

BILL NO. 2689

ORDINANCE NO. 2507

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A LOT SPLIT FOR VALLEY GATES, FOR A 7.698 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT, LOCATED ALONG NORTH OUTER FORTY ROAD AND EAST OF BOONES CROSSING.

WHEREAS, Stock & Associates, on behalf of Summit Outer Forty Investors, LLC. has submitted for review and approval the Lot Split for a 7.698 acre tract of land zoned "PC" Planned Commercial District, located along North Outer Forty Road and east of Boones Crossing; and,

WHEREAS, the purpose of said Lot Split is to subdivide a 7.698 acre tract of land into two lots for commercial use; and,

WHEREAS, the City of Chesterfield has reviewed the Lot Split in accordance with the Subdivision Ordinance of the City of Chesterfield and we have found it to be in compliance with all applicable ordinances and has forwarded said Lot Split 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 Lot Split for Valley Gates, which is made a part hereof and attached hereto as Exhibit 1, 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 Lot Split 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 12th day of DECEMBER, 2008.


MAYOR

ATTEST:

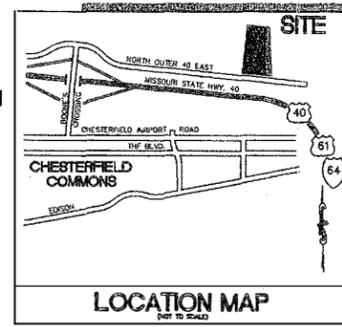

CITY CLERK

VALLEY GATES SUBDIVISION

A TRACT OF LAND IN PART OF LOTS 6 AND 7 OF THE JAMES LONG ESTATE,
LOCATED IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

THIS SITE IS ZONED "PC" PLANNED COMMERCIAL DISTRICT BY ORDINANCE NO. 2377

THIS PLAT CONTAINS 7.698 ACRES±



OWNERS CERTIFICATION

We, the undersigned owners of tracts of land as shown hereon and held by deeds recorded in Book 14970 Page 682 of St. Louis County Records, being part of U.S. Survey 2031, Township 45 North, Range 4 East of the 5th Principal Meridian St. Louis County Missouri, have caused the same to be surveyed and subdivided in the manner shown on this plat, which plat shall hereafter be known as:

"VALLEY GATES SUBDIVISION"

The area, which for better identification is shown "hatched" on this plat is hereby established as a cross-access and ingress/egress easement and utility easement, reserved by the present and future owners of Lots A and B and the present and future owners of the adjoining property to the east, their respective successors and assigns, their tenants, sub-tenants, lessees, and their respective officers, employees, agents, representatives, invitees, for the non-exclusive rights and privilege for ingress and egress by pedestrian, automobiles, passenger vehicles, and trucks. The owners of Lots A and B agree not to obstruct the foregoing easement by means of a fence or other barrier, and further, to keep the area open and useable on their property leading to and from the forecasted cross-access and ingress/egress easement. No such accessway shall be relocated, narrowed, or otherwise altered without the approval of the present and future owners of Lots A and B, and the easement hereby established shall apply fully to such altered accessway, and said easement shall be perpetual and further shall run with the real estate.

The Chesterfield Valley Storm Water Easement shown on this plat is hereby dedicated to the City of Chesterfield, Missouri, their successors and assigns as their interest may appear for the purpose of construction, maintaining and repair of wet basins, channels, drainage facilities and sewer lines in conformance with the Chesterfield Valley Storm Water Plan. The property owner(s) shall be responsible for maintaining the dry/wet basins, channels, drainage facilities and sewer lines, located within the easement, in good working order and in good repair as appropriate. In the event that the property owner(s) or its successors in title to said property shall fail to maintain the dry/wet basins, channels, drainage facilities and sewer lines in accordance with the approved Chesterfield Valley Storm Water Plan, the City of Chesterfield, Missouri, their successors and assigns shall be permitted to enter onto the property and make the necessary repairs and perform such maintenance as it deems necessary and bill the property owners of said property for services performed. It is further agreed that in the event that said bill or charge for services performed shall not be paid within a period of thirty (30) days said sum shall become a lien on the real property and shall accrue interest at a rate of eight percent (8%) until paid in full. All easements that overlay the Chesterfield Valley Storm Water Easements shall be subordinate to the Chesterfield Valley Storm Water Easements.

The "BMP RESERVE AREA" as shown hereon is hereby given, granted, extended, and conveyed to the City of Chesterfield, Missouri, their successors and assigns, for the exclusive right to build and maintain a sewer or sewers, detention basin, including storm water quality improvements, on the strip or strips of ground which have been identified on this plat, and to use such additional space adjacent to the reserved area so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned sewer or sewers, including storm water quality improvements and the may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforementioned sewer or sewers, including storm water quality improvements, and may assign their rights in the reserved area to the State, County or other political subdivision of the State. The "Reserve Area" hereby granted is irrevocable and shall continue forever and is subject to a "Maintenance Agreement" Dated _____, 2008 as recorded in Book _____, Page _____ of the St. Louis County, Missouri Records.

The pump station easement as shown hereon is hereby given, granted, extended, and conveyed to the City of Chesterfield, Missouri, their successors and assigns, as an exclusive easement to build and maintain a lift and/or pump station, sewer or sewers, including stormwater improvements, ingress and egress, roadway, appurtenances, fencing, gates, and necessary service and/or utility lines, on the strip or strips of ground described as shown hereon and to use such additional space adjacent to the easement(s) so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned lift and/or pump station, sewer or sewers, including service and/or utility lines. The St. Louis Sewer District may from time to time enter upon said premises to construct, reconstruct, maintain, or repair the aforesaid lift and/or pump station, sewer or sewers, including stormwater improvements, ingress and egress, roadway, appurtenances, fencing, gates, and necessary service and/or utility lines, and may assign its rights in this easement to the State, County, City or other political subdivisions of the State. The easement hereby granted is irrevocable and shall continue forever.

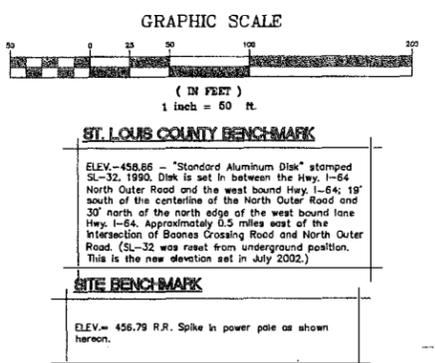
The City of Chesterfield Recreational Trail Easement as shown on this plat is hereby dedicated to the City of Chesterfield, Missouri, their successors and assigns as their interest may appear for the purpose of constructing, installing, reconstruction, replacement, removal, repair, maintaining and operating a bikeway/walkway-path/trail and appurtenances thereto, with the right of temporary access and use of adjacent ground not occupied by improvements for the excavation and storage of materials for the construction, repair or replacement of said bikeway/walkway-path/trail. No private encroachment shall be permitted within the easement and the property owner(s) or its successors in title to said property shall not cause to be constructed or allow to be constructed in, over, under, across, through, or upon the easement any building, structures, signs, billboards, utility lines, poles or pipes, or any other improvements not provided herein. The easement hereby granted is irrevocable and shall continue forever.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to the City of Chesterfield, Missouri, Summit American Water Company, Laclede Gas Company, AmerenUE d/b/a Union Electric Company, A.T.&T. of Missouri, d/b/a SBC Missouri, The Metropolitan St. Louis Sewer District, the relevant cable company, Missouri-Chesterfield Lower District, their successors and assigns as their interest may appear for the purpose of improving, constructing, maintaining, and repairing public utilities and sewers and drainage facilities, with a right of temporary use of adjacent ground not occupied for improvements for excavation and storage of materials during installation, repair or replacement of said utilities, sewers, and drainage facilities.

Two (2) permanent monuments for each block created, and semi-permanent monuments at all lot corners will be set within twelve (12) months after the recording of this subdivision plat, in accordance with 20 CSR 2030-16 of the Department of Insurance, Financial Institutions and Professional Registration. In addition, other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri will be set.

Summit Outer Forty Investors, L.L.C.

By: _____
Print Name
Print Title



LEGEND

FOUND 1/2" IRON PIPE
SET IRON PIPE
FOUND CROSS
FOUND STONE
DENOTES RECORD INFORMATION

ABBREVIATIONS

DB. - DEED BOOK
F.T. - FEET
FND. - FOUND
N/F - NOW OR FORMERLY
PB. - PLAT BOOK
PG. - PAGE
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
SQ. - SQUARE
(85°W) - RIGHT-OF-WAY WIDTH

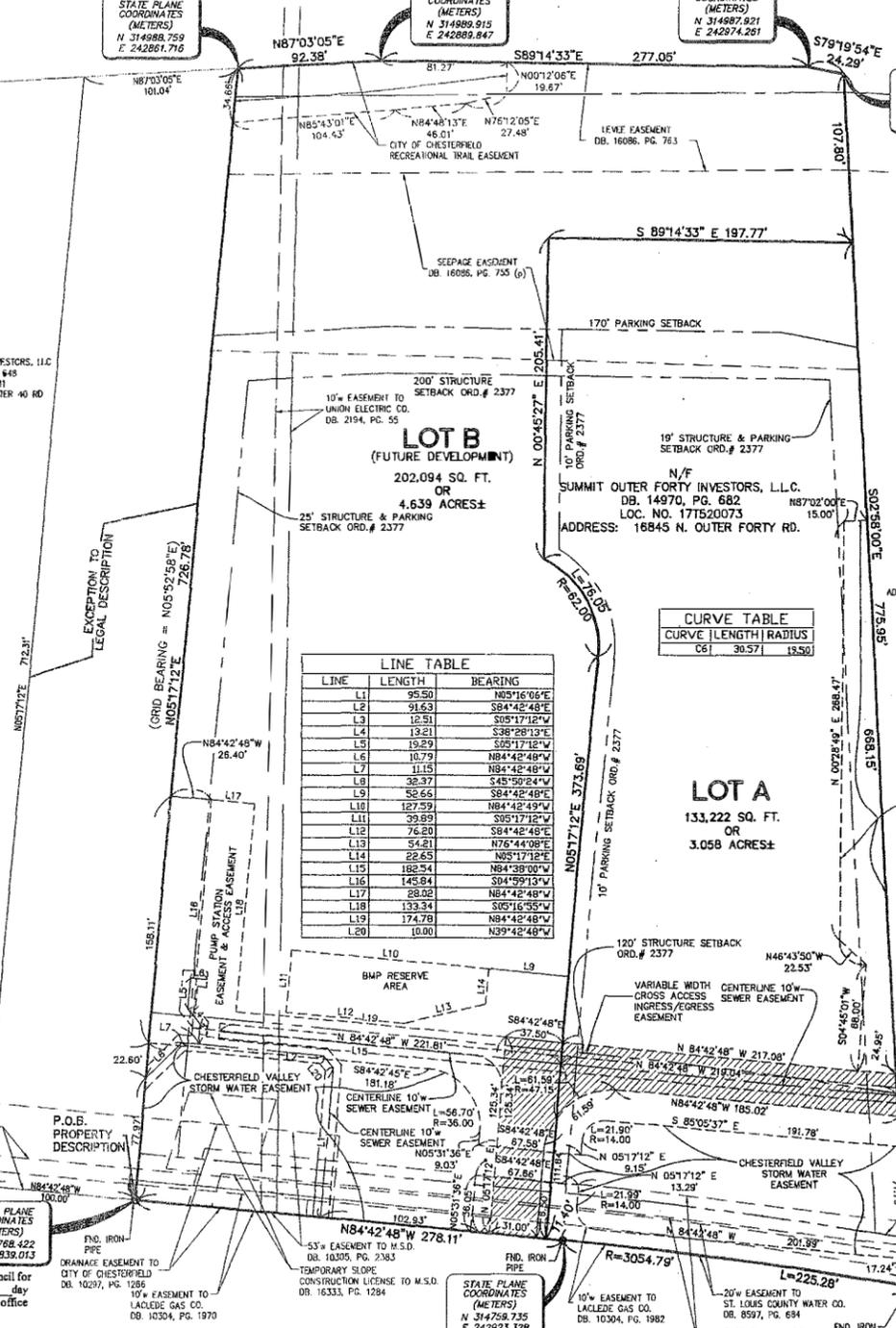
- GENERAL NOTES:**
- Subject property lies within Flood Zone "AH" (Special flood hazard areas inundated by 100-year flood depths of 1 to 3 feet (usually areas of ponding), base flood elevations determined) (456) and Flood Zone "X" (Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100 year flood) according to the National Flood Insurance Program, Flood Insurance Rate Map for St. Louis County, Missouri and Incorporated Areas per Map No. 29189C0140 H with an effective map date of August 2, 1995, and revised to reflect LOMR dated April 17, 2000.
 - Present Zoning - "PC" Planned Commercial District, City of Chesterfield, Missouri per Ordinance No. 2377.
- Building Setbacks:**
- One hundred twenty feet (120) from the new right of way of North Outer Forty.
 - Nineteen (19) feet from the eastern boundary of the PC District
 - Twenty five (25) feet from the western boundary of the PC District
 - Two hundred (200) feet from the northern boundary of the PC District
- Parking Setbacks:**
- Thirty (30) feet from the right of way of North Outer Forty Road.
 - Nineteen (19) feet from the eastern boundary of this development
 - Twenty five (25) feet from the western boundary of the PC District
 - One hundred seventy (170) feet from the northern boundary of the PC District
 - Ten (10) feet from the internal property lines, with the exception of shared drives
 - Fifteen (15) feet from the principal internal drive.
- (3) Basis of bearings adopted from Deed Book 14970, Page 682.

PROPERTY DESCRIPTION

A tract of land in part of Lots 6 and 7 of the James Long Estate, according to the plat attached to deed recorded in Book 445 Page 354 of the records of the City (former County) of St. Louis in U.S. Survey 2031, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Commencing at a point on the North line of North Outer Forty Road at the West line of Lot 5 of said Long Estate; thence along the North line of said North Outer Forty Road, South 84 degrees 42 minutes 48 seconds East 910.00 feet to the point of beginning of the herein described tract of land; thence leaving the North line of said North Outer Forty Road, North 5 degrees 17 minutes 12 seconds East, 712.31 feet to a point on the South line of a tract of land conveyed to Wayne and Ruthann Haynes by deed recorded in Book 9054 Page 2041 of the St. Louis County Records; thence along the South line of said Haynes tract the following courses and distance, North 87 degrees 03 minutes 05 seconds East, 193.42 feet; South 89 degrees 14 minutes 33 seconds East, 277.05 feet and South 79 degrees 19 minutes 54 seconds East 24.29 feet to a point on the West line of a tract of land conveyed to Edmund P. Andreas by deed recorded in Book 127 Page 498 of the St. Louis County Records; thence along the West line of said Andreas Tract, South 2 degrees 58 minutes 00 seconds West, 775.95 feet to a point on the North line of said North Outer Forty Road; thence along the North line of said North Outer Forty Road, along the arc of a curve to the left having a radius of 3,054.79 feet, an arc distance of 726.78 feet, more or less, to a point of westerly; and North 84 degrees 42 minutes 48 seconds West, 378.11 feet to the point of beginning; EXCLUDING THE FOLLOWING THEREFROM: A tract of land in part of Lot 6 of the James Long Estate, according to the plat attached to deed recorded in Book 445 Page 354 of the records of the City (former County) of St. Louis, in U.S. Survey 2031, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Commencing at a point on the North line of North Outer Forty Road at the West line of Lot 5 of said Long Estate; thence along the North line of said North Outer Forty Road, South 84 degrees 42 minutes 48 seconds East, 910.00 feet to the point of beginning of the herein described tract of land; thence leaving the North line of said North Outer Forty Road, North 5 degrees 17 minutes 12 seconds East 712.31 feet to a point on the South line of a tract of land conveyed to Wayne and Ruthann Haynes by deed recorded in Book 9054 Page 2041 of the St. Louis County Records; thence along the South line of said Haynes tract, North 87 degrees 03 minutes 05 seconds East, 193.42 feet to a point; thence South 5 degrees 17 minutes 12 seconds West, 726.78 feet to a point in the North line of said North Outer Forty Road; thence along the North line of said North Outer Forty Road, North 84 degrees 42 minutes 48 seconds West, 100.00 feet to the point of beginning.



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

On this _____ day of _____, 2008, before me appeared _____, to me personally known, who, being by me duly sworn did say that he is the _____ of Summit Outer Forty Investors, L.L.C., a Missouri limited liability company, and that said instrument was signed in behalf of said limited liability company, and said acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.

Notary Public
Print Name
My Commission Expires: _____

The undersigned owner and holder of notes secured by Deed of Trust recorded in Deed Book _____ Page _____ of the St. Louis County Records, does hereby join in and approve the foregoing Subdivision Plat as shown hereon.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal this the _____ day of _____, 2008.

By: _____
Print Name
Print Title

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

On this _____ day of _____, 2008, before me personally appeared _____, to me known, who, being by me duly sworn did say that he/she is the _____ of _____, Bank, and that he/she 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 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 on the day and year first above written.

Notary Public
Print Name
My commission expires: _____

STATEMENT OF STATE PLANE COORDINATE TIE:

STATION: SL-32 RESET
GRID FACTOR = 0.9999110
NORTH (Y) = 314818.125
EAST (X) = 242042.016

NOTE: 1 METER = 3.2808333 FEET
ALL STATE PLANE COORDINATES ARE IN METERS.

STATION: SL-32 RESET, ADJUSTED IN 2000

Station SL-32 RESET to Azimuth Mark SL-32A - Grid Azimuth = 93 Degrees 44 Minutes 46 Seconds

The Missouri Coordinate System of 1983 East Zone Coordinates Values reported herein were determined based upon a field traverse during September, 2008 using a Trimble 5600 Total Station and Trimble 4800 GPS receivers, and that in my professional opinion, as a land surveyor registered in the State of Missouri, the reported State Plane Coordinates meet the current Missouri Minimum Standards for Property Boundary Surveys. The basis of bearings shown on this plat were adopted from Deed Book 14970, Page 682. The grid bearing along the Western line on this plat is found to be North 05 degrees 52 minutes 58 seconds West. The measured bearing labeled along the same line is North 05 degrees 17 minutes 12 seconds West 726.78 feet. The grid bearing from SL-32 RESET to the southwest corner is South 86 degrees 25 minutes 53 seconds East 798.545 meters with the scale factor applied.

Surveyor's Certification

This is to certify that Stock & Associates Consulting Engineers, Inc. have during January 2008, by order of and for the use of SUMMIT DEVELOPMENT GROUP, executed a Property Boundary Survey and Subdivision of a tract of land being located in U.S. Survey 2031, Township 45 North, Range 4 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and that the results of said survey and subdivision are shown hereon. We further certify that the above plat was prepared from an actual survey, and according to the records available and recorded and said survey meets or exceeds the current minimum standards for Property Boundary Surveys for "Class Urban Property" as defined in Chapter 16, Missouri Minimum Standards for Property Boundary Surveys, 20 CSR 2030 16, and adopted by The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
L.C. NO. 222-D

By: _____ Daniel Ehlmann, Missouri P.L.S. No. 2215

This is to certify that the Record Plat of _____ was approved by the City Council for the City of Chesterfield by Ordinance No. _____ on the _____ day of _____, 2008, and thereby authorizes the recording of this Record Plat with the office of the St. Louis County Recorder of Deeds.

John Nations, Mayor
Judy Naggiar, City Clerk

PREPARED FOR:
SUMMIT DEVELOPMENT GROUP
C/O SUMMIT OUTER FORTY INVESTORS, L.L.C.
100 S. BRENTWOOD BOULEVARD - SUITE 222
CLAYTON, MISSOURI 63105
PHONE: 314.863.9991

NORTH OUTER FORTY
DIRECT ACCESS TO OUTER ROADWAY PER DB. 6343, PG. 824

MISSOURI INTERSTATE 64/STATE HIGHWAY 40/61
DB. 6343, PG. 824 (NO DIRECT ACCESS) (1) (1)

VALLEY GATES SUBDIVISION
16485 N. OUTER 40 ROAD

STOCK & ASSOCIATES
Consulting Engineers, Inc.

257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stnckassoc.com
Web: www.stockassoc.com

DATE CHECKED BY: _____
DATE: 8/22/08
D.M.E.

DATE: 8/22/08
203-2992

SHEET: 1 of 1

