

AN ORDINANCE VACATING A PORTION OF A VARIABLE WIDTH STORMWATER DRAINAGE EASEMENT IN THE CHESTERFIELD COMMONS SUBDIVISION FOR LOT 8; LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF EDISON AVENUE AND CHESTERFIELD COMMONS DRIVE.

WHEREAS, a petition has been filed by EFK Moen, LLC, on behalf of THF Chesterfield Development LLC for vacation of a 15,875 square foot portion of a variable width stormwater drainage easement in the Chesterfield Commons subdivision, for Lot 8; and,

WHEREAS, THF Chesterfield Development LLC is the owner of the property adjacent to said easement being vacated; and,

WHEREAS, a review of the petition application materials has determined that all other applicable utilities and/or jurisdictions have released their respective interests in said easement; and,

WHEREAS, the Department of Planning and Public Works has reviewed the petition and has determined that said petition meets all applicable regulations.

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 easement vacation of land located on Lot 8 of Chesterfield Commons, as depicted in Exhibit A, which is attached hereto and made part hereof.

Legal Description

A Vacation of a portion of a Stormwater Drainage Easement being part of Lot 8 of "Chesterfield Commons" as recorded in Plat Book 348, Pages 554-564 being a part of a tract of land being part of Lots 1, 2, and 4 of the Subdivision of Ludwell Bacon's Estate situated in U.S. Survey 2031, Township 45 North, Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Commencing at the southwest corner of said Lot 8 of "Chesterfield Commons" as recorded in Plat Book 348, Pages 554-556 of the St. Louis County records, said point being the Western Right of Way line of Chesterfield Commons (60' wide) Drive; thence along the said Western Right of Way line, North 00 degrees 23 minutes 22 seconds West, 28.55 feet to a point; thence departing said Western Right of Way line, South 89 degrees 36 minutes 38 seconds West, 613.32 feet to the Actual Point of Beginning of the herein described portion of the Stormwater Drainage Easement to be vacated; thence along the following seven (7) courses

and distances: South 89 degrees 36 minutes 38 seconds West, 18.35 feet to a point; thence North 78 degrees 07 minutes 39 seconds West, 166.99 feet to a point; thence North 75 degrees 11 minutes 29 seconds West, 118.82 feet to a point; thence South 87 degrees 04 minutes 50 seconds West 44.47 feet to a point; thence North 55 degrees 28 minutes 57 seconds East, 60.33 feet to a point; thence South 89 degrees 28 minutes 10 seconds East, 195.00 feet to a point; thence South 45 degrees 29 minutes 27 seconds East 135.11 feet to the Point of Beginning and containing 15,875.57 square feet (0.36 acres) more or less. This description is based on calculation from available record information by EFK Moen, LLC in July, 2007.

Section 2. The Mayor and the City Clerk are authorized and directed to evidence the approval of this vacation of this portion of the stormwater drainage 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 vacation of easement with the St. 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 _____, 2010.

MAYOR

ATTEST:

CITY CLERK

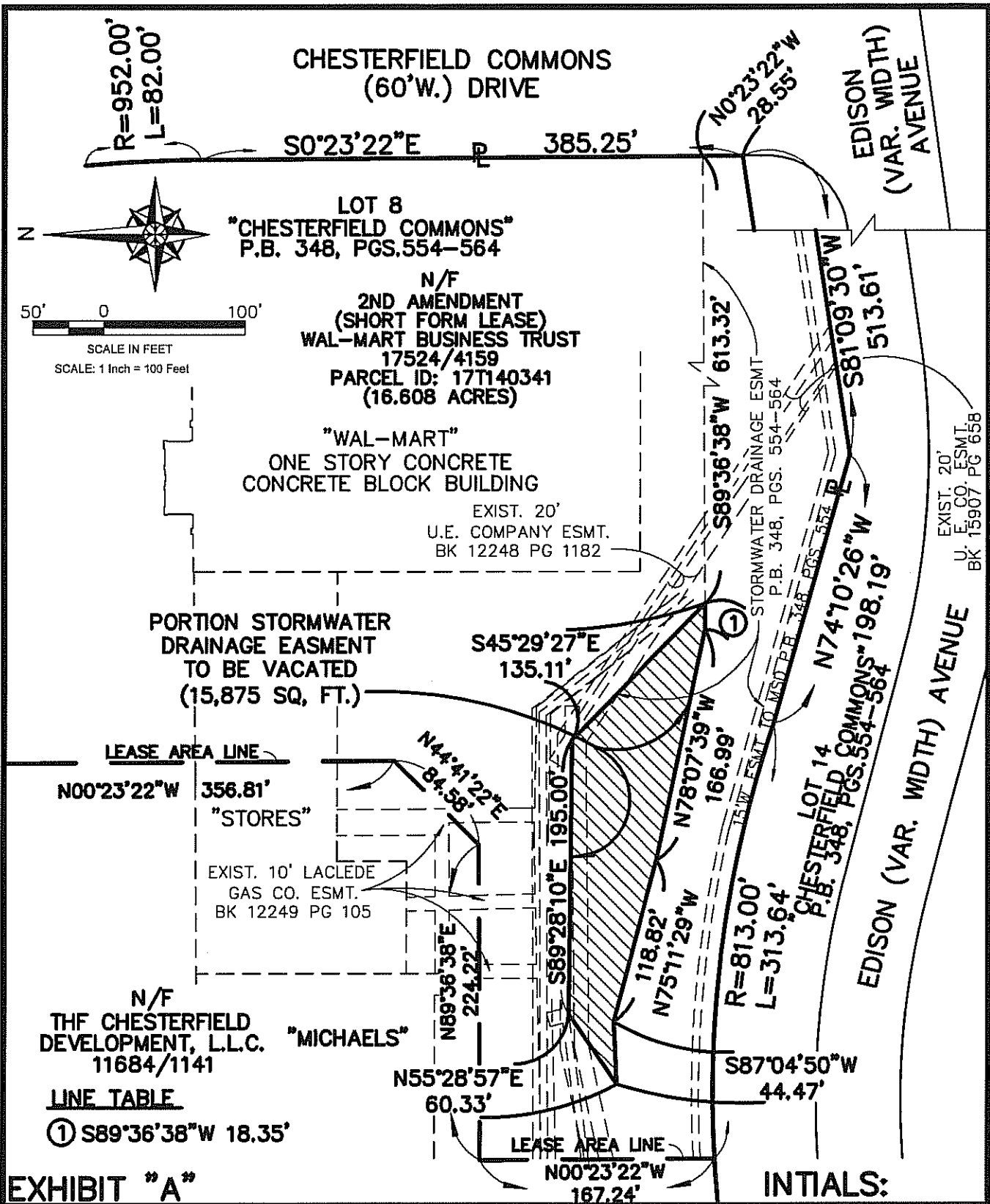


EXHIBIT "A"

INITIALS:

EASEMENT VACATION PLAT

PART OF LOT 8 OF "CHESTERFIELD COMMONS" AS RECORDED IN PLAT BOOK 348 PAGES 554-564, A PORTION OF STORM WATER DRAINAGE EASEMENT (P.B. 348, PG. 554-564) SITUATED IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI