS, FOR A 39.301 ACRE TRACT OF LAND ZONED "E-1/2AC" ESTATE DISTRICT (ONE-HALF ACRE), LOCATED ON GRIFFITH LANE, SOUTH OF THE TERMINUS OF EAGLE BLUFF COURT, APPROXIMATELY 1,500 LINEAR FEET FROM WILD HORSE CREEK ROAD (18U32-0015, 19U64-0028, & 19U 64-0017).

WHEREAS, The Sterling Company, on behalf of Simon Development, Inc. has submitted for review and approval the Record Plat and Escrow Agreements for Fox Hill Farms; and,

WHEREAS, the purpose of said Record Plat is to subdivide a 39.301 acre tract of land into 34 Lots for Single-Family detached residential 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 Fox Hill Farms, which is made a part hereof and attached hereto as Exhibit 1 and Escrow Agreements, 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 Record Plat.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the said Record Plat and Escrow Agreements 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 23rd day of January, 2008.


MAYOR

ATTEST:

Pamela Skelton
Deputy - CITY CLERK

FIRST READING: 1/23/08

Drawing name: G:\SDSK\PEU\AD\02036_Griffith_Lane.dwg; Record: 2006R02036; Plotted on: Dec 06, 2007 - 10:51am; Plotted by: bboyer

FOX HILL FARMS

A TRACT OF LAND BEING A PART OF SHARE 2 OF THE PARTITION OF BRYAN MULLANPHY ESTATE AND BEING SITUATED IN U.S. SURVEY 886, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI ZONED E-HALF ACRE PEU ORDINANCE NO. 2229

The undersigned, owner of the tract of land herein platted and further described in the foregoing surveyor's certificate has caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereafter be known as "FOX HILL FARMS".

Eagle Bluff Court (40W), Fox Hill Farms Court (40W) and Fox Hill Farms Circle (40W), together with all cut-de-seca and roundings located at street intersections, which for better identification are shown hatched, are hereby dedicated to the Trustees of the aforementioned subdivision for the perpetual use and benefit of the present and future owners of lots in Fox Hill Farms and shall remain private forever, never to be maintained by the City of Chesterfield, Missouri. The undersigned further designates these streets as utility easements for all public utilities, sewers and drainage facilities, as their interest may appear.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to The City of Chesterfield, Missouri, Missouri American Water Company, Laclede Gas Company, Anaren UE, Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri, Metropolitan St. Louis Sewer District, Charter Communications, their successors and assigns as their interests may appear for the purpose of improving, constructing, maintaining and repairing public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair and replacement of said utilities, sewers and drainage facilities.

All common ground easements, such as cut-de-seca islands, and divided street island, or median strips, are hereby dedicated to the Trustees of the aforementioned subdivision, its successors and assigns, and becomes the Trustees of the aforementioned subdivision sole ownership and maintenance responsibility.

The entrance monument easement as shown hereon, is hereby dedicated to the Trustees of the aforementioned subdivision, for the purpose of landscape maintenance, construction and maintaining entrance monuments.

The Detention Easement as shown on this plat is hereby given, granted, extended and conveyed to the Trustees of the aforementioned subdivision for exclusive right to build and maintain a sewer or sewers, including stormwater improvements, on the strip or strips of ground which have been identified on this plat, and to use such additional space adjacent to the easement so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned sewer or sewers, including stormwater improvements, and may assign its rights in this easement to the State, County, City or other political subdivision of the State.

The 6' Roadway Maintenance, Sewer, Sidewalk and Utility Easement shown hereon is hereby dedicated to the Trustees of the aforementioned subdivision, its successors and assigns.

The 20' and 22' Emergency Access Easement is hereby dedicated to the Chesterfield Fire Protection District and is to be maintained by the Trustees of the aforementioned subdivision, its successors and assigns.

The retaining wall easement, as shown hereon, is hereby dedicated to the Trustees of the aforementioned subdivision for the purpose of constructing, maintaining and repairing retaining walls, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair or replacement of said retaining walls.

The pump station and access easement is hereby granted to the Metropolitan St. Louis Sewer District for the exclusive right to build and maintain both above and below ground pump station sewer facilities, sewer or sewers, ingress and egress roadway, and appurtenances, and to use such additional space adjacent to the construction, reconstruction, maintenance or repair of both above and below ground pump station sewer facilities, sewer or sewers, ingress and egress roadway, and appurtenances. The Metropolitan St. Louis Sewer District may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforesaid above and below ground pump station sewer facilities, sewer or sewers, ingress and egress roadway, and appurtenances, and may assign its rights herein to the state, county, city, or other political subdivisions of the state. The easement is hereby irrevocable and shall continue until vacated by the Metropolitan St. Louis Sewer District or its assigns.

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat. It is hereby certified that there are no delinquent taxes outstanding.

Building lines as shown on this plat are hereby established.

The common ground shown on this plat has been conveyed forever to the Trustees of the aforementioned subdivision, its successors and assigns, by General Warranty Deed recorded the _____ day of _____, 2007 as Daily No. _____ in the St. Louis County Records.

This subdivision is subject to conditions and restrictions filed on the _____ day of _____, 2007, as Daily No. _____ in the St. Louis County Records.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2007.

Simon Development, Inc.

Barry Simon - President

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

On this _____ day of _____, 2007, before me personally appeared Barry Simon, to me personally known, who being by me duly sworn, did say that he is the President of Simon Development, Inc., a Corporation of the State of Missouri and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and the said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors; and said Barry Simon acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission Expires _____
Notary Public _____

LEGAL DESCRIPTION

A TRACT OF LAND BEING A PART OF SHARE 2 OF THE PARTITION OF BRYAN MULLANPHY ESTATE AND BEING SITUATED IN U.S. SURVEY 886, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE FOUND ON THE NORTH LINE OF LOT 36 OF "KEHRS MILL TRAILS PLAT 3" AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 172 PAGE 18 OF THE ST. LOUIS COUNTY RECORDS; SAID STONE ALSO BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHEAST CORNER OF "CHESTERFIELD ESTATES PLAT ONE" AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 282 PAGE 66; THENCE, WITH THE COMMON LINE BETWEEN THE HEREIN DESCRIBED TRACT AND THE SAID "CHESTERFIELD ESTATES PLAT ONE", NORTH 00°40'17" EAST 1224.51 FEET TO THE SOUTHWEST CORNER OF "EAGLE CREST ESTATES PLAT TWO" AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 350 PAGE 30; THENCE, WITH THE SOUTH LINE THEREOF, SOUTH 88°51'21" EAST 1504.54 FEET TO A POINT ON THE EAST LINE OF U.S. SURVEY 886 AND THE WEST LINE OF U.S. SURVEY 2760 AND FROM WHICH POINT A STONE BEARS 0°0, 14 FEET WEST AND 0.01 FEET NORTH; THENCE, WITH THE COMMON LINE BETWEEN SAID SURVEYS, SOUTH 00°51'47" WEST 375.68 FEET TO A STONE FOUND FOR THE SOUTHWEST CORNER OF SAID U.S. SURVEY 2760 AND BEING THE SOUTH WESTERMOST CORNER OF SAID "EAGLE CREST ESTATES PLAT TWO"; THENCE, CONTINUING WITH THE WEST LINE OF U.S. SURVEY 886 AND THE WEST LINE OF FRACTIONAL NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 45 NORTH, RANGE 4 EAST, SOUTH 00°52'30" WEST 454.24 FEET TO THE NORTHEAST CORNER OF LOT 22 OF AFOREMENTIONED "KEHRS MILL TRAILS PLAT 3"; FROM SAID POINT AN IRON PIPE FOUND FOR THE NORTHWEST CORNER OF LOT 35 OF "CHESTERFIELD ESTATES PLAT ONE" (PLAT BOOK 150 PAGE 78) BEARS SOUTH 00°56'30" WEST 20.38 FEET AND FROM SAID NORTHEAST CORNER OF LOT 22, A FOUND STONE BEARS SOUTH 00°56'30" WEST 369.04 FEET; THENCE, DEPARTING THE EAST LINE OF U.S. SURVEY 886, WITH THE NORTH AND WEST LINES OF SAID LOT 22, NORTH 82°16'30" WEST 316.51 FEET AND SOUTH 00°56'30" WEST 434.28 FEET TO A POINT ON THE NORTH LINE OF SAID "KEHRS MILL TRAILS PLAT 3" BEING ALSO THE SOUTH LINE OF SHARE 2 OF THE PARTITION OF THE BRYAN MULLANPHY ESTATE AND FROM WHICH POINT THE LAST MENTIONED STONE BEARS SOUTH 88°42'00" EAST 314.32 FEET; THENCE, WITH SAID NORTH LINE OF "KEHRS MILL TRAILS PLAT 3", NORTH 66°42'00" WEST 1184.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,711,958 SQUARE FEET (39.3011 ACRES), MORE OR LESS, ACCORDING TO A SURVEY BY THE STERLING COMPANY DURING MAY, 2005 UNDER ORDER NUMBER 04-02-036.

