

# III. A.

## Memorandum Department of Planning & Public Works



**To:** Planning and Public Works Committee

**From:** Annissa McCaskill-Clay, AICP  
Lead Senior Planner

**Date:** May 6, 2010

**RE:** T.S.P. 15-2009 Clearwire US LLC (18620 Olive Street Road): A request to obtain approval for a Telecommunications Siting Permit for the purpose of adding additional antennas and equipment to an existing lattice-work telecommunications tower on a 2500 square foot lease area zoned "PI" Planned Industrial at 18620 Olive Street Road. (17W510093)

### Summary

Clearwire US, LLC, has requested a telecommunications facilities siting permit to allow the following on an existing lattice-work tower located at the former location of Chesterfield Fence. The request consists of:

- Installation of three (3) additional antennas to the existing tower.
- Installation of associated ground located equipment within the existing fenced compound.

City of Chesterfield Ordinance 2391, which governs telecommunications and facilities siting, requires that the Planning Commission provide a venue for public hearing of requests for Telecommunications Siting Permits. Please note, the Commission does not provide a recommendation to the City Council, but rather generates a list of issues during the hearing. At the public hearing on April 26, 2010, no outstanding issues were identified.

Attached are copies of the materials submitted to the Planning Commission.

Respectfully submitted,

*Annissa McCaskill-Clay*

Annissa McCaskill-Clay, AICP  
Lead Senior Planner

CC: Michael G. Herring, City Administrator  
Rob Heggie, City Attorney  
Michael O. Geisel, Director of Planning & Public Works  
Aimee Nassif, Director of Planning & Development Services

Attachments: Planning Commission packet

## Department of Planning & Public Works City of Chesterfield Public Hearing Summary Report

**T.S.P. 15-2009 Clearwire US LLC (18620 Olive Street Road):** A request to obtain approval for a Telecommunications Siting Permit for the purpose of adding additional antennas and equipment to an existing lattice-work telecommunications tower on a 2500 square foot lease area zoned "PI" Planned Industrial at 18620 Olive Street Road. (17W510093)

### **Summary**

The above-referenced project is a request for a Telecommunications Siting Permit (T.S.P.). If the request is approved, the Permit will allow placement of antennas from a new user, Clearwire US, on an existing tower located at 18620 Olive Street Road. Additional equipment to support the new antennas is proposed to be placed within the existing equipment compound.

As previously stated, the telecommunications tower is currently a lattice-work tower which was approved prior to establishment of telecommunications standards in the City of Chesterfield. The current antenna array on the tower was approved administratively under the conditions of City of Chesterfield Ordinance 1214. City of Chesterfield Ordinance 2391, which now governs telecommunications and facilities siting, requires a public hearing before the City of Chesterfield Planning Commission for alterations that present a material change. Please note, the Commission does not provide a recommendation to the City Council, but rather a list of issues generated during the hearing. City Council is the decision-making body for all requests for Telecommunications Siting Permits. A public hearing further addressing the request will be held at the April 26, 2010 City of Chesterfield Planning Commission meeting. Attached please find a copy of the Public Hearing Notice and an application packet detailing the Petitioner's request.

Respectfully submitted,



Annissa McCaskill-Clay, AICP  
Lead Senior Planner



*Existing tower*

Cc: Michael G. Herring, City Administrator  
Rob Heggie, City Attorney  
Michael O. Geisel, Director of Planning and Public Works  
Aimee Nassif, Planning and Development Services Director



# NOTICE OF PUBLIC HEARING CITY OF CHESTERFIELD PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Chesterfield will hold a Public Hearing on Monday, April 26, 2010 at 7:00 pm in the Council Chambers at the City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

Said hearing will be as follows:

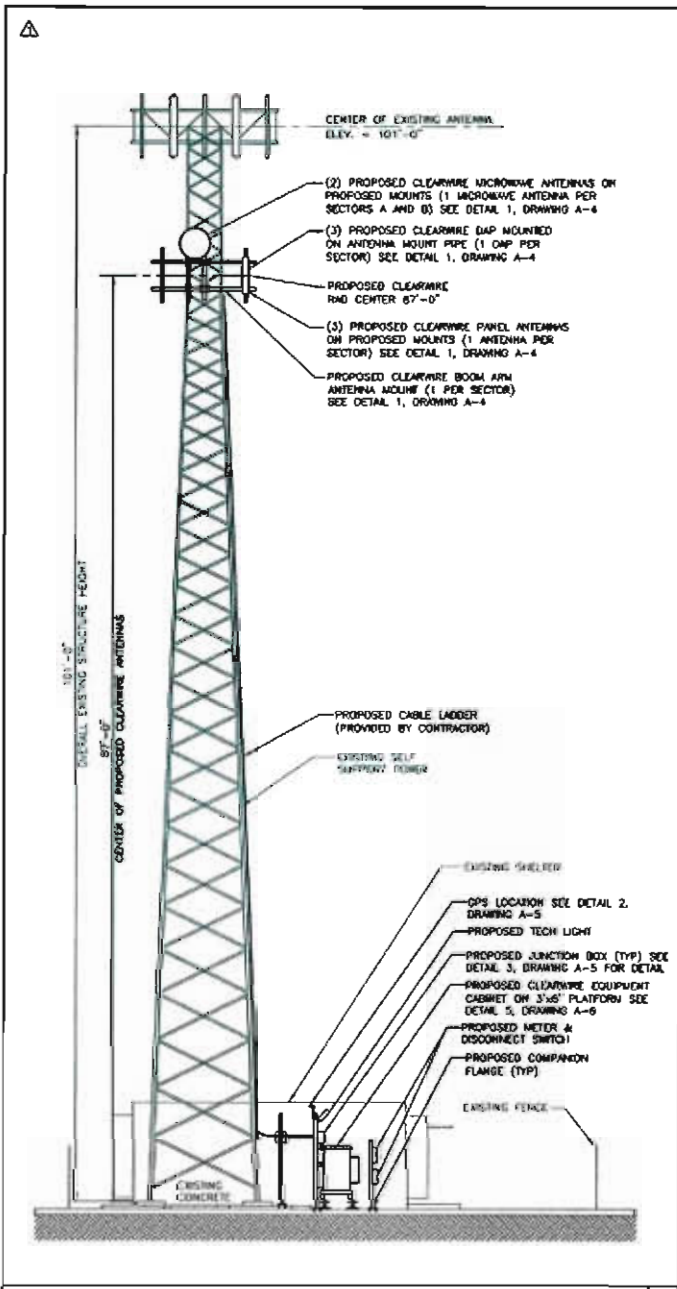
**T.S.P. 15-2009 Clearwire US LLC (18620 Olive Street Road):** A request to obtain approval for a Telecommunications Siting Permit for the purpose of adding additional antennas and equipment to an existing lattice-work telecommunications tower on a 2500 square foot lease area zoned "PI" Planned Industrial at 18620 Olive Street Road. (17W510093)

