

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RECORD PLAT FOR CHESTERFIELD COMMONS FOUR, A 21.64 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT, LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD AND EAST OF PUBLIC WORKS DRIVE.

WHEREAS, THF Realty has submitted for review and approval the Record Plat for Chesterfield Commons Four, located south of Chesterfield Airport Road and east of Public Works Drive; and,

WHEREAS, the purpose of said Record Plat is to subdivide a 21.64 acre tract of land into seven lots; 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 Chesterfield Commons Four, which is made a part hereof and attached hereto as Exhibit 1, are hereby approved; provided, however, that nothing in this ordinance shall be construed or interpreted as an acceptance of the public utilities or public easements 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 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 _____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

CHESTERFIELD COMMONS FOUR SUBDIVISION PLAT

A TRACT OF LAND BEING
PART OF ADJUSTED PARCEL B OF A "BOUNDARY ADJUSTMENT PLAT"
RECORDED IN PLAT BOOK 216, PAGE 75, BEING PART OF SHARE NUMBERS 1, 2 AND 3 OF
THE SUBDIVISION IN PARTITION OF THE ESTATE OF PETER STEFFAN
AND IN U.S. SURVEY 125, T. 45 N. - R. 4 E.
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
"PI" PLANNED INDUSTRIAL DISTRICT
ORDINANCE NO. 2371

We have during the month of March 2007 by order of THF Chesterfield Four Development, L.L.C., made a survey and Subdivision Plat of "A tract of land being part of adjusted Parcel B of a "Boundary Adjustment Plat" recorded in Plat Book 216, Page 75, being part of share numbers 1, 2 and 3 of the Subdivision in Partition of the Estate of Peter Steffan and in U.S. Surveys 125, in Township 45 North - Range 4 East, City of Chesterfield, Missouri, St. Louis County, Missouri" and the results are represented on this plat. This survey was executed in compliance with the current Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers and Land Surveyors 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 _____, 2008.

VOLZ INCORPORATED

Eric J. Kirby
Professional Land Surveyor
MO P.L.S. #2005000074

We, the undersigned owners of the tract 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 shall hereafter be known as "Chesterfield Commons Four Subdivision Plat"

Two permanent monuments for each block created (indicated as ▲) and semi permanent monuments at all lot corners (indicated as ●) will be set, with the exception that the front lot corners may be monumented by notches or crosses cut in concrete paving on the prolongation of the lot line, 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. In addition, other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri will be set.

The dedication strip along Public Works Drive, which for better identification is shown hachured hereon, is hereby dedicated to the City of Chesterfield, Missouri, for public use forever.

Building setback lines and parking setback lines as shown on this plat are hereby established.

All utility easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to the City of Chesterfield, Missouri, AmerenUE, Laclede Gas Company, AT&T, Charter Communications, Missouri-American Water Company, The Metropolitan St. Louis Sewer District, their successors and assigns as their interests may appear for the purpose of improving, constructing, maintaining, and repairing 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, or replacement of said utilities, sewers and drainage facilities.

Certain lots are subject to the Declaration of Easements, Covenants and Restrictions recorded in Book _____, Page _____. Cross access easements are hereby established between all contiguous subdivision lots. Cross access shall be regulated in accordance with the provisions governing Common Area Facilities in the aforementioned Declaration. The specific locations for cross access between individual lots shall be determined in conjunction with securing any necessary site plan approvals and building permits for the applicable lots from the City of Chesterfield.

The Cross Access Easement, as shown hereon, is hereby granted to the present and future owners of Lot 1 of "Chesterfield Commons West Plat One," as recorded in Plat Book 353 page 791, for cross access for vehicular and pedestrian ingress and egress between "Chesterfield Commons West Plat One" and "Chesterfield Commons Four Subdivision Plat." The Owner of Chesterfield Commons Four Subdivision Plat shall have the right, form time to time, to relocate the Cross Access Drive, provided such new location shall provide reasonably equivalent access to that which existed prior to the relocation.

THF Boulevard is hereby dedicated as private ingress and egress easements for the present and future owners of lots in "Chesterfield Commons Four Subdivision Plat."

The Chesterfield Valley Storm Water Easements shown on this plat are 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 the basins, reservoirs, 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 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 adequately maintain the basins, reservoirs, 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 repairs and corrections and perform such maintenance as it deems necessary and bill the property owners of said property for the 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.

The City of Chesterfield may from time to time enter upon said premises to construct, reconstruct, or maintain the sewers or storm water improvements aforesaid, and may assign its rights in this easement to the State, County, or other political subdivisions of the State. The right of way hereby granted is irrevocable and shall continue forever.

All storm water easements as dedicated to the City of Chesterfield per the above, shall not be in the possession or control of the City. Nor shall the City be responsible for the maintenance, inspection, alteration, repair, operation, removal or relay on any storm water drainage system

The 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.

The property owner(s) or its successors in title to said property shall not obstruct or interfere with the normal use or maintenance of such recreational trail and appurtenances thereto, and further agrees that no structure, fixture, improvement, or other obstruction above or below ground that will interfere with the purposes aforesaid will be placed, erected, installed, or permitted on the above described easement. The easement hereby granted is irrevocable and shall continue forever.

The Common Ground, as shown on this plat, will be retained by THF Chesterfield Four Development, L.L.C..

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this _____ day of _____, 2008.

THF CHESTERFIELD FOUR DEVELOPMENT, L.L.C.

Michael H. Staenberg, Manager

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

On this _____ day of _____, 2008, before me personally appeared Michael H. Staenberg, who being by me duly sworn did say that he is the Manager of THF Chesterfield Four Development, 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 Manager acknowledged said instrument to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:

Notary Public

Printed Name

The undersigned holder or legal owner of notes secured by deed of trust recorded in Book _____, Page _____ of the St. Louis County Records, joins in and approves in every detail this Subdivision Plat.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2008.

Wells Fargo Bank, National Association, its successors and assigns.

By: _____

By: _____

Name: _____

Title: _____

STATE OF _____)
) SS
COUNTY OF _____)

On this _____ day of _____, 2008, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

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

My Commission Expires:

Notary Public

Print Name

This is to certify that this plat of "Chesterfield Commons Four Subdivision Plat" was approved by the City Council of the City of Chesterfield by Ordinance Number _____ on _____, 2008 and thereby authorizes the recording of this plat with the office of the St. Louis County Recorder of Deeds.