STATEMENT OF STATE PLANE COORDINATES:

State Plane Coordinates were determined on March 27, 2007, using three Trimble dual frequency GPS receivers. Data was collected by Rapid Static method and post processed in Trimble Geomatic Office software. The following Geographic Reference Monument was fixed in the adjustment: St. Louis County Monuments SL-37. Site grid azimuth and combined grid factor were calculated by using Trimble Geomatic Office software. The Trimble software generated positional error ellipses for the on site receiver of less than a Centimeter. We represent hereon that these state plane coordinates meet the accuracy standards of the "Missouri Minimum Standards for Property Boundary Surveys" (10 CSR 30-2 and 4 CSR 30-18, effective data December 30, 1994) as an "URBAN PROPERTY" relative to station SL-37, which published values are NORTH (Y) = 31174.3232 meters, EAST (X) = 240102.849 meters, according to data published by the Missouri Department of Natural Resources, as adjusted by the National Geodetic Survey in 2000. In order to put this plat on the Missouri State Plane Coordinate East Zone (NAD-83) Grid North, it would be necessary to rotate the published plat bearings COUNTER CLOCKWISE 0°25'47". The published plat bearing of S 88°51'21" E would be S 89°17'08" E if rotated to Grid North.

Combined Grid Factor = 0.999913783 (1 meter = 3.2808333 feet)

PARTIAL RELEASE OF DEED OF TRUST

WHEREAS, _____, By deed of trust, dated _____, and recorded in the Recorder's office, in and for the County of _____, and State of Missouri, in Book _____, at Page _____, 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; and whereas, said deed of trust and note or notes has or have been PARTLY paid and satisfied.

NOW, THEREFORE, the undersigned, present holder and legal owner of said deed of trust and note or notes, does hereby REMISE, RELEASE, AND QUIT CLAIM unto the present owners, PART CITE the estate in said deed of trust described, situated in the City of Chesterfield, County of St. Louis, and State of Missouri, to wit: All common ground shown on this plat and all streets, public or private, or roadway easements on this plat.

TO HAVE AND TO HOLD the same, with all appurtenances thereto belonging free, clear and discharged from the encumbrance of said deed of trust.

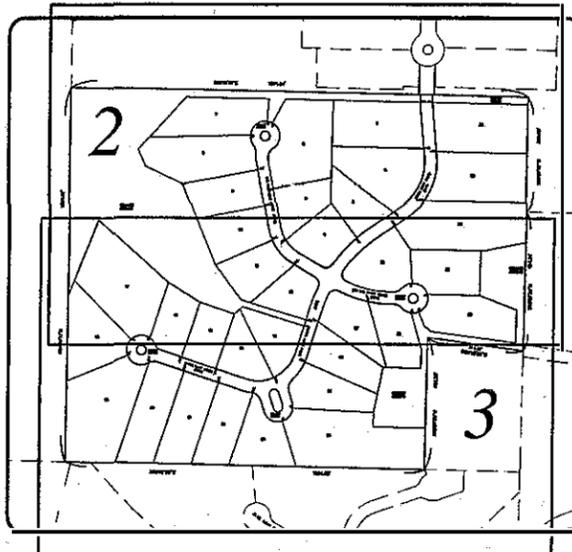
IN WITNESS WHEREOF, the undersigned has executed these presents this _____ day of _____, 2007.

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

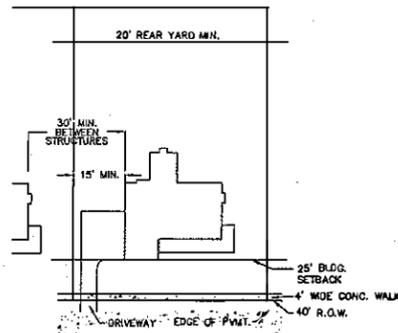
On this _____ day of _____, 2007, before me appeared _____ to me personally known, who being by me duly sworn, did say he is _____ of _____, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and said _____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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

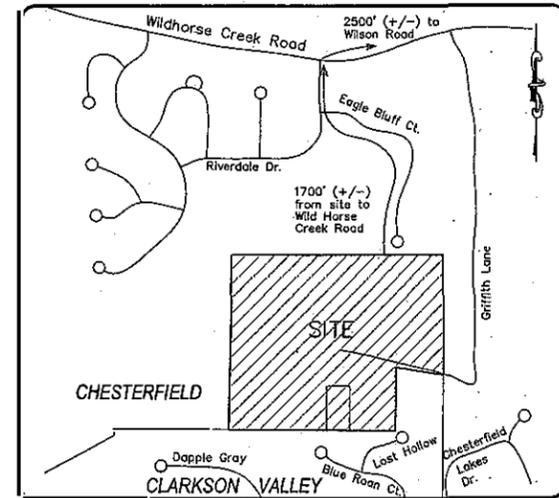
Notary Public _____ My Commission Expires _____



KEY MAP
N.T.S.



TYPICAL BUILDING ENVELOPE
N.T.S.



LOCATION MAP
N.T.S.

NOTES

1. THIS TRACT CONTAINS 39.301 ACRES, MORE OR LESS.
2. BASIS OF BEARINGS: KEHRS MILL TRAILS PLAT 3 (P.B. 172 PG. 18)
3. SOURCE OF RECORD TITLE: DEED BOOK 16235 PAGE 551, DEED BOOK 16235 PAGE 555, DEED BOOK 16235 PAGE 559, DEED BOOK 16235 PAGE 563, DEED BOOK 16235 PAGE 567 AND DEED BOOK 16235 PAGE 571.
4. PERMANENT MONUMENTS WILL BE SET IN ONE YEAR FROM DATE OF RECORDING OR WHEN FINAL GRADING IS COMPLETE. SEMI-PERMANENT MONUMENTS WILL BE SET IN ONE YEAR FROM DATE OF RECORDING OR WHEN PAVEMENT IS INSTALLED.
5. THE STERLING COMPANY HAS USED, EXCLUSIVELY, A TITLE COMMITMENT BY LAND AMERICA COMMONWEALTH LAND TITLE INSURANCE COMPANY WITH FILE NUMBER OF: 635516, REVISION NO. 4, WITH AN EFFECTIVE DATE OF APRIL 14, 2005.
- ITEM #6 - A 10' WIDE EASEMENT GRANTED UNION ELECTRIC COMPANY OF MISSOURI ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 2131 PAGE 426, AFFECTS THE SUBJECT TRACT BUT EXACT LOCATION NOT PLOTTABLE FROM DESCRIPTION. (TO BE VACATED)
- ITEM #7 - THIS TRACT IS SUBJECT TO THE RIGHTS OF THE UPPER AND LOWER RIPARIAN OWNERS IN AND TO THE FREE AND UNOBSTRUCTED FLOW OF THE WATER OF CAULK CREEK EXTENDING THROUGH THE SUBJECT LAND, WITHOUT DIMINUTION OR POLLUTION. CAULK CREEK IS APPROXIMATELY PLOTTED HEREON FROM FLOOD INSURANCE RATE MAP NUMBER 29189C 0138 H, EFFECTIVE AUGUST 2, 1995.
- ITEM #8 - NO TITLE WILL BE INSURED TO ANY LAND LYING BELOW THE PRESENT OR ANY FORMER HIGH WATER LINE OF CAULK CREEK. AS PER ITEM #8 ABOVE, CAULK CREEK IS APPROXIMATELY PLOTTED HEREON FROM FLOOD INSURANCE RATE MAP NUMBER 29189C 0138 H, EFFECTIVE AUGUST 2, 1995. THE APPROXIMATE LOCATION OF THE EXISTING FLOOD PLAIN IS SHOWN AS WELL.

PROJECT BENCHMARK

ST. LOUIS COUNTY BENCHMARK:

12+3 471.98 - "SQ" IN CENTER OF SOUTHWEST WINGWALL OF BRIDGE # 2-787; 20' WEST OF CENTERLINE OF WILD HORSE CREEK ROAD.

