

BILL NO. 2614

ORDINANCE NO. 2432

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENTS FOR WINGS CORPORATE ESTATES, FOR AN 39.5 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT, LOCATED ALONG EATHERTON RD. APPROXIMATELY 400 FT NORTH OF WARDENBURG RD.

WHEREAS, Holthaus Realty on behalf of D.F Adams and Associates Inc., Precision Properties and Carmelo J. Natoli, has submitted for review and approval the Record Plat and Escrow Agreements for Wings Corporate Estates, located along Eatherton Rd. approximately 400 ft. north of Wardenburg Rd,

WHEREAS, the purpose of said Record Plat is to subdivide a 39.5 acre tract of land into twenty (20) lots for industrial and 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 Wings Corporate Estates, which is made a part hereof and attached hereto as Exhibit 1 and Escrow Agreements, 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 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 4th day of February 2008.

MAYOR

ATTEST:

Auditt A. Raggian
CITY CLERK

FIRST READING HELD: 2/4/08

WINGS CORPORATE ESTATES

SITUATED IN U.S. SURVEY 362 & 133
TOWNSHIP 45 NORTH, RANGE 3 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

THE CLAYTON ENGINEERING COMPANY
1920 Westline Industrial Drive
St. Louis, Mo. 63146-3204

This is to certify that we have, during the month of July, 2003 at the request of Ed Holthaus Realty, Inc., prepared a Subdivision Plat, based upon a boundary survey made by us during the month of July 2003, of a tract of land being a composite of those properties conveyed to D.F. Adams and Associates Inc., a Missouri Corporation, by Deeds recorded in Deed Book 12392, Page 1452, and Deed Book 12392, Page 1455, and part of property conveyed to Precision Properties, L.L.C. by deed recorded in Deed Book 15253, Page 3036, and that part of property conveyed to Carmelo J. Natoli, by deed recorded in Deed Book 16429, Page 2594, all of the St. Louis County Records, situated in U.S. Surveys 362 and 133, Township 45 North, Range 3 East, in the City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows: Beginning at a point on the Southern Line of Lot 1 of the Subdivision of E. Kroening Estate, according to the Plat thereof recorded in Plat Book 11, Page 11 of the St. Louis County Records, at its intersection with the Eastern right-of-way line of Eatherton Road, as subdivided; thence along said Southern line, North 78 degrees 41 minutes 30 seconds East, 574.08 feet to the Southeastern corner of Lot 1 of the Subdivision of E. Kroening Estate, as aforementioned; thence along the Eastern line of said Lot 1, North 11 degrees 31 minutes 10 seconds West, 216.44 feet to the Northeastern Corner of property conveyed to Jewel Bridges and Clara Bridges, his wife, by deed recorded in Deed Book 6447, Page 77, of the St. Louis County Records, thence Southwesterly, along the Northern line of said property, South 78 degrees 41 minutes 30 seconds West, 585.07 feet to the Eastern right-of-way line of Eatherton Road, forty feet wide; thence Northwesterly, along the Eastern line thereof, North 11 degrees 56 minutes 10 seconds West, 216.03 feet to its intersection with a point on the Southern line of property conveyed to Norman Romback, Trustee, by deed recorded in Deed Book 11326, Page 1796 (Scrivener's Error Affidavit recorded in Deed Book 11701, Page 981), of the St. Louis County Records, thence Northwesterly, along the Southern line of said property, North 78 degrees 41 minutes 30 seconds East, 586.64 feet to the Southeastern corner thereof; thence Northwesterly, along the Eastern line of said property conveyed to Norman Romback, Trustee, North 11 degrees 31 minutes 10 seconds West, 270.38 feet in the Southwest corner of a tract of land conveyed to St. Louis County by Deed recorded in Deed Book 12257, Page 1813 and Deed Book 12257, Page 1816 of the St. Louis County Records; thence Northwesterly, along the Southern line of said tract, North 78 degrees 41 minutes 30 seconds East, 1803.83 feet to a point on the Western line of U.S. Survey 153, thence Southwesterly, along said Western line, South 12 degrees 41 minutes 10 seconds East, 949.50 feet to the Southeastern corner of Lot 1 of "Wardenburg Flats Plat I", a Subdivision, according to the Plat thereof recorded in Plat Book 211, Page 48 of the St. Louis County Records; thence Southwesterly, along the Northern line of property conveyed to Centurian Investments, Inc., by deed recorded in Deed Book 12140, Page 640 of the St. Louis County Records and the Northern line of property conveyed to St. Louis County, Missouri, by deed recorded in Deed Book 8887, Page 2396, of the St. Louis County Records, South 78 degrees 41 minutes 30 seconds West, 1185.21 feet to its intersection with a point on the Eastern line of U.S. Survey 308, thence Northwesterly, along said Eastern line, North 12 degrees 45 minutes 00 seconds West, 211.68 feet to a point on the Southern line of a twenty-five foot wide private road, as set forth by deed recorded in Deed Book 377, Page 296 of the St. Louis County Records; thence along said Southern line, South 78 degrees 41 minutes 30 seconds West, 1207.84 feet to a point on the Eastern right-of-way line of Eatherton Road, as widened; thence along the Eastern right-of-way line, North 10 degrees 39 minutes 57 seconds West, 25.00 feet to the point of beginning, containing 39.2543 acres, more or less. This Survey was made in accordance with the current "Missouri Minimum Standards for Property Boundary Surveys" as established by the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, and the Department of Natural Resources, Division of Geology and Land Survey, meets the accuracy requirements for an Urban Property Survey as defined therein and the results are as shown on this plat. Bearings on based on the Eastern Line of the subject property being South 12 degrees 41 minutes 10 seconds East, as shown on the plat of "Wardenburg Flats Plat I", recorded in Plat Book 211, Page 48 of the St. Louis County Records.