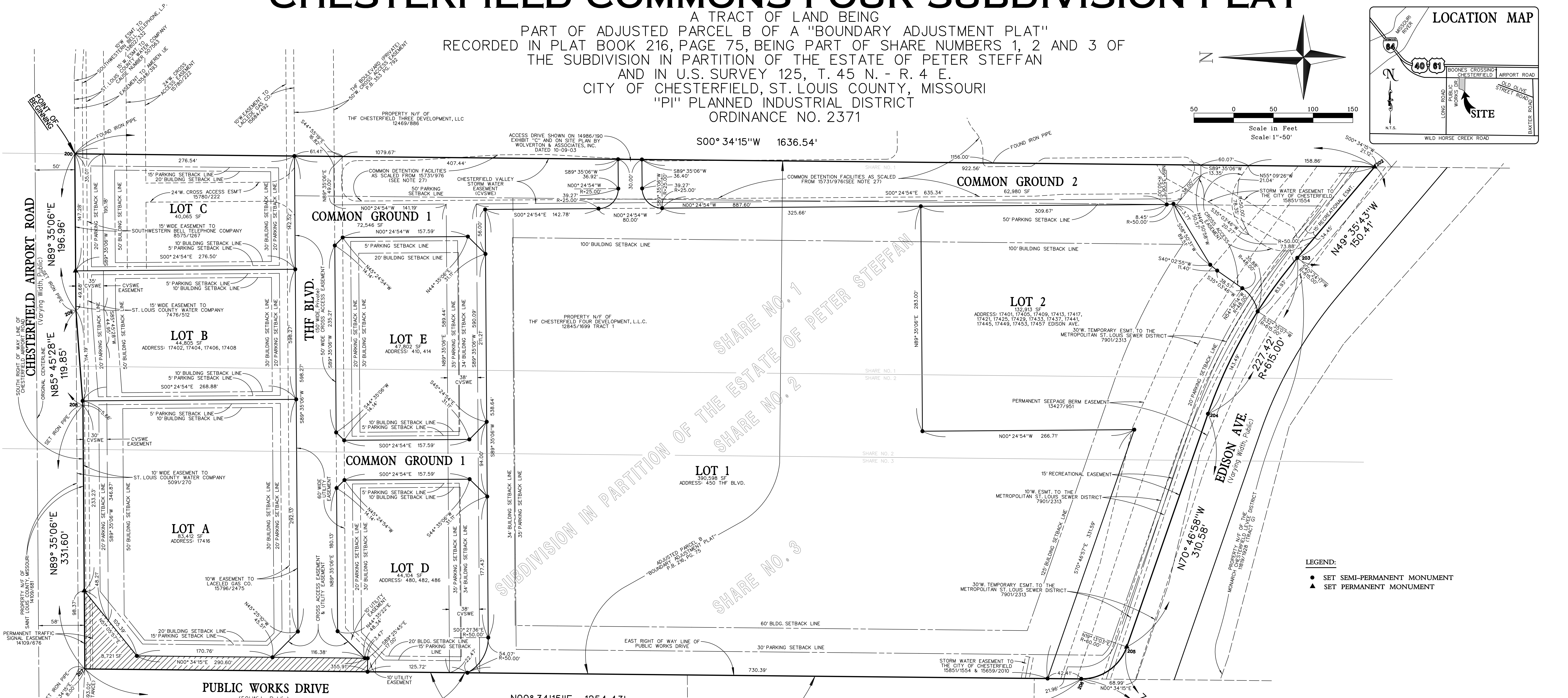
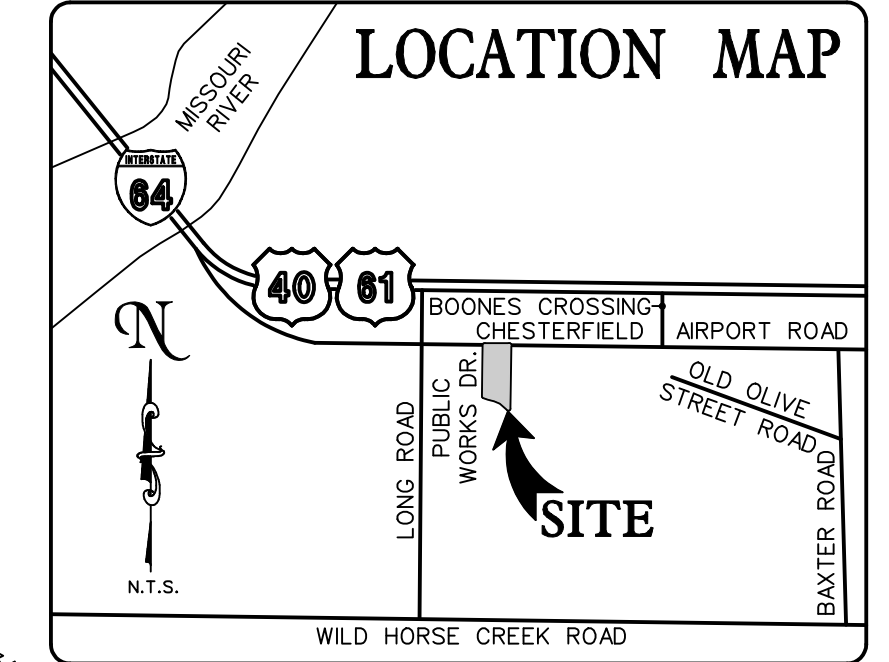
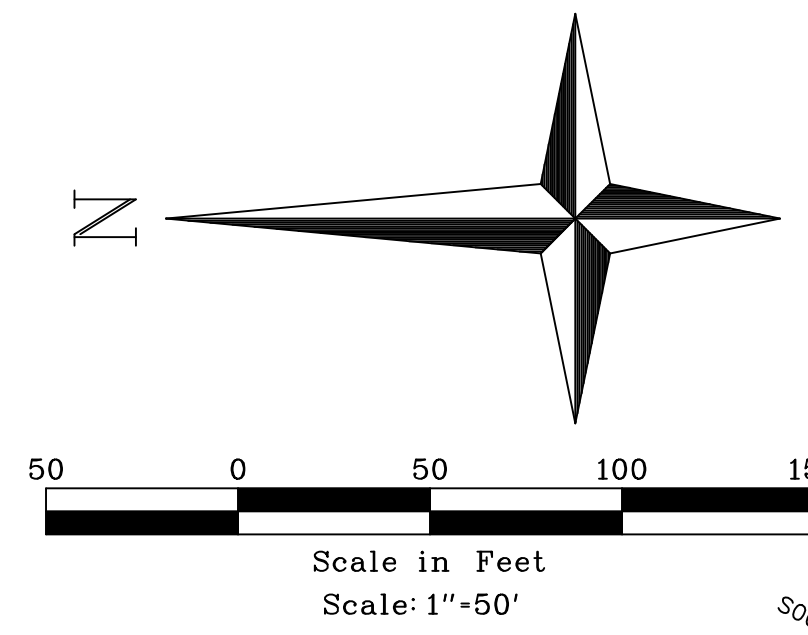
ATTEST:

John Nations, MAYOR

Judith Naggiar, CITY CLERK

CHESTERFIELD COMMONS FOUR SUBDIVISION PLAT

A TRACT OF LAND BEING
PART OF ADJUSTED PARCEL B OF A "BOUNDARY ADJUSTMENT PLAT"
RECORDED IN PLAT BOOK 216, PAGE 75, BEING PART OF SHARE NUMBERS 1, 2 AND 3 OF
THE SUBDIVISION IN PARTITION OF THE ESTATE OF PETER STEFFAN
AND IN U.S. SURVEY 125, T. 45 N. - R. 4 E.
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
"P" PLANNED INDUSTRIAL DISTRICT
ORDINANCE NO. 2371



- LEGEND:**
- SET SEMI-PERMANENT MONUMENT
 - ▲ SET PERMANENT MONUMENT

LEGAL DESCRIPTION:
A tract of land being part of Adjusted Parcel B of a "Boundary Adjustment Plat" recorded in Plat Book 216, page 75 of the St. Louis County Records, being part of Share Numbers 1, 2 and 3 of the Subdivision in Partition of the Estate of Peter Steffan, in U.S. Survey 125, Township 45 North - Range 4 East, St. Louis County, Missouri and being more particularly described as:

9. Easement to St. Louis County Water Company condemned under Cause No. 507563 does not affect this property.
10. Easement to Metropolitan St. Louis Sewer District recorded in Book 7926 Page 2377 does not affect this property.
11. Property is subject to Permanent Seepage Berm Easement and Maintenance Conditions, recorded in Book 13427 Page 951. (Plotted)
12. Easement to Union Electric Company Etal recorded in Book 13548 Page 393 does not affect this property.
13. Terms and provisions of the Development plan according to the plat thereof recorded in Plat Book 349 Page 385 and 386 and Plat Book 349 Page 387 and 388 do not affect this property. Development Plan recorded in Plat Book 349 Page 383 and 384 does not affect this property.
14. Easement to Laclede Gas Company recorded in Book 13659 Page 237 does not affect this property.
15. Easement to Southwestern Bell Telephone LP recorded in Book 13802 Page 332 does not affect this property.
16. Permanent Traffic Signal Easement recorded in Book 14109 page 671 does not affect this property.
17. Easement to The Metropolitan St. Louis Sewer District recorded in Book 14227 Page 3289 does not affect this property.
20. Property is subject to cross access agreement recorded in Book 14986 page 190. (Plotted)
21. Restrictions and conditions recorded in Book 14986 Page 202 do not affect this property.
22. Easement to Union Electric Company recorded in Book 15518 Page 1195 does not affect this property.
23. Easement to Union Electric Company recorded in Book 15654 Page 1065 does not affect this property.
24. Easement to Laclede Gas Company recorded in Book 15684 Page 492 does not affect this property.
25. Terms and Provisions of Development Agreement, according to Memorandum of Development Agreement recorded in Book 15685 page 413 do not affect this property.
27. Property is subject to Detention Facility Easement Agreement, recorded in Book 15731 Page 976.
28. Road Dedication and Easement, recorded in Book 15851 page 1558 does not affect this property.
29. Easement to Metropolitan St. Louis Sewer District recorded in Book 8090 Page 389 does not affect this property.
30. Easement for ingress and egress recorded in Book 10353 Page 1714 does not affect this property.
31. Terms and provisions of City of Chesterfield Ordinance No. 1878 do not affect this property.
32. Chesterfield Valley Storm Water Easement according to Plat Book 348 page 554 does not affect this property.
33. Chesterfield Valley Storm Water Easement according to Book 15269 page 684 does not affect this property.
34. Terms and provisions of the Development plan recorded in, Plat Book 351 Page 367, Plat Book 351 Page 369, Plat Book 351 Page 714, Plat Book 351 Page 716, and Plat Book 352 Page 189 do not affect this property. Property is subject to Development plan recorded in Plat Book 352 page 191. Development Plans recorded in Plat Book 350 Page 349, Plat Book 350 Page 498 and Plat Book 351 Page 765 do not affect this property.
35. Property is subject to Cross Access Easement Agreement recorded in Book 15780 Page 222. (Plotted)
36. Site Plan recorded in Book 16485 Page 1052 does not affect this property.
37. Terms and Provisions of Site Plan recorded in Plat Book 353 page 286 do not affect this property.
38. Restrictions, conditions and easements recorded in Plat Book 353 page 792 do not affect this property. Subdivision plat recorded in Plat Book 353 Page 791 does not affect this property.
39. Deleting any restrictions indicating any preference, limitation, or discrimination based on race, color, religion, handicap, familial status of national origin.
40. Property is subject to terms and provisions of the Development plan recorded in Plat Book 351 Page 710 and 711 and Plat Book 351 Pages 712 and 713 and Plat Book 352 Page 187.
41. Property is subject to easement to The County of St. Louis, Missouri recorded in Book 14109 Page 676. (Plotted)
42. Property is subject to easements to St. Louis County Water Company recorded in Book 5091 Page 270 and Book 7476 page 512. (Plotted)
43. Property is subject to easement to The Metropolitan St. Louis Sewer recorded in Book 7901 Page 2313. (Plotted)
44. Property is subject to easement to Southwestern Bell Telephone Company recorded in Book 8576 Page 1267. (Plotted)
45. Property is subject to Boundary Adjustment Plat recorded in Plat Book 216 Page 75. (Plotted)
46. Property is subject to Looped Multi-Fee Water System Use Restrictions recorded in Book 13719 page 356.
47. Property is subject to Declaration of Easements, Covenants and Restrictions recorded in Book 14848 Page 2943 and Amendment recorded in Book 16024 Page 2647.
48. Property is subject to Unrecorded Theater Lease, as evidenced of record by Memorandum of Lease recorded in Book 14986 page 185.
49. Property is subject to Estoppel, Subordination, Attornment and Non-Disturbance Agreement recorded in Book 15197 page 2963.
50. Property is subject to Declaration of Restrictive Covenants recorded in Book 14986 page 210.
51. Rights of the public and others entitled thereto, in and to that portion of the subject property embraced within the right of way of Edison Avenue.
52. Property is subject to easement to the City of Chesterfield and The Metropolitan St. Louis Sewer District recorded in Book 15659 Page 2010. (Plotted)
53. Property is subject to easement to Laclede Gas Company recorded in Book 15796 Page 2475. (Plotted)
54. Property is subject to Road Dedication & Easement recorded in Book 15851 Page 1554. (Plotted)
55. Property is subject to Agreement to convey right of way to Missouri and Meramec Water Company, recorded in Book 130 Page 635.
56. Permanent Levee Easement to the Monarch-Chesterfield Levee District recorded in Book 10614 Page 2068 does not affect this property.
57. Property is subject to Short Form of Lease recorded in Book 16617 Page 1451. (Plotted)
58. Property is subject to Terms and Provisions of the Development Plans recorded in Plat Book 352 Page 716, Plat Book 352 Page 718, Plat Book 353 Page 305, Plat Book 353 Page 308, Plat Book 353 Page 346, Plat Book 353 Page 500 and Plat Book 353 Page 503.
59. Property is subject to terms, provisions and conditions of Cross Parking Easement, recorded in Book 16024 Page 2652.
60. Property is subject to easement to Union Electric Company recorded in Book 16338 Page 299. The description contained in said document is a 15' wide easement the centerline of which shall be the final location of the facilities shown on AmerenUE's Work Request Plat No. 332797. Said work request plat is not included in the recorded document.
61. Property is subject to terms, provisions and conditions of Cross Parking Easement, recorded in Book 16366 Page 1140.
62. Property is subject to terms and provisions of Hold Harmless Agreement, recorded in Book 16435 Page 2823.
63. Property is subject to terms, provisions and conditions of Cross Parking Easement, recorded in Book 16534 Page 910.
64. Property is subject to terms and provisions of Hold Harmless Agreement, recorded in Book 16627 Page 158.
65. Property is subject to easement to Union Electric Company recorded in Book 17007 Page 1823. The description contained in said document is a 15' wide easement the centerline of which shall be the final location of the facilities shown on AmerenUE's Work Request Plat No. 332782. Said work request plat is not included in the recorded document.
66. Property is subject to terms and provisions of Culvert Maintenance Agreement, recorded in Book 17240 Page 899.

BASIS OF STATE PLANE COORDINATES
Station Name: SL-38
Northing: 314628.250 (Meters)
Easting: 239963.018 (Meters)
Grid Factor: 0.9999175
(Note: 1 Meter = 3.28083333 feet)

Pl No.	Northing	Easting
200	314605.0379	240675.8116
202	314106.2842	240670.8419
203	314135.9887	240635.9334
204	314170.2607	240576.1354
205	314201.4172	240496.7534
206	314218.8669	240474.4863
207	314601.1689	240478.2962
208	314601.9009	240579.3571
209	314604.6031	240615.7858

- LandAmerica Commonwealth**
File No. 10990203, Revision No. 2
Effectively dated February 16, 2007
Schedule B-2., Exceptions
9. Easement to St. Louis County Water Company condemned under Cause No. 507563 does not affect this property.
 10. Easement to Metropolitan St. Louis Sewer District recorded in Book 7926 Page 2377 does not affect this property.
 11. Property is subject to Permanent Seepage Berm Easement and Maintenance Conditions, recorded in Book 13427 Page 951. (Plotted)
 12. Easement to Union Electric Company Etal recorded in Book 13548 Page 393 does not affect this property.
 13. Terms and provisions of the Development plan according to the plat thereof recorded in Plat Book 349 Page 385 and 386 and Plat Book 349 Page 387 and 388 do not affect this property. Development Plan recorded in Plat Book 349 Page 383 and 384 does not affect this property.
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 27. Property is subject to Detention Facility Easement Agreement, recorded in Book 15731 Page 976.
 28. Road Dedication and Easement, recorded in Book 15851 page 1558 does not affect this property.

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

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

Sheet 2 of 2
THE Chesterfield Four

THIS PLAT CONTAINS 21.303 ACRES.