SITE BENCHMARK

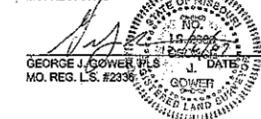
556.62 - SOUTH LOT ANCHOR FOR LOT 27 OF EAGLE CREST ESTATES PLAT TWO (P.B. 350 PG. 30, ST. LOUIS COUNTY RECORDS) IN THE CENTERLINE OF EAGLE BLUFF COURT (50' WIDE); SAID LOT 27 ALSO HAVING AN ADDRESS OF 16949 EAGLE BLUFF COURT, CHESTERFIELD, MISSOURI 63005.

ORDER NUMBER: 04-02-036

THE STERLING COMPANY
6055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 467-0440

THIS IS TO CERTIFY THAT AT THE REQUEST OF SIMON DEVELOPMENT, INC., THE STERLING COMPANY HAS, DURING THE MONTH OF MAY 2005, PERFORMED A BOUNDARY SURVEY AND DURING THE MONTH OF OCTOBER 2006, PREPARED A SUBDIVISION PLAT OF A TRACT OF LAND BEING A PART OF SHARE 2 OF THE PARTITION OF BRYAN MULLANPHY ESTATE AND BEING SITUATED IN U.S. SURVEY 886, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. THE RESULTS OF SAID SURVEY AND SUBDIVISION ARE AS SHOWN HEREON AND THIS SURVEY MEETS THE MINIMUM STANDARDS FOR URBAN PROPERTY BOUNDARY SURVEYS AS SET FORTH BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS (10 CSR 3-2 AND 4 CSR 30-16 EFFECTIVE DECEMBER 30, 1994).

THE STERLING COMPANY
MO. REG. 307-D



THE STERLING CO.
ENGINEERS & SURVEYORS
5055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 487-0440, FAX 487-8944
E-Mail: Sterling@sterling-eng-survey.com

DRAWN BY:	BJB	MSD P# -	27271
CHECKED BY:	GFW	DATE:	10/4/07
JOB NO.:	04-02-036	RECORD PLAT	

This is to certify that the Record Plat of "FOX HILL FARMS" 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 Record Plat with the office of the St. Louis County Recorder of Deeds.

Joan Nations, Mayor

Judith Naggar, City Clerk

tabbles[®]
EXHIBIT
1

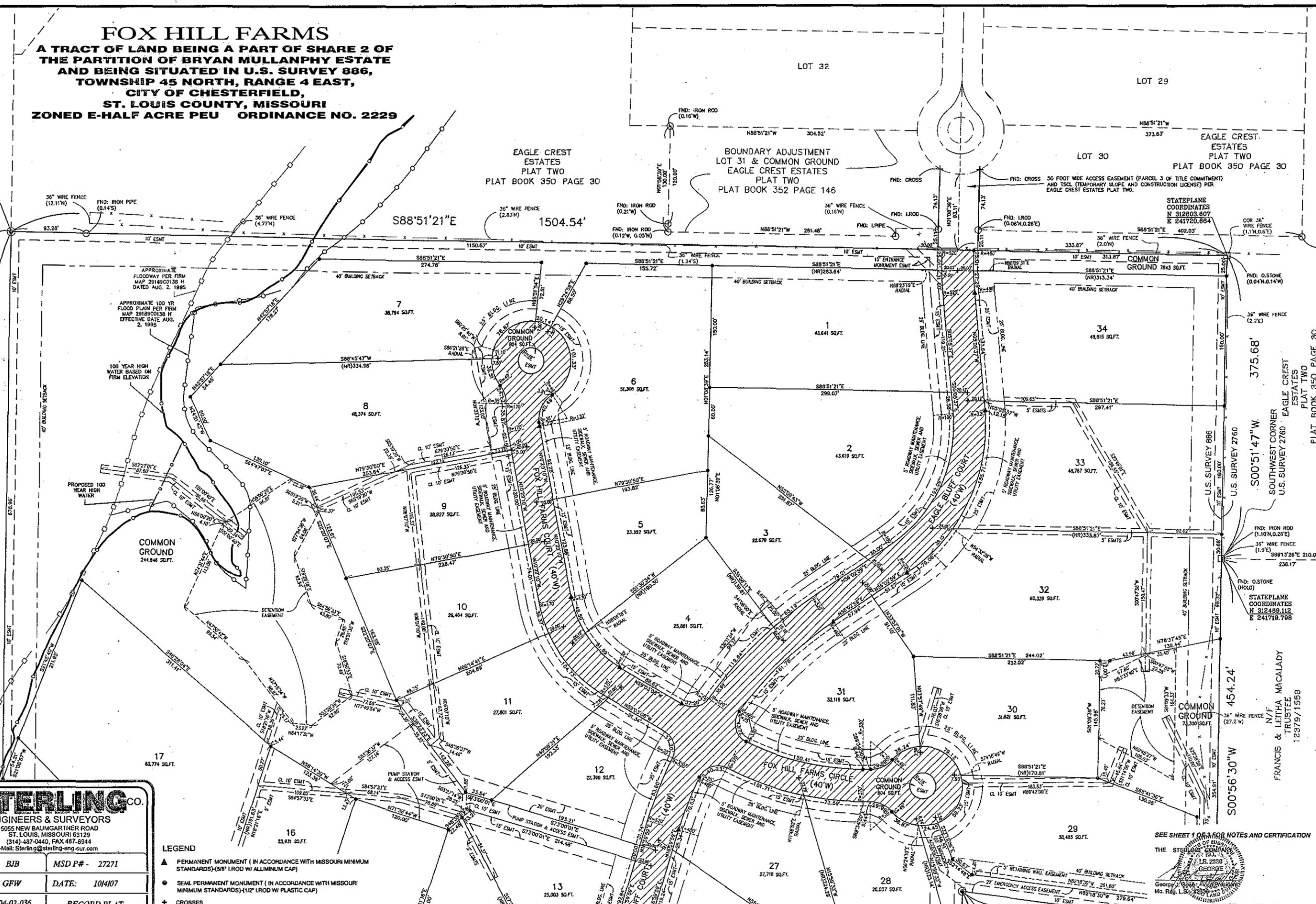
FOX HILL FARMS
A TRACT OF LAND BEING A PART OF SHARE 2 OF
THE PARTITION OF BRYAN MULLANPHY ESTATE
AND BEING SITUATED IN U.S. SURVEY 886,
TOWNSHIP 45 NORTH, RANGE 4 EAST,
CITY OF CHESTERFIELD,
ST. LOUIS COUNTY, MISSOURI
ZONED E-HALF ACRE PEU ORDINANCE NO. 2229

Drawing name: GASDKPRJ0402035 Griffith Lane.dwg, Record 2036Rec.dwg Plotted on: Dec 06, 2007 - 10:51am Plotted by: bjoover

STATEPLANE
 COORDINATES
 N 241262.154
 E 241262.154

SCALE: 1" = 60'

CHESTERFIELD ESTATES
 PLAT ONE
 P.B. 282 PG. 6B
 COMMON GROUND
 1224.91'



THE STERLING CO.
ENGINEERS & SURVEYORS
 5065 NEW BAUMGARTNER ROAD
 ST. LOUIS, MISSOURI 63129
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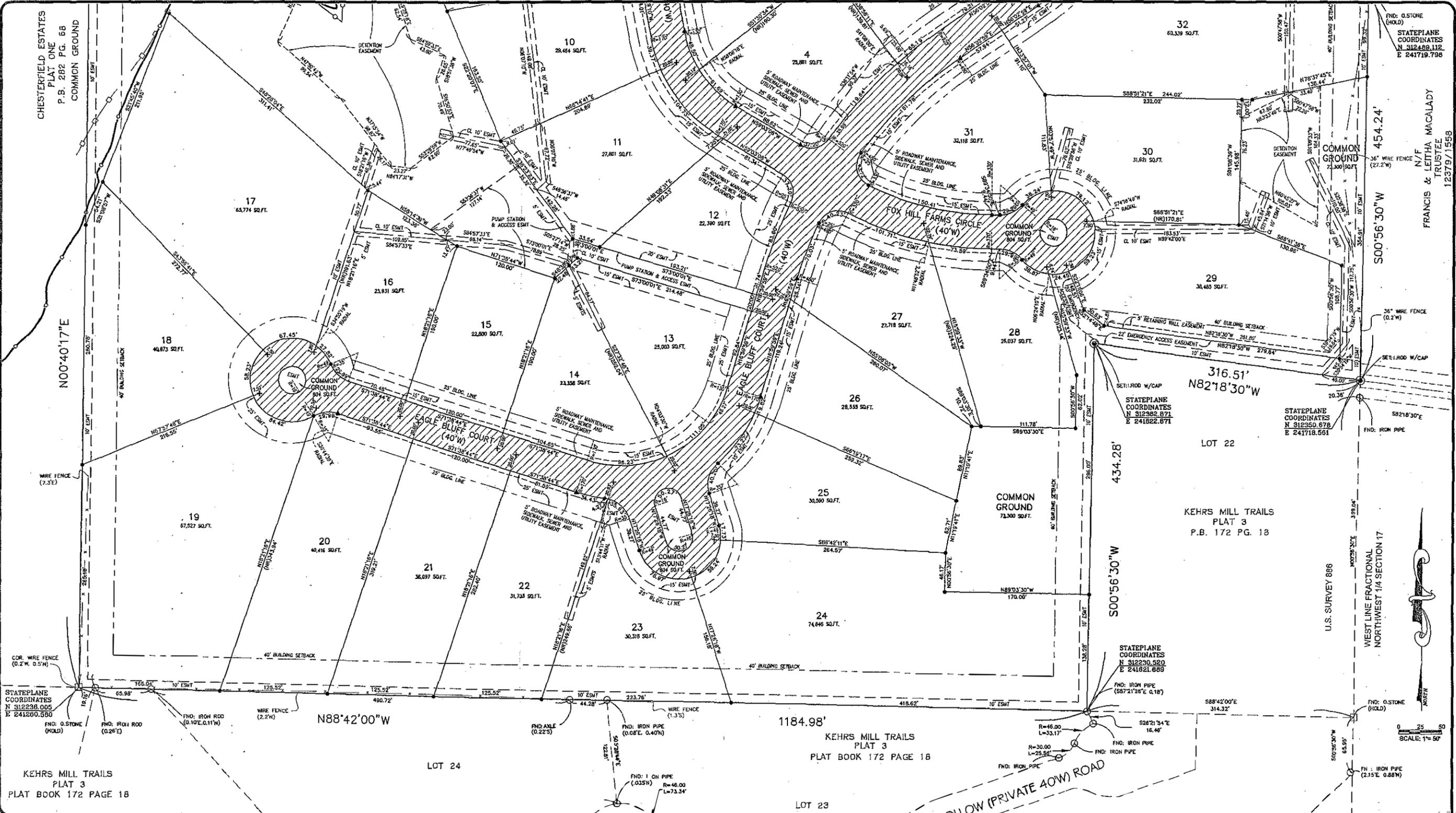
DRAWN BY:	BIB	MSD P# -	27271
CHECKED BY:	GFW	DATE:	10/4/07
JOB NO.:	04-02-036	RECORD PLAT	

- LEGEND**
- ▲ PERMANENT MONUMENT (IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS)-(5/8" IROD W/ ALUMINUM CAP)
 - SEMI-PERMANENT MONUMENT (IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS)-(1/2" IROD W/ PLASTIC CAP)
 - + CROSSES

SEE SHEET 1 OF 3 FOR NOTES AND CERTIFICATION



Drawing name: G:\SDSKPRJ\0402036_811111th Lane.dwg Record: 203656rec.dwg Plotted on: Dec 06, 2007 - 10:50am Plotted by: bboyer



THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 NEW BAUMGARTNER ROAD
 ST. LOUIS, MISSOURI 63129
 (314) 487-0440, FAX 487-8944
 E-Mail: Sterling@sterling-eng-survey.com

DRAWN BY:	B/B	MSD P# -	27271
CHECKED BY:	GFW	DATE:	10/4/07
JOB NO.:	04-02-036	RECORD PLAT	

FOX HILL FARMS
 A TRACT OF LAND BEING A PART OF SHARE 2 OF
 THE PARTITION OF BRYAN MULLANPHY ESTATE
 AND BEING SITUATED IN U.S. SURVEY 886,
 TOWNSHIP 45 NORTH, RANGE 4 EAST,
 CITY OF CHESTERFIELD,
 ST. LOUIS COUNTY, MISSOURI
 ZONED E-HALF ACRE PEU ORDINANCE NO. 2229

- LEGEND**
- ▲ PERMANENT MONUMENT (IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS) (5/8" I ROD W/ ALUMINUM CAP)
 - SEMI-PERMANENT MONUMENT (IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS) (1/2" I ROD W/ PLASTIC CAP)
 - + CROSSES

SEE SHEET 1 OF 3 FOR NOTES AND CERTIFICATION

THE STERLING CO.
 ENGINEERS & SURVEYORS
 No. 13,238
 GEORGE
 Missouri
 No. Reg. 123456789

SHEET 3 OF 3