Gary E. Hogbin, Deputy
The Clayton Engineering Company LSI4D

By: James D. Boles
MO PLS 2127

GENERAL NOTES:

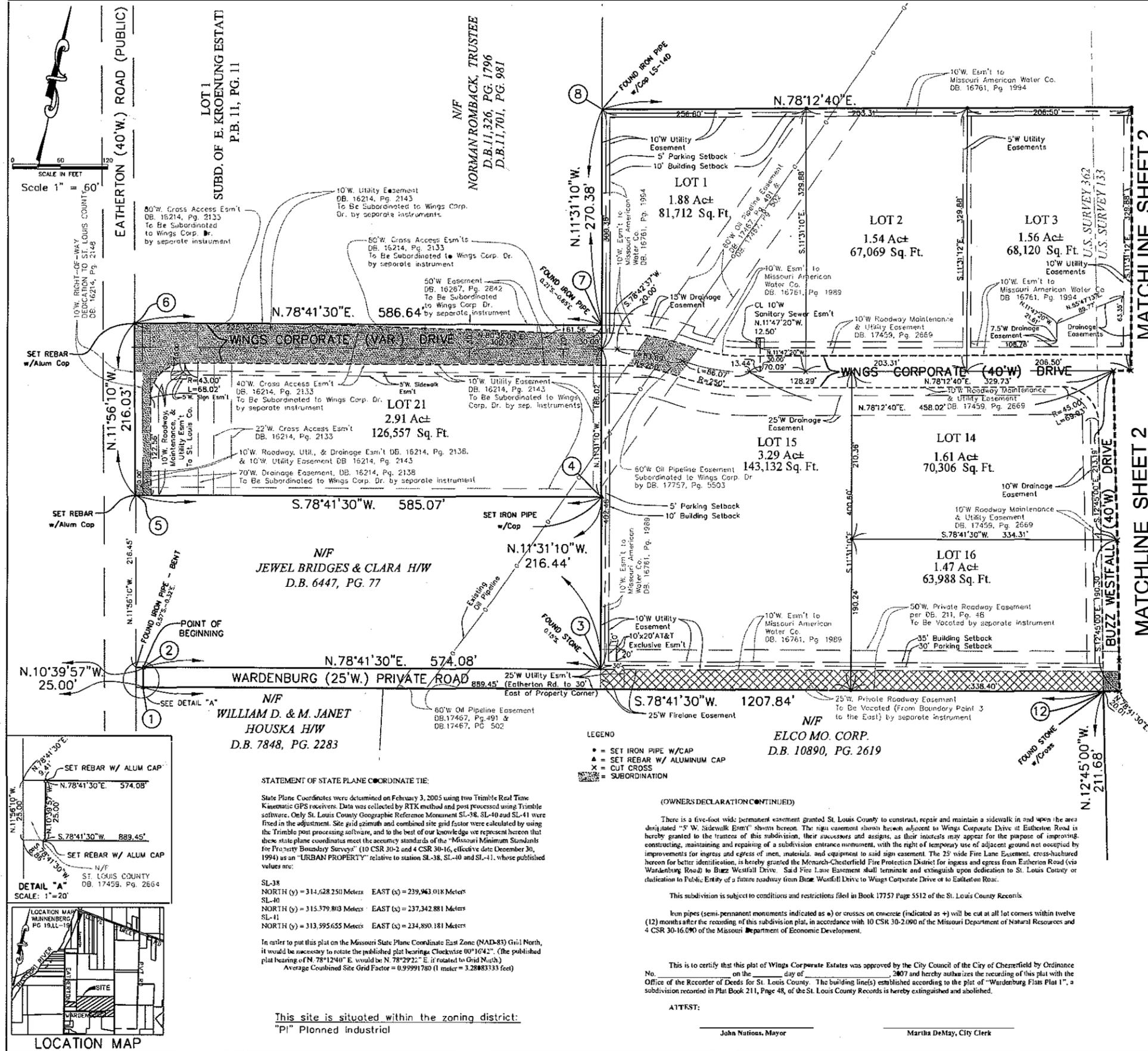
1. Source of Title: First American Title of St. Louis, Inc., agent for First American Title Insurance Company, Commitments for Title Insurance, No. 371 008 2ND REVISION, dated July 7, 1999 (affects that part of subject property conveyed to D.F. Adams & Associates, by Deeds recorded in Deed Book 12392, Page 1452, and Deed Book 12392, Page 1455. This Survey is subject to any facts that may be disclosed by a current and accurate title search. Easements and restrictions occurring after the above mentioned date are considered unknown by the Surveyor. All calls to Deed and Plat Books are for those books in the St. Louis County Records. Platbook numbers are as shown, others are as follows:
 - A) The Easement to the Union Electric Company, recorded in Deed Book 1710, Page 332, is a "blanket" easement across the entire subject property. The easement is to be subordinated in Wings Corporate Drive and Buzz Westfall Drive by separate instrument.
 - B) The Easement to the Shell Pipe Line Corporation, recorded in Deed Book 2537, Page 243, is a "blanket" easement across the twenty-five foot wide private roadway, acquired by the instrument recorded in Deed Book 