

Planning Commission Staff Report

Meeting Date: June 26, 2017

From: Jessica Henry, Senior Planner

Location: North side of Wild Horse Creek Road

Petition: **P.Z. 02-2017 Fienup Farms (McBride & Sons)**: A request for a zoning map amendment from the “FPNU” Flood Plain Non-Urban and “NU” Non-Urban Districts to an “E-1” Estate One-Acre District for 223.02 acres located on the north side of Wild Horse Creek Road approximately 3,250 feet east of its intersection with Kehrs Mill Road and 4,400 feet west of its intersection with Baxter Road (18U640049, 18U630028, 18U330454, 17U310093, 17U320070, & 17T110201).

SUMMARY

Wild Horse Residential, LLC, has submitted a request for a zoning map amendment from the “NU” Non-Urban District to “E-1” Estate One-Acre District. The petitioner is requesting to zone the property “E-1” Estate One-Acre District as part of a two-step zoning process in order to obtain entitlements to develop this tract of land as a single-family residential subdivision. The second step in this process is an additional petition for a zoning map amendment to obtain “PUD” Planned Unit Development zoning (P.Z. 03-2017). A Public hearing was held for these requests on April 10, 2017.



Figure 1: Subject Site Aerial

SITE HISTORY

The subject property was zoned “NU” Non-Urban District and “FPNU” Flood Plain Non-Urban District by St. Louis County prior to the incorporation of the City of Chesterfield.

SURROUNDING LAND USES

The land use and zoning for the properties surrounding this parcel are as follows:

North: The subject site is bordered by the Missouri Pacific Rail Road and Bonhomme Creek to the north. The site overlooks Chesterfield Valley and, more specifically, the Chesterfield Commons commercial development which is zoned “C-8” Planned Commercial District.

South: Across Wild Horse Creek Road to the south are several single-family residential subdivisions, including Bentley Place (“R-1” & “R-1A” with a PEU), Westchester Manor “E-3”, Chesterfield Estates (“R-1”, “FPR-1”, “R-1A” & “FPR-1A” with a PEU), and Eagle Crest Estates (“R-1”, “FPR-1” with a PEU).

East: Properties east of the site are zoned “FPNU” and “NU” and the Wildhorse Springs single family residential subdivision is zoned “R-2” Residence District with a PEU.

West: To the west is the First Baptist Church which is zoned “NU”.

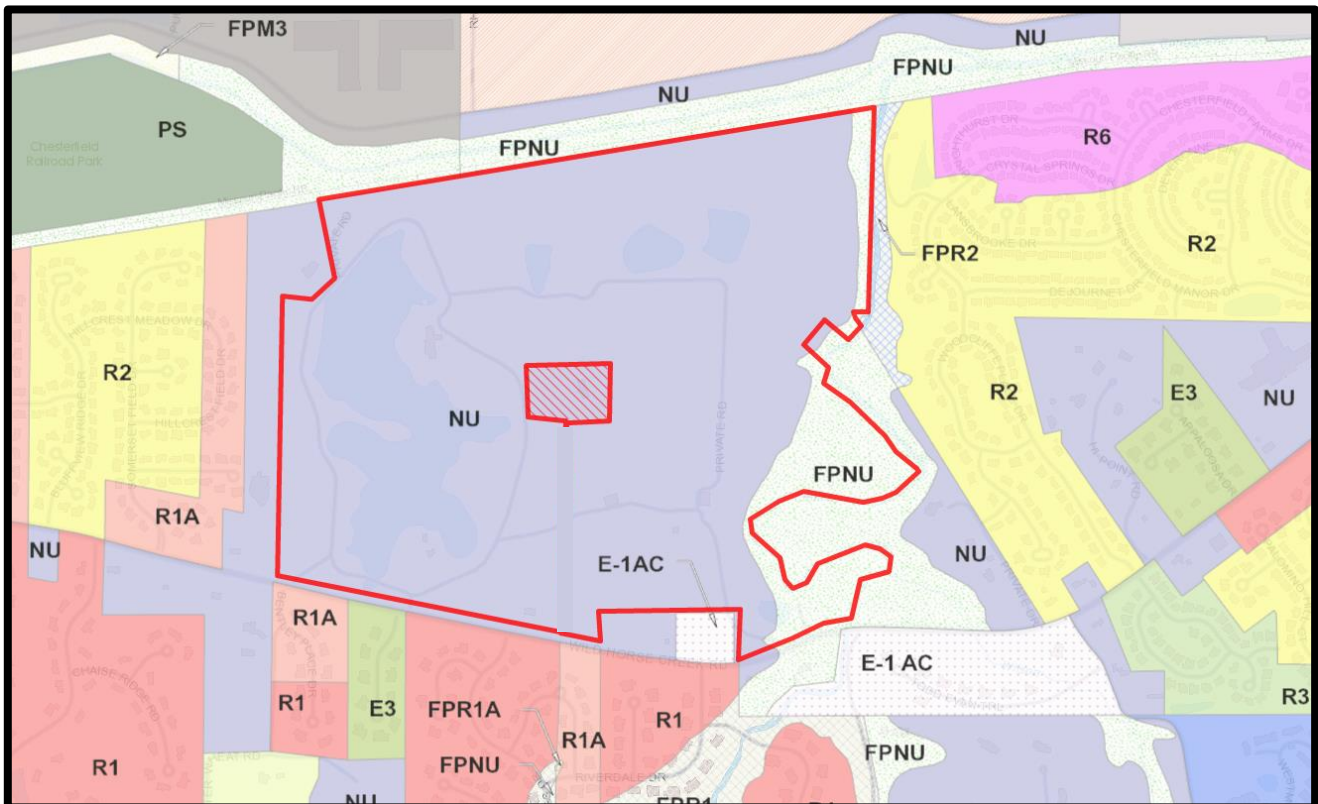


Figure 2: Surrounding Land Uses

COMPREHENSIVE PLAN

The subject site is located within Ward 4 of the City of Chesterfield. The City of Chesterfield Land Use Plan indicates that the subject site is within the Residential Single-Family district and has a minimum one (1) acre density requirement.