## DESCRIPTION OF LEASE AREA

A TRACT OF LAND BEING A PART OF U.S. SURVEYS PART OF U.S. SURVEY 153, TOWNSHIP 45 NORTH, RANGE 3 EAST, IN ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CHESTERFIELD FENCE CO., INC., PER DEED RECORDED IN DEED BOOK 8732, PAGE 1205 OF THE ST. LOUIS COUNTY MISSOURI, RECORDER OF DEEDS OFFICE, ALSO BEING IN THE SOUTH RIGHT-OF-WAY LINE SOUTH 11 DEGREES 45 MINUTES 52 SECONDS EAST 511.04 FEET TO A POINT; THENCE SOUTH 78 DEGREES 14 MINUTES 08 SECONDS WEST 60.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HERIN DESCRIBED; THENCE SOUTH 11 DEGREES 45 MINUTES 52 SECONDS EAST 50.00 FEET TO A POINT; THENCE SOUTH 78 DEGREES 14 MINUTES 08 WEST 50.00 FEET TO A POINT; THENCE NORTH 11 DEGREES 45 MINUTES 52 SECONDS WEST 50.00 FEET TO A POINT; THENCE NORTH 78 DEGREES 14 MINUTES 08 SECONDS EAST 50.00 FEET TO THE PONT OF BEGINNING CONTAINING 2,500 SQUARE FEET. TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT 50 FEET WIDE FROM THE LEASE PREMISES TO THE PUBLIC ROAD.

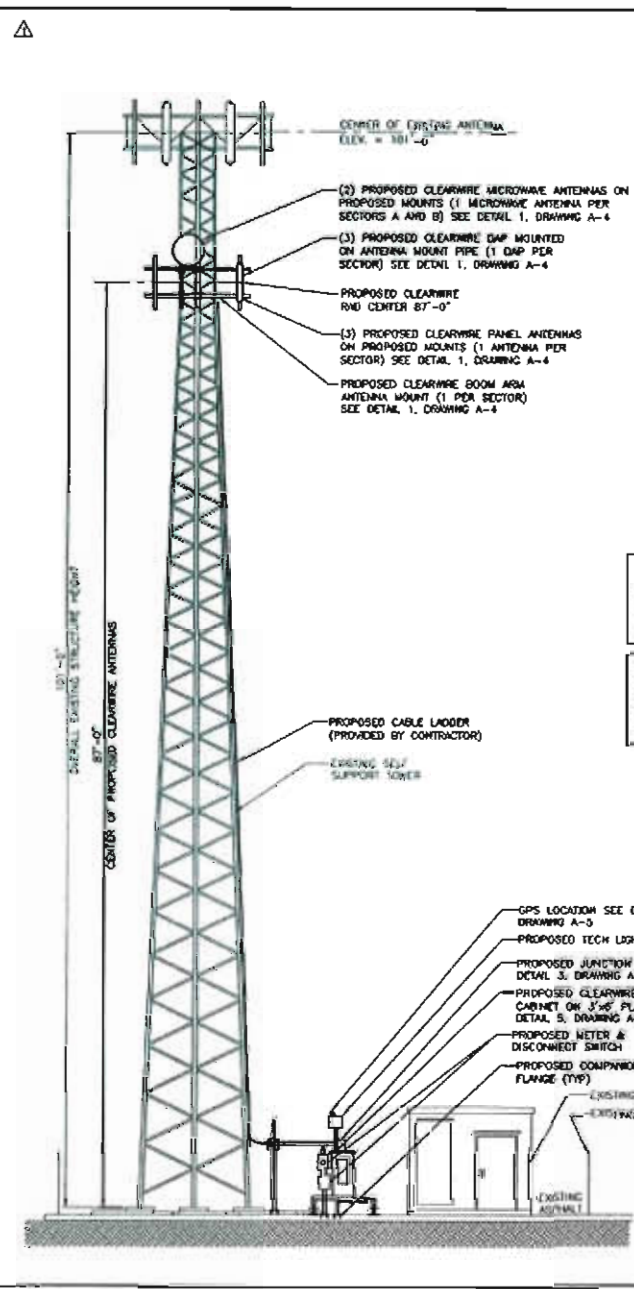


Information on this Public Hearing may be found on the City's website at <http://www.chesterfield.mo.us/public-notice.html> or by contacting Lead Senior Planner Anissa McCaskill-Clay at 636.537.4737 or via e-mail at [amccaskill@chesterfield.mo.us](mailto:amccaskill@chesterfield.mo.us). All interested parties will be given an opportunity to be heard at the Public Hearing.



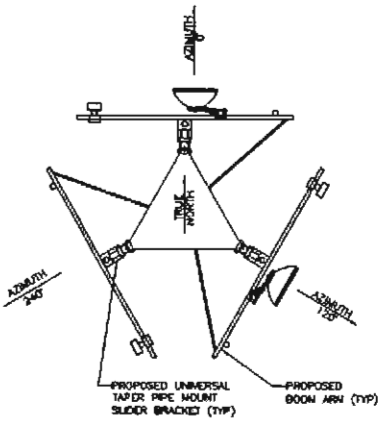
COMPOUND SOUTH TOWER ELEVATION

2



COMPOUND EAST TOWER ELEVATION

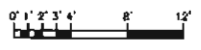
1



**ANTENNA LAYOUT**  
NOTE:  
SEE SHEET A-4, DETAIL 3 AND 6 FOR PANEL AND MICROWAVE ANTENNA TYPE

LOCATION OF ANTENNAS AS SHOWN HAVE BEEN APPROVED BY CLEARWIRE AND/OR CLEARWIRE'S RADIO FREQUENCY ENGINEERS. SSC ASSUMES NO RESPONSIBILITY FOR, NOR HAS SSC PERFORMED ANY INVESTIGATIONS OR STUDIES CONCERNING, THE COMPLIANCE OR NON-COMPLIANCE OF SAID ANTENNA LOCATIONS WITH ANY RADIO FREQUENCY EXPOSURE REGULATIONS.

EXISTING TOWER INFORMATION IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. SSC HAS NOT BEEN PROVIDED WITH TOWER ANALYSIS INFORMATION, NOR HAS SSC PERFORMED ANY TOWER ANALYSIS CALCULATIONS REGARDING THE EXISTING TOWER. SSC TAKES NO RESPONSIBILITY FOR THE STRUCTURAL INTEGRITY OF THE EXISTING TOWER OR TOWER FOUNDATION.



**clearwire®**  
wireless broadband  
4400 CARRIAGE POINT  
EUREKA, WASHINGTON 98533  
PH: (360) 216-7600  
FAX: (360) 216-7000

ST. LOUIS PROFESSIONAL ENGINEER  
MICHAEL L. OWENS  
NUMBER  
PE-29058

**SSC**  
1816 LACROIX HIB PLAZA, SUITE 400  
ST. LOUIS, MISSOURI 63146  
PHONE: 314-983-1010 FAX: 314-983-1008

DESIGNER: F. GUY

LEAD CE: T.M. SUPER

LEAD CE/SE: M.L. OWENS

SUBMITTALS				
NO.	DATE	DESCRIPTION	BY	TC
1	8/24/08	ISSUED FOR REVIEW	TC	TC
2	8/28/08	ISSUED FOR CONTRACTOR	TC	TC
3	8/28/08	REVISION ANTENNA HEIGHT	TC	TC

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CLEARWIRE IS STRICTLY PROHIBITED.

SITE NAME

SITE NUMBER  
MO-STL0508

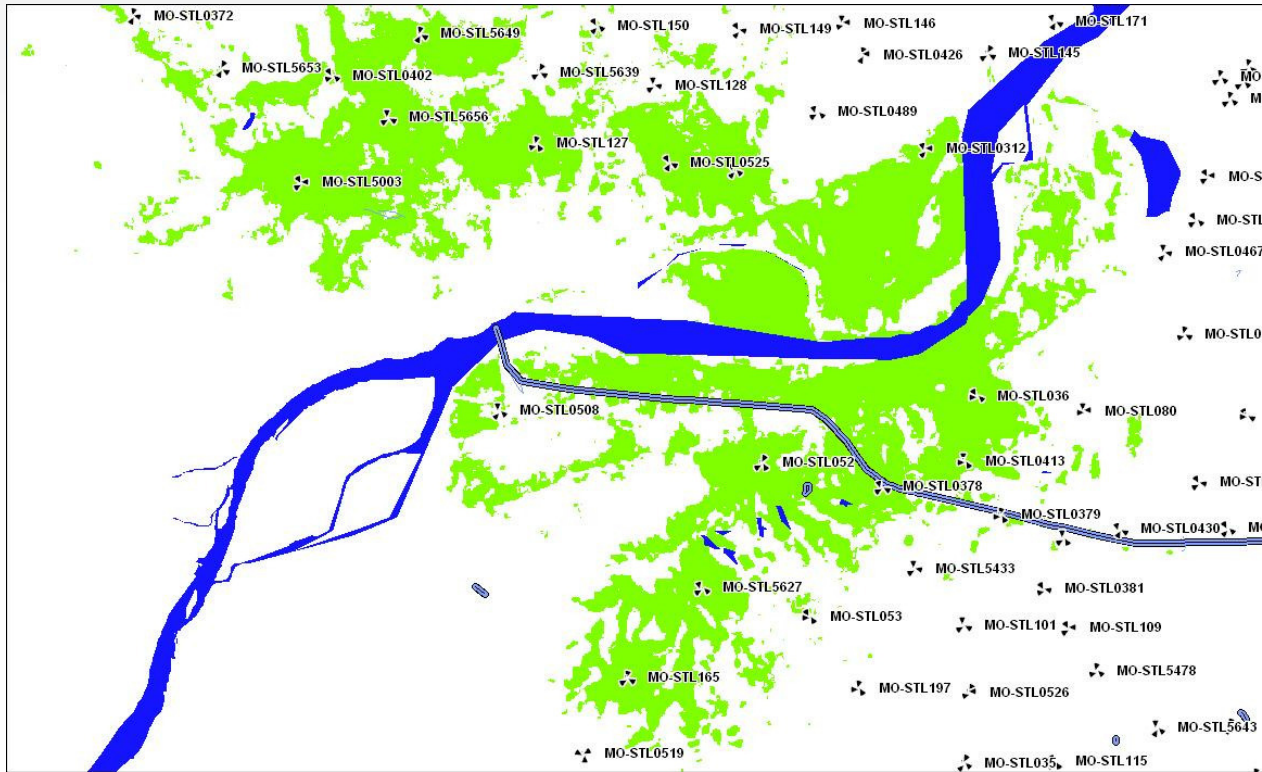
SITE ADDRESS  
18620 OLIVE STREET ROAD  
CHESTERFIELD, MISSOURI  
63005

SHEET TITLE  
TOWER ELEVATION

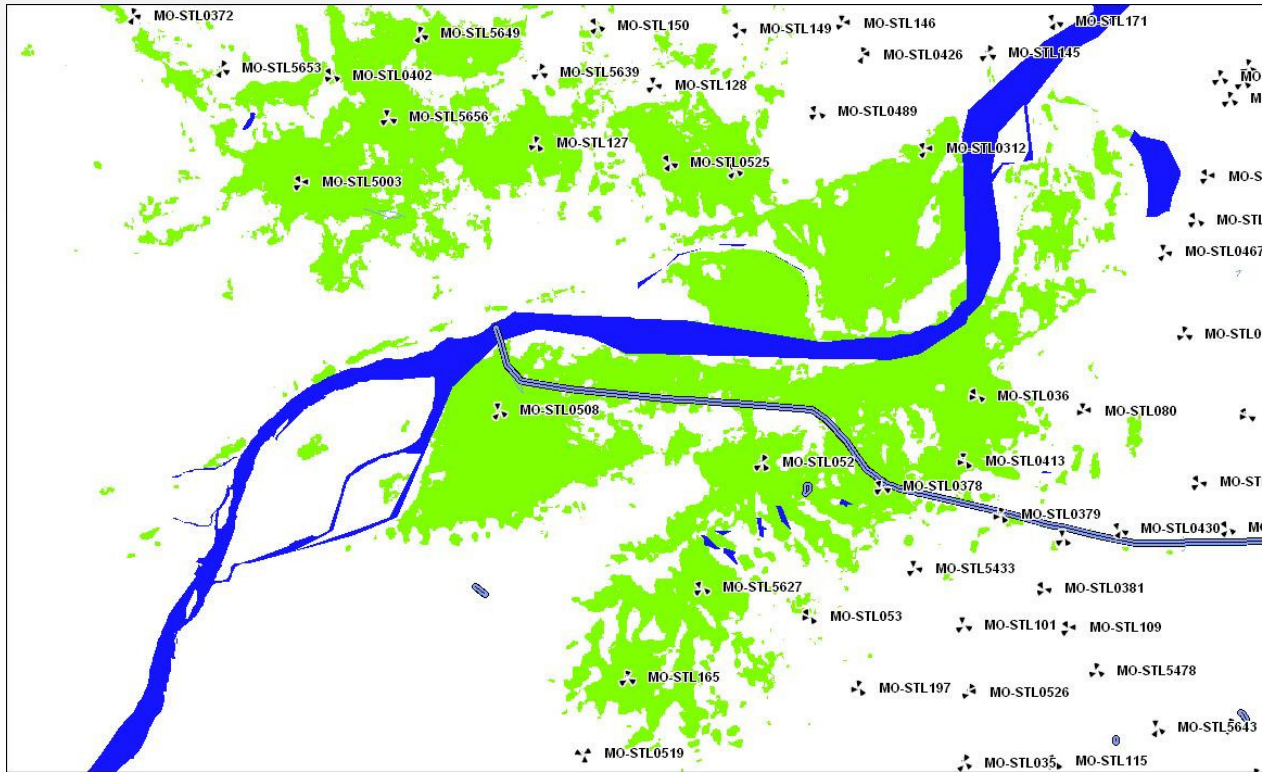
SHEET NUMBER  
A-3

# MO-STL0508

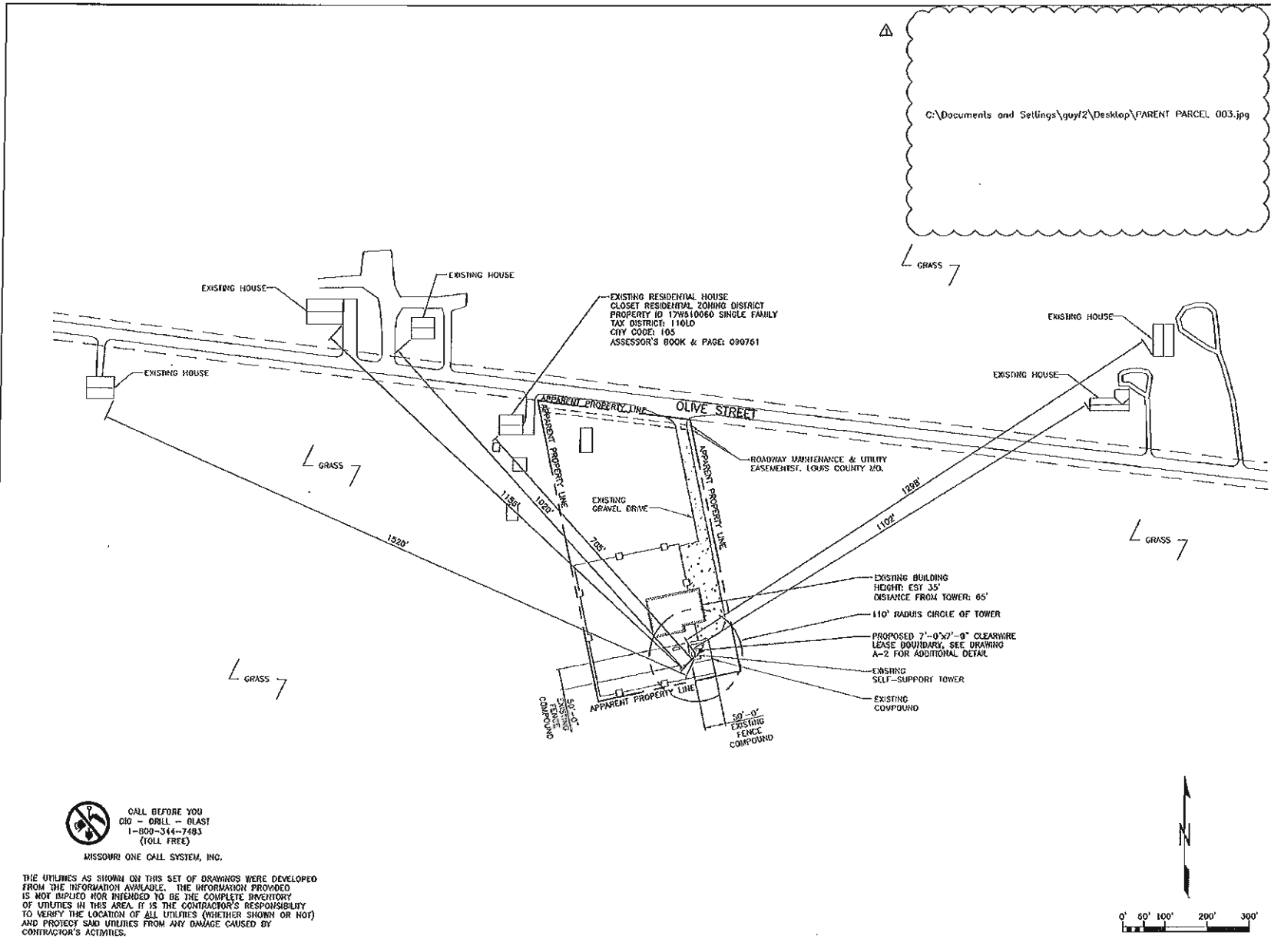
## Coverage Analysis



## Indoor Coverage without MO-STL0508



## Indoor Coverage with MO-STL0508



C:\Documents and Settings\guyf2\Desktop\FARENT PARCEL 003.jpg

**clearw're®**  
wireless broadband

4600 CARLSON POINT  
KIRKLAND, WASHINGTON 98033  
TEL: (425) 286-7608  
FAX: (425) 216-7700

STATE OF MISSOURI  
MICHAEL L. OWENS  
NUMBER  
PE-29058  
PROFESSIONAL ENGINEER

**SSC**

1818 Lackland Hill Pkwy, Suite 400  
St. Louis, Missouri 63146  
Phone: 314-993-1010 Fax: 314-993-1038

DESIGNER: F. GUY  
LEAD EE: T.M. SUPER  
LEAD CE/SE: M.L. OWENS

SUBMITTALS			
NO.	DATE	DESCRIPTION	BY
A	04/14/08	ISSUED FOR REVIEW	FG
O	04/14/08	ISSUED FOR CONSTRUCTION	MO
T	04/14/08	ISSUED FOR CITY COMMENTS	FG

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CLEARWIRE IS STRICTLY PROHIBITED.

SITE NAME

SITE NUMBER  
MO-STL0508

SITE ADDRESS  
18620 OLIVE STREET ROAD  
CHESTERFIELD, MISSOURI  
63005

SHEET TITLE  
OVERALL SITE PLAN

SHEET NUMBER  
A-1

CALL BEFORE YOU  
DIG - DRILL - BLAST  
1-800-344-7483  
(TOLL FREE)

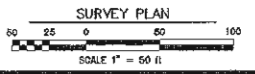
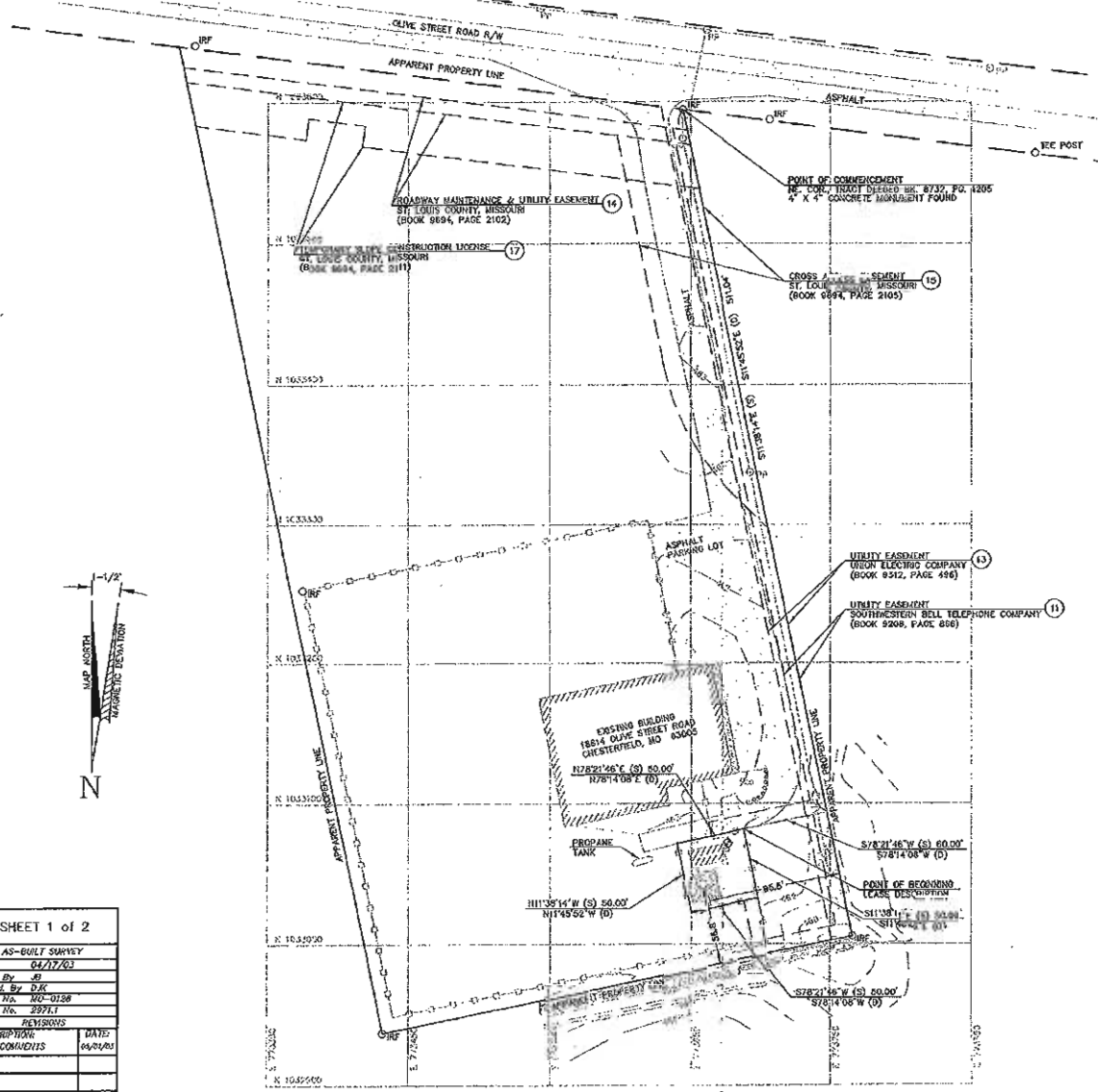
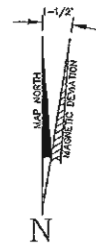
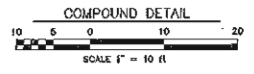
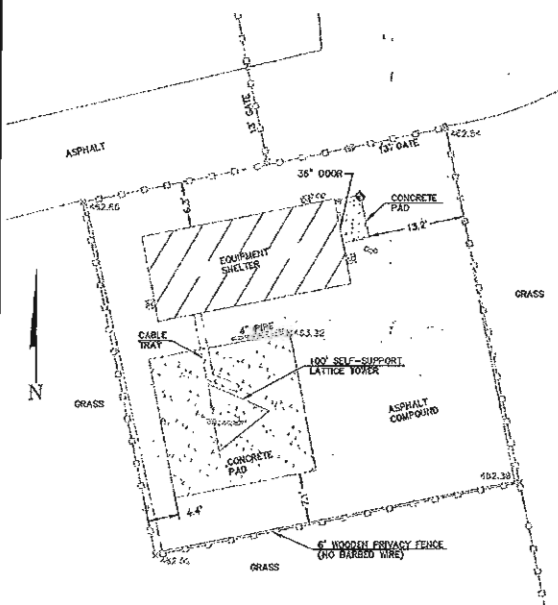
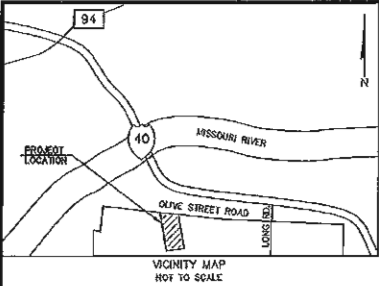
MISSOURI ONE CALL SYSTEM, INC.

THE UTILITIES AS SHOWN ON THIS SET OF DRAWINGS WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THE INFORMATION PROVIDED IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE INVENTORY OF UTILITIES IN THIS AREA. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES.

OVERALL SITE PLAN



# GUMBO/MO-0128



Work Coordinated by <b>ASC NATIONAL, Inc.</b> 114 1/2 Main Street Waltham, MA 01938 Tel: (617) 924-1111 Fax: (617) 924-1112	Designed by <b>Klinkenberg &amp; Associates, Inc.</b> <b>aka</b> Professional Land Surveying Services 6501 Riverchase Court, Suite 100 Birmingham, AL 35226 Tel: (205) 991-9999 Fax: (205) 991-9998 www.aka.com	SHEET 1 of 2 AS-BUILT SURVEY Date 04/17/03 Drawn By JB Checked By DJK Disc. No. MO-0128 Proj. No. 2971.1
Prepared For <b>SPECTRASITE COMMUNICATIONS</b> 100 BENDAGE FOREST DRIVE, SUITE 400 CARL, MO. 63011	Project Location CHESTERFIELD, MISSOURI Project Address 1814 OLIVE STREET ROAD Site Name GUMBO Spectroscopic Number MO-0128	DESCRIPTION: PER COMMENTS
	SPECTRASITE CONSTRUCTION AS-BUILT LAND SURVEY SC00'E REVISION 1	DATE: (4/21/03)

### TOWER ELEVATION DATUM

TOWER TYPE: SELF-SUPPORT LATTICE TOWER  
 ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.  
 GROUND ELEVATION: 483.19  
 STRUCTURE HEIGHT: 102.50  
 ELEVATION AT TOP OF TOWER: 585.49  
 ELEVATION AT HIGHEST POINT: 688.78  
 ALL ELEVATIONS ARE "ABOVE MEAN SEA LEVEL" (AMSL).

### EQUIPMENT ELEVATION DATUM

ANTENNA GROUP NO. 1 --  
 ELEVATION AT TOP OF ANTENNA: 588.78  
 ELEVATION AT BOTTOM OF ANTENNA: 585.36  
 ELEVATION AT MOUNT: 665.49

ELEVATION AT TOP OF LIGHTNING ROD: 567.17

ALL ELEVATIONS ARE "ABOVE MEAN SEA LEVEL" (AMSL).

### LATITUDE & LONGITUDE

LATITUDE AND LONGITUDE OF EXISTING TOWER IS BASED ON THE MAD 1963.

LATITUDE: 38° 40' 13.948"  
 LONGITUDE: 090° 38' 46.037"

AZIMUTH OF WESTERLY FACE OF TOWER = 170°26'46"

### BASIS OF BEARINGS

NORTH AMERICAN DATUM (NAD83)

THIS IS TO CERTIFY THAT THE GEOGRAPHICAL LOCATION SHOWN IS ACCURATE WITHIN +/- 15' HORIZONTALLY AND 3' VERTICALLY.

### SURVEY LEGEND

ORF	IRON ROD FOUND
III S	IRON ROD SET
◆	BENCHMARK
--- ---	BOUNDARY LINE
--- ---	PARCEL PROPERTY LINE
--- ---	RIGHT-OF-WAY
--- ---	EASEMENT LINE
---	SECTION LINE
---	CENTER LINE
--- ---	OVERHEAD UTILITY LINE
--- ---	UNDERGROUND UTILITY LINE
OPF	POWER POLE
--- ---	UNDERGROUND TELEPHONE LINE
--- ---	TELEPHONE PEDestal
---	ELECTRIC METER
---	SWITCH BOX
---	AIR CONDITIONER UNIT
---	GROUND WELL
---	CHAIN LINK FENCE
---	WOOD FENCE
---	BARBED WIRE FENCE
---	GATE POST
o	SPOT ELEVATION
XXX	DEEDED BEARING
(S)	SURVEYED BEARING



CALL BEFORE YOU DIG - DRILL - BLAST  
 1-800-344-7483  
 (TOLL FREE)

MISSOURI ONE CALL SYSTEM, INC.  
 www.mocall.org

THE UTILITIES AS SHOWN ON THIS DRAWING WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THIS IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE INVENTORY OF UTILITIES IN THIS AREA. IT IS THE CLIENT'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE.

# GUMBO/MO-0128

### ACCESS NOTE

ACCESS TO TOWER COMPOUND IS BY WAY OF A 582 FOOT ASPHALT DRIVE ADJOURING OLIVE STREET ROAD RIGHT-OF-WAY. HAZARDOUS POINTS: 10 FEET. THE ACCESS ROAD LIES ENTIRELY WITHIN THE PARCEL PARCEL AND IS COVERED BY A NON-EXCLUSIVE 60 FOOT EASEMENT FROM THE LEASE PARCEL TO OLIVE STREET ROAD RIGHT-OF-WAY, ACCORDING TO THE TITLE COMMITMENT EXHIBIT "B".

### UTILITY NOTE

UTILITY ACCESS IS BY WAY OF UNDERGROUND LINES THAT WERE NOT LOCATED ON THIS SURVEY.

### SURVEYOR'S NOTE

TITLE COMMITMENT NO. 00389847  
 EFFECTIVE DATE: JANUARY 5, 2001 AT 8:00 AM.  
 FIRST AMERICAN TITLE INSURANCE COMPANY  
 7500 FORBOTH  
 CLAYTON, MISSOURI 63105  
 (314) 727-8151

### NOTES CORRESPONDING TO SCHEDULE "B"

10. TERMS, PROVISIONS, EASEMENTS, RIGHTS, LIMITATIONS, AND ANY OTHER MATTERS AS SET FORTH AND CONTAINED IN THAT CERTAIN UNDERGROUND LEASE ASSIGNMENT DATED AUGUST 18, 1991 BY AND BETWEEN CHESTERFIELD FENCE CO., INC. (LESSOR) AND EASTERN MISSOURI CELLULAR LIMITED PARTNERSHIP (LESSEE), NOTICE OF WHICH IS GIVEN BY INSTRUMENT OF LEASE ASSIGNMENT DATED FEBRUARY 26, 1992 AND RECORDED DECEMBER 2, 1992 IN BOOK 9310, PAGE 1692. THIS ITEM IS BLANKET IN NATURE, IS NOT PLOTTED HEREON, AND AFFECTS THE LEASE AREA.
11. EASEMENT GRANTED SOUTHWESTERN BELL TELEPHONE COMPANY, ACCORDING TO INSTRUMENTS RECORDED IN BOOK 8038, PAGE 495 AND BOOK 12822, PAGE 914. THIS ITEM IS PLOTTED HEREON, AND DOES NOT AFFECT THE LEASE AREA.
12. TERMS AND PROVISIONS CONTAINED IN CITY OF CHESTERFIELD ORDINANCE NO. 496, A COPY OF WHICH IS RECORDED IN BOOK 9274, PAGE 1606 AND BOOK 9363, PAGE 616. THIS ITEM IS BLANKET IN NATURE, IS NOT PLOTTED HEREON, AND AFFECTS THE LEASE AREA.
13. EASEMENT GRANTED UNION ELECTRIC COMPANY, ACCORDING TO INSTRUMENT RECORDED IN BOOK 8312, PAGE 498. THIS ITEM IS PLOTTED HEREON, AND DOES NOT AFFECT THE LEASE AREA.
14. PLANNING ROADWAY IMPROVEMENT, MAINTENANCE, UTILITY, SENIOR AND SIDEWALK EXPANSION GRANTED ST. LOUIS COUNTY, MISSOURI, ACCORDING TO INSTRUMENT RECORDED IN BOOK 8964, PAGE 2102. THIS ITEM IS PLOTTED HEREON, AND DOES NOT AFFECT THE LEASE AREA.
15. EASEMENTS, TERMS AND PROVISIONS CONTAINED IN CROSS ACCESS EASEMENT ASSIGNMENT BY AND BETWEEN CHESTERFIELD FENCE CO., INC. AND ST. LOUIS COUNTY, MISSOURI, ACCORDING TO INSTRUMENT RECORDED IN BOOK 9684, PAGE 2105. THIS ITEM IS PLOTTED HEREON, AND DOES NOT AFFECT THE LEASE AREA.
17. TEMPORARY DUMP CONSTRUCTION LICENSE GRANTED ST. LOUIS COUNTY, MISSOURI, ACCORDING TO INSTRUMENT RECORDED IN BOOK 9684, PAGE 2111. THIS ITEM IS PLOTTED HEREON, AND DOES NOT AFFECT THE LEASE AREA.

### LAND USE NOTE

LENGTH OF COMPOUND FENCE = 280 FT.  
 AREA OF FENCED COMPOUND = 2,500 SQ. FT.  
 AREA OF LEASE PARCEL = 2,600 SQ. FT. OR 0.057 ACRES  
 AREA OF PARCEL PARCEL = 224,931 SQ. FT. OR 5.16 ACRES

### ZONING STATEMENT

ZONED "M3": INDUSTRIAL.

### SETBACKS:

26 FEET FROM NEW R/W OF OLIVE STREET ROAD.  
 50 FEET FROM ANY OTHER PROPERTY LINE.

### FLOOD STATEMENT

THE SUBJECT TRACT LIES WITHIN "ZONE X" (AREAS LYING OUTSIDE THE 500-YEAR FLOODPLAIN) AS SHOWN ON THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 13188-0128. EFFECTIVE DATE: AUGUST 3, 1995. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE USED TO VERIFY THE DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

### BENCHMARK

(N.A.V.D. 1988 DATUM)  
 GIBSELE SQUARE SET ON THE NORTHEAST CORNER OF CONCRETE STOOP FOR EQUIPMENT SHELTER ON NORTH SIDE OF TOWER COMPOUND.  
 ELEVATION = 483.02

### TITLE COMMITMENT EXHIBIT "A" -- PARENT PARCEL

A TRACT OF LAND IN U.S. SURVEYS 163 AND 358, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, AND BEING A PART OF A TRACT LABELED "CATHERINE KROENING" PER EXHIBIT "A" ATTACHED TO A COMMISSOR'S REPORT OF PARCEL "CATERINE KROENING" ET AL., BY HERMAN SCHWARTZ ET AL. AS RECORDED IN THE CITY OF ST. LOUIS RECORDS (FORMERLY ST. LOUIS COUNTY) AT BOOK 439 PAGE 448, AND FURTHER DESCRIBED AS: BEGINNING AT A CONCRETE MONUMENT IN THE SOUTH RIGHT-OF-WAY OF OLIVE STREET (60' WIDE) ROAD, SAID POINT BEING THE MOST SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED AS EXHIBIT "A" TO GENERAL WARRANTY DEED FROM SPIRIT WEST INDUSTRIAL AIR PARK, D.C., TO ST. LOUIS COUNTY, DATED NOVEMBER 14, 1994 AND RECORDED IN BOOK 7216 PAGE 1794; THENCE NORTH 82 DEGREES 45 MINUTES WEST ALONG THE SOUTH RIGHT-OF-WAY OF OLIVE STREET ROAD, A DISTANCE OF 284.00 FEET TO AN OLD IRON PIPE, THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF OLIVE STREET ROAD, SOUTH 11 DEGREES 18 MINUTES EAST ALONG THE EAST RIGHT-OF-WAY OF A 20 FOOT WIDE ROAD AS SHOWN ON EXHIBIT "A" OF THE COMMISSOR'S REPORT OF THE KROENING PARCEL, A DISTANCE OF 710.00 FEET TO A PINE BUSH, N81°18'00"E RIGHT ANGLES TO THE LAST DESCRIBED LINE, NORTH 74 DEGREES 42 MINUTES EAST A DISTANCE OF 341.15 FEET TO A POINT, THENCE AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, NORTH 11 DEGREES 18 MINUTES WEST A DISTANCE OF 601.04 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID REAL ESTATE CONVEYED TO ST. LOUIS COUNTY, MISSOURI FOR ROAD PURPOSES BY INSTRUMENT RECORDED IN BOOK 9684, PAGE 2108.

### TITLE COMMITMENT EXHIBIT "B" -- LEASE PARCEL

A TRACT OF LAND BEING PART OF U.S. SURVEY 163, TOWNSHIP 45 NORTH, RANGE 3 EAST, IN ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO CHESTERFIELD FENCE CO. INC. AND RECORDED IN BOOK 9310, PAGE 1692 OF THE ST. LOUIS COUNTY RECORDS, BEGINNING AT THE POINT OF BEGINNING, ALSO BEING IN THE SOUTH RIGHT-OF-WAY LINE OF OLIVE STREET ROAD, 10 FEET WIDE, THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 11 DEGREES 18 MINUTES WEST 60 FEET TO A POINT, THENCE SOUTH 78 DEGREES 14 MINUTES 00 SECONDS WEST 80.00 FEET TO THE POINT OF BEGINNING OF THE TRACT BENEVOLENT, THENCE SOUTH 11 DEGREES 18 MINUTES WEST 80.00 FEET TO A POINT, THENCE NORTH 11 DEGREES 18 MINUTES WEST 80.00 FEET TO A POINT, THENCE NORTH 78 DEGREES 14 MINUTES 00 SECONDS WEST 80.00 FEET TO A POINT, THENCE NORTH 11 DEGREES 18 MINUTES WEST 80.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2,600 SQUARE FEET. TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT 60 FEET WIDE FROM THE LEASED PREMISES TO THE PUBLIC ROAD.

\* NOTE: UNABLE TO STAKE LEASE CORNERS DURING TIME OF FIELD WORK.

### DISCLAIMER

LIABILITY IS LIMITED TO THE ABOVE ORDERED AND OFF OF THE SURVEY. RETURN USE IS PROHIBITED AND NO LIABILITY WILL BE ASSUMED. THIS SURVEY IS FOR LEASE AND EXECUTIVE PURPOSES ONLY. IT REPRESENTS THE LOCATION OF THE LEASE AND EASEMENTS AS THEY WERE SURVEYED. THIS IS NOT A BOUNDARY SURVEY OF THE ABOVE REFERENCED DEED HEREON AND IS SUBJECT TO ANY MISTAKES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. IT IS NOT TO BE USED FOR THE ESTABLISHMENT OF ANY FENCES, ENCLOSURES OR OTHER ENCROACHMENTS OR EASEMENTS ON THE LEASED OR EASEMENT AREAS. NO PROPERTY CORNERS OF THE ABOVE REFERENCED DEED HEREON WERE SET, UNLESS OR ANNOTATED WITHIN HEREON. IF ANY, A NON-CLOUD PLAT OR DEED INFORMATION, AND HAVE NOT BEEN RECORDED UNLESS SHOWN. NO WARRANTY IS EXTENDED HEREON TO THE PRESENT OR FUTURE OWNER OR OCCUPANTS. DO NOT SCALE DRAWINGS.

### SURVEYOR'S CERTIFICATE

I, HERMAN SCHWARTZ, DO HEREBY CERTIFY TO SPECIARISTE COMMUNICATIONS, INC., THAT THE INFORMATION AND FIRST AMERICAN TITLE INSURANCE COMPANY, INC., THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION AND THAT THIS IS A TRUE, CORRECT REPRESENTATION OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND MORE SPECIFICALLY I DO HEREBY CERTIFY THAT THE SURVEY CONFORMS TO THE CONDITIONS AND SPECIFICATIONS AS CHECKED (X) BELOW (NOTE: ON LEASED PARCELS, "SURVEY PROPERTY" IS DEFINED AS THE LEASED PREMISES AND ITS APPURTENANT EASEMENTS).

- (X) 1. CORRECTLY SHOWS THE LOCATION AND DIVISION OF ALL ALLEYS, STREETS, ROADS, RIGHTS-OF-WAY, EASEMENTS AND OTHER MATTERS OF RECORD WHICH THE SURVEYOR HAS BEEN AWARE AFFECTS THE SUBJECT PROPERTY (EACH HAS BEEN IDENTIFIED BY INSTRUMENT NUMBER AND PAGE NUMBER IF AVAILABLE).
- (X) 2. EXCEPT AS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS, RIGHTS-OF-WAY, PARTY WALLS OR EJECTMENTS.
- (X) 3. ACCESS IS CONTIGUOUS BETWEEN THE SUBJECT PROPERTY AND A PUBLIC RIGHT-OF-WAY, AS SHOWN.
- (X) 4. THE LEGAL DESCRIPTION DEPICTED HEREON IS THE SAME DENISED IN THE TITLE COMMITMENT REFERENCED HEREON.
- (X) 5. SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR LAND BOUNDARY SURVEYS SET FORTH BY MISSOURI STATE LAW.



PROFESSIONAL SURVEYOR'S SIGNATURE AND ORIGINAL SEAL OF A MISSOURI LICENSED SURVEYOR.

Work Completed by: 	Surveyed by: 	SHEET 2 of 2 AS-BUILT SURVEY Date: 04/17/03 Drawn By: JS Appr. by: DMK Drawn by: NO-0128 Proj. No. 28771
Prepared For: 	Project Location: CHESTERFIELD, MISSOURI Project Address: 18814 OLIVE STREET ROAD Site Plans: CLIENTS Specification Number: MO-0128	SPECIARISTE COMMUNICATIONS AS-BUILT LAND SURVEY SCOPE REVISION 1