377, Page 296. The Easement to the Shell Pipe Line Corporation, recorded in Deed Book 2439, Page 381, is a "blanket" easement across that part of the subject property conveyed to D.F. Adams and Associates Inc., by deed recorded in Deed Book 12392, Page 1452, and Deed Book 12392, Page 1455. Part of Shell's interest in said pipeline was assigned to The Texas Pipe Line Corporation, by the instrument recorded in Deed Book 3321, Page 383.
 - C) Project Benchmark: St. Louis County Benchmark 11-109, "Standard Aluminum Disk" stamped SL-41 1990 and set along the East side of Eatherton Road just North of a Shell Pipeline Marker, located 19' East of the centerline of Eatherton Road and 60' North of the East pipeline marker. Approximately 1.1 mile South of the intersection of Olive Street Road and Eatherton Road (9330 Eatherton Road) Elevation = 461.36 feet (N.G.V.D. 1929).
 - D) The ten-foot wide right-of-way dedication strip to St. Louis County, Missouri, by General Warranty Deed recorded in Deed Book 16214, Page 2148, has been accepted by St. Louis County as an easement grant and not a conveyance in the according to Robert Grant, Esquire, Deputy County Counselor for St. Louis County, Missouri. The fee for said ten-foot wide strip remains vested in Precision Properties LLC according to St. Louis County.

We, the undersigned owners of the tracts 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 be subject to any easements, restrictions or covenants of record and hereafter be known as:

WINGS CORPORATE ESTATES

Wings Corporate Drive and Buzz Westfall Drive, shown hereon, are hereby granted to St. Louis County and the current and future lot owners as 40' wide (and variable width), non-exclusive, perpetual easements for ingress, egress, and public utilities. The building and parking setback lines shown hereon are hereby established. The utility easements (exclusive of those adjacent to roadways) shown hereon are granted to St. Louis County, City of Chesterfield, The Metropolitan St. Louis Sewer District, AmerenUE, AT&T, Missouri-American Water Company, Laclede Gas Company, and Charter Communications, their successors and assigns, as their interests may appear, for the purpose of improving, constructing, maintaining, and repairing of public utilities, sewers, 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. The 10' wide Roadway, Maintenance, and Utility Easement along Eatherton Road on Lot 21 is hereby granted to St. Louis County, City of Chesterfield, The Metropolitan St. Louis Sewer District, AmerenUE, AT&T, Missouri-American Water Company, Laclede Gas Company, and Charter Communications, their successors and assigns, as their interests may appear, for the purpose of improving, constructing, maintaining, and repairing public utilities, sewers, and sidewalks, 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 sidewalks. The Sanitary Sewer Easements shown hereon are granted to The Metropolitan St. Louis Sewer District, as their interests may appear, for the improving, construction, reconstruction, maintenance, and repair of sanitary sewers with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during improving, construction, reconstruction, maintenance, and repair of said sanitary sewers. The Drainage Easements shown hereon are granted to St. Louis County and the City of Chesterfield, as their interests may appear, for the construction, installation, maintenance, and repair of storm sewers 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 sewers, and drainage facilities.

Prepared for: D.F. ADAMS AND ASSOCIATES, INC. c/o Ed Holthaus Realty Ed Holthaus 314-378-0060		<p>ENGINEERS - SURVEYORS - PLANNERS 1920 WESTLINE INDUSTRIAL DRIVE ST. LOUIS, MISSOURI 63146 (314) 697-1000 FAX: (314) 697-3200</p>
Project Number: 99252-2	Drawn: EAS Checked: SUR Plotted: ETC	



MATCHLINE SHEET 2

MATCHLINE SHEET 2

STATEMENT OF STATE PLANE COORDINATE TIE:

State Plane Coordinates were determined on February 3, 2005 using two Trimble Real Time Kinematic GPS receivers. Data was collected by RTK method and post processed using Trimble software. Only St. Louis County Geographic Reference Monument SL-38, SL-40 and SL-41 were fixed in the adjustment. Site grid azimuths and site grid factor were calculated by using the Trimble post processing software, and to the best of our knowledge we represent hereon that these state plane coordinates meet the accuracy standards of the "Minimum Standards for Property Boundary Surveys" (10 CSR 30-2 and 4 CSR 30-16, effective date December 30, 1994) as an "URBAN PROPERTY" relative to station SL-38, SL-40 and SL-41, whose published values are:

SL-38
NORTH (y) = 314,628.250 Meters EAST (x) = 239,963.018 Meters
SL-40
NORTH (y) = 315,379.803 Meters EAST (x) = 237,342.881 Meters
SL-41
NORTH (y) = 313,595.655 Meters EAST (x) = 234,890.181 Meters

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 bearing Clockwise 00°16'42". (The published plat bearing of N. 78°12'40" E. would be N. 78°29'22" E. if rotated to Grid North.)
Average Combined Site Grid Factor = 0.99991780 (1 meter = 3.2883333 feet)

This site is situated within the zoning district:
"PI" Planned Industrial

- LEGEND**
- SET IRON PIPE W/CAP
 - ▲ SET REBAR W/ ALUMINUM CAP
 - ✕ CUT CROSS
 - SUBORDINATION

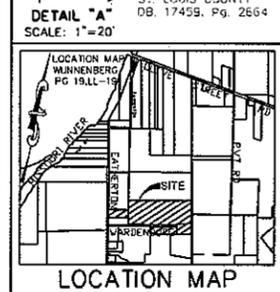
(OWNERS DECLARATION CONTINUED)

There is a five-foot wide permanent easement granted St. Louis County to construct, repair and maintain a sidewalk in and upon the area designated "S" W. Sidewalk Esm't" shown hereon. The sign easement shown hereon adjacent to Wings Corporate Drive at Eatherton Road is hereby granted to the trustees of this subdivision, their successors and assigns, as their interests may appear for the purpose of improving, constructing, maintaining and repairing of a subdivision entrance monument, with the right of temporary use of adjacent ground not occupied by improvements for ingress and egress of men, materials, and equipment to said sign easement. The 25' wide Fire Lane Easement, cross-hatched hereon for better identification, is hereby granted the Monarch-Chesterfield Fire Protection District for ingress and egress from Eatherton Road (via Wardenburg Road) to Buzz Westfall Drive. Said Fire Lane Easement shall terminate and extinguish upon dedication to St. Louis County or dedication to Public. Entry of a future roadway from Buzz Westfall Drive to Wings Corporate Drive or to Eatherton Road.

This subdivision is subject to conditions and restrictions filed in Book 17757 Page 5512 of the St. Louis County Records.
Iron pipes (semi-permanent monuments indicated as a) or crosses on concrete (indicated as +) will be cut at all lot corners 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.

This is to certify that this plat of Wings Corporate Estates was approved by the City Council of the City of Chesterfield by Ordinance No. _____ on the _____ day of _____, 2007 and hereby authorizes the recording of this plat with the Office of the Recorder of Deeds for St. Louis County. The building lines(s) established according to the plat of "Wardenburg Flats Plat I", a subdivision recorded in Plat Book 211, Page 48, of the St. Louis County Records is hereby extinguished and abolished.

ATTEST:
John Nations, Mayor
Martha DeMay, City Clerk



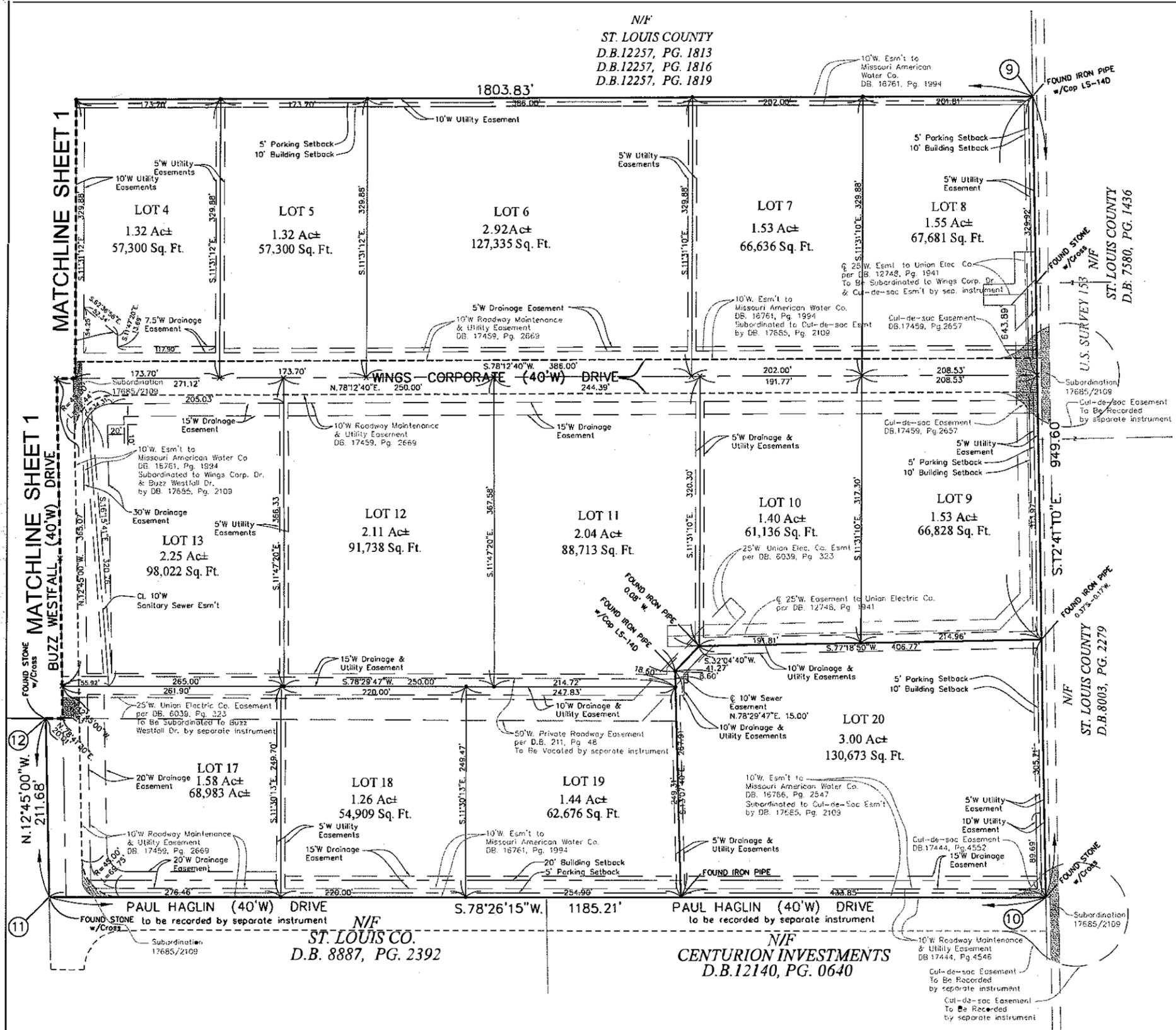
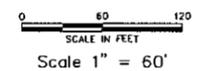
WINGS CORPORATE ESTATES
 SITUATED IN U.S. SURVEY 362 & 133
 TOWNSHIP 45 NORTH, RANGE 3 EAST
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

MISSOURI STATE PLANE COORDINATE VALUES (EAST ZONE)		
POINT	NORTH (Meters)	EAST (Meters)
1	313712.7304	234568.6503
2	313720.2354	234867.2854
3	313753.7004	235039.0198
4	313818.4010	235026.1604
5	313784.2852	234851.1399
6	313848.7695	234837.8343
7	313882.9769	235013.2758
8	313963.8015	234997.2618
9	314073.5065	235535.9886
10	313790.8506	235598.1550
11	313720.1676	235243.9137
12	313783.1607	235229.9811

This site is situated within the following districts:
 The Metropolitan St. Louis Sewer District
 Monorch-Chesterfield Levee District
 Monorch Fire Protection District
 Rockwood R-6 School District

This site is situated within the following utility service areas:
 Missouri-American Water Company
 Laclede Gas Company
 AmerenUE
 AT&T
 Charter Communication (Cable TV)

This site is situated within the zoning district:
 • "PI" Planned Industrial



N/F
 ST. LOUIS COUNTY
 D.B.12257, PG. 1813
 D.B.12257, PG. 1816
 D.B.12257, PG. 1819

ST. LOUIS COUNTY
 D.B. 7580, PG. 1436

ST. LOUIS COUNTY
 D.B.8003, PG. 2279

N/F
 ST. LOUIS CO.
 D.B. 8887, PG. 2392

N/F
 CENTURION INVESTMENTS
 D.B.12140, PG. 0640

Prepared for: D.F. ADAMS AND ASSOCIATES, INC. c/o Ed Holthous Realty Ed Holthous 314-378-0060		the clayton engineering company, inc. ENGINEERS • SURVEYORS • PLANNERS 1890 WESTFALL INDUSTRIAL DRIVE ST. LOUIS, MISSOURI 63103 (314) 992-8888 FAX (314) 992-8888 claytoneng.com
Project Number: 99252-2	Drawn: EAS F.E.: J.B. PLOTTER: []	

WINGS CORPORATE ESTATES
 SITUATED IN U.S. SURVEY 362 & 133
 TOWNSHIP 45 NORTH, RANGE 3 EAST
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal this ____ day of _____, 2007.

D.F. Adams and Associates, Inc.
 (a Missouri Corporation)

By: _____
 Douglas F. Adams, President

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

On this ____ day of _____, 2007, before me appeared Douglas F. Adams, to me personally known, who being by me duly sworn, did say that he is the President of D.F. Adams and Associates, Inc., a Missouri Corporation, duly organized and existing under the laws 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 in behalf of said Corporation, by authority of its Board of Directors and he further acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed by notarial seal the day and year above written. My Commission expires _____

 (Printed name of Notary Public) (Notary Public)

We the undersigned legal owners and holder of notes for _____ secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, do hereby join in and approve the foregoing Subdivision, as shown on this Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this ____ day of _____, 2007.

Southwest Bank of St. Louis

By: _____
 Eric J. Messmer, Senior Vice President

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

On this ____ day of _____, 2007, before me appeared Eric J. Messmer, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President of Southwest Bank of St. Louis, a Missouri Corporation duly organized and existing under the laws 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 in behalf of said Corporation, by authority of its Board of Directors and (s)he further acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed my notarial seal the day and year above written. My Commission expires _____

 (Printed name of Notary Public) (Notary Public)

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

By: _____
 Carmelo J. Natoli

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

On this ____ day of _____, 2007, before me appeared Carmelo J. Natoli, to me personally known, who being by me duly sworn, did say that he is the owner of that part of the subject property described by deed recorded in Deed Book 16429, Page 2594, of the St. Louis County Records and that this instrument was executed by him and he further acknowledges said instrument to be his free act and deed.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed by notarial seal the day and year above written. My Commission expires _____

 (Printed name of Notary Public) (Notary Public)

IN WITNESS WHEREOF, we have hereunto set our hand this ____ day of _____, 2007.

Precision Properties, LLC
 (a Missouri limited liability company)

By: _____
 James Nienhaus, Member

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

On this ____ day of _____, 2007, before me appeared James Nienhaus, to me personally known, who being by me duly sworn, did say that he is a Member of Precision Properties, LLC, a Missouri limited liability company, duly organized and existing under the laws of the State of Missouri, and that said instrument was signed in behalf of said limited liability company, and he further acknowledges said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed my notarial seal the day and year above written. My Commission expires _____

 (Printed name of Notary Public) (Notary Public)

We the undersigned legal owners and holder of notes for _____ secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, do hereby join in and approve the foregoing Subdivision, as shown on this Plat.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal, this ____ day of _____, 2007.

Southwest Bank of St. Louis
 FKA Missouri State Bank and Trust Company

By: _____
 Eric J. Messmer, Senior Vice President

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

On this ____ day of _____, 2007, before me appeared Eric J. Messmer, to me personally known, who being by me duly sworn, did say that he is the Senior Vice President of Southwest Bank of St. Louis, a Missouri Corporation duly organized and existing under the laws 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 in behalf of said Corporation, by authority of its Board of Directors and (s)he further acknowledges said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed my notarial seal the day and year above written. My Commission expires _____

 (Printed name of Notary Public) (Notary Public)

Prepared for: D.F. ADAMS AND ASSOCIATES, INC. c/o Ed Hothous Realty Ed Hothous 314-378-0060		
Project Number: 99252-2	Drawn: EAS SUR: _____ FILE: _____	
1470 WEST LEE INDUSTRIAL DRIVE ST. LOUIS, MISSOURI 63141 (314) 437-5558 FAX: (314) 432-5558 www.claytoneng.com		