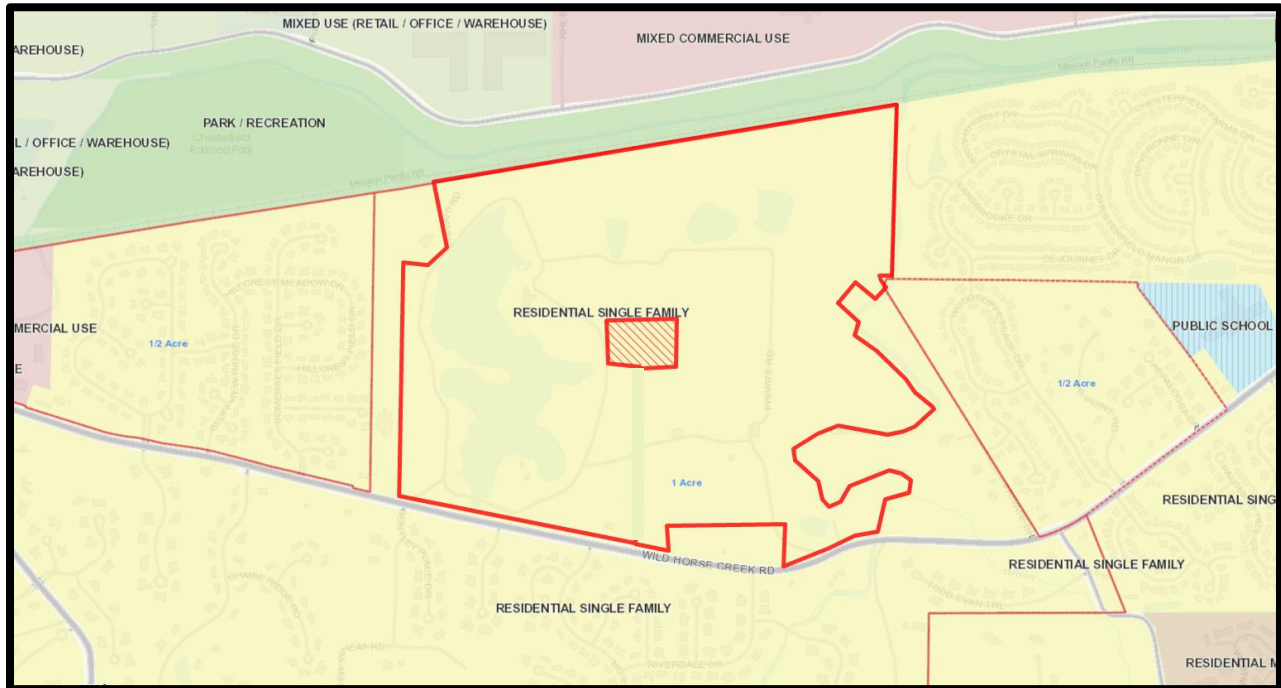


Figure 3: Comprehensive Land Use Plan

PUBLIC HEARING

A Public Hearing for this request was held on April 10, 2017. Change of zoning requests to a straight zoning district, such as "E-1" Estate One-Acre District only require an Outboundary Survey which has been included in the Planning Commission's packet.

REQUEST

Staff has completed review of this petition and all agency comments have been received. Staff requests action on P.Z. 02-2017 Fienup Farms (McBride & Sons).

Respectfully submitted,

Jessica Henry, AICP
Senior Planner

Attachments

- 1. Outboundary Survey

cc: Justin Wyse, Director of Planning and Development Services

Drawing name: V:\1406196_Fienup\Drawings\Surveying\Bndry\TITLE PLOT 01-24-17.dwg Plotted on: Jan 25, 2017 7:00am Plotted by: jimboretz

PROPERTY DESCRIPTION:

TRACTS OF LAND BEING PART OF "TRACT A" OF A RESUBDIVISION OF LOT "A" OF FIENUP TRACT, A MINOR SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 227 PAGE 99 AND TRACTS OF LAND BEING PART OF U.S. SURVEY 125, 886 AND 2031 IN TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE LOCATED AT THE NORTHWEST CORNER OF A TRACT CONVEYED TO ZH ASSET MANAGEMENT INC. BY INSTRUMENT RECORDED IN DEED BOOK 17170, PAGE 765 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT BEING ON THE COMMON LINE OF U.S. SURVEY 125 AND U.S. SURVEY 886; THENCE SOUTH 00 DEGREES 04 MINUTES 36 SECONDS WEST, A DISTANCE OF 197.66 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK ROAD AS SHOWN ON THE FIENUP TRACT - A MINOR SUBDIVISION RECORDED IN PLAT BOOK 219, PAGE 48 AND PLAT BOOK 227, PAGE 99 OF SAID COUNTY RECORDS; THENCE WITH SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT BEING NON-TANGENTIAL TO THE PREVIOUS COURSE, WITH A RADIUS OF 2,629.93 FEET, WHOSE CHORD BEARS NORTH 78 DEGREES 23 MINUTES 43 SECONDS WEST, A CHORD DISTANCE OF 43.33 FEET, AN ARC LENGTH OF 43