

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE VACATING THE UTILITY EASEMENT ON LOTS 1 & 11 AT CHESTERFIELD COMMONS EAST, LOCATED IN U.S. SURVEY 2031 IN TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a petition has been filed by Volz Incorporated, requesting the City of Chesterfield to vacate a utility easement on the above-referenced tract of land. The easement, to be vacated, is shown on an attached plat, marked Exhibit "A"; and,

WHEREAS, THF Chesterfield Eight Development, L.L.C., owns the property adjacent to said easement to be vacated; 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 vacation of easement at Chesterfield Commons East, Lots 1 & 11, as depicted in Exhibit A and described in Exhibit B, which are 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 easement 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 _____ day of _____, 2007.

John Nations, Mayor

ATTEST:

Judith Naggiar, City Clerk

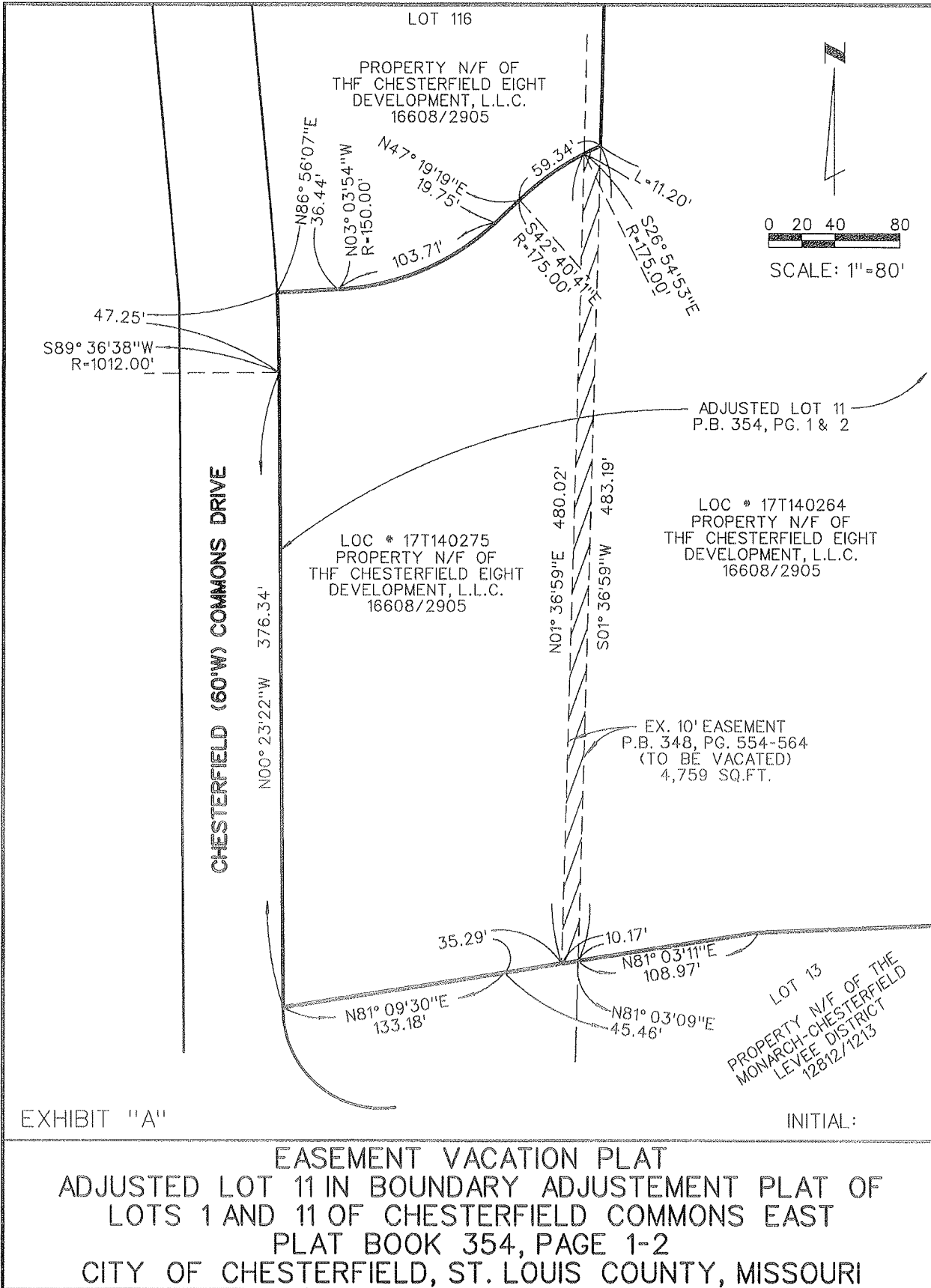


EXHIBIT "A"

EASEMENT VACATION PLAT
 ADJUSTED LOT 11 IN BOUNDARY ADJUSTEMENT PLAT OF
 LOTS 1 AND 11 OF CHESTERFIELD COMMONS EAST
 PLAT BOOK 354, PAGE 1-2
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



Engineers
Land Planners
Land Surveyors

10849 Indian Head Industrial Boulevard
St. Louis, Missouri 63132-1166
314-426-6212
314-890-1250 FAX

October 25, 2006

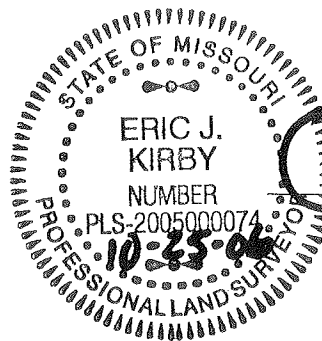
EJK


Re: CCE- Easement Vacation
5259-115

EXHIBIT B

A tract of land being part of Adjusted Lot 11 of the "Boundary Adjustment Plat of Lots 1 and 11 of Chesterfield Commons East", as recorded in Plat Book 354 pages 1 and 2 of the St. Louis County Records in U.S. Survey 2031, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Commencing at the Southwest corner of said Adjusted Lot 11, said point being on the East line of Chesterfield Commons Drive, 60 feet wide; thence along the South line of Adjusted Lot 11, North 81 degrees 09 minutes 30 seconds East 133.18 feet and North 81 degrees 03 minutes 09 seconds East 35.29 feet to the actual point of beginning of the tract herein described; thence North 01 degrees 36 minutes 59 seconds East 480.02 feet to the South line of Lot 116 of "The Resubdivision of Lots 1, 2, 3, 4, 5 and 7 of Chesterfield Commons", a subdivision according to the plat thereof recorded in Plat Book 349 page 710 of the St. Louis County Records; thence Eastwardly along said South line along a curve to the right, whose radius point bears South 26 degrees 54 minutes 53 seconds East 175.00 feet from the last mentioned point, a distance of 11.20 feet to the East line of said Lot 116; thence along the Southward prolongation of the East line of Lot 116, South 01 degrees 36 minutes 59 seconds West 483.19 feet to the South line of said Adjusted Lot 11; thence Westwardly along said South line, South 81 degrees 03 minutes 09 seconds West 10.17 feet to the point of beginning and containing 4,759 square feet according to calculations by Volz Inc. during October 2006.




Eric Kirby, P.L.S.
Professional Land Surveyor
Mo. P.L.S. #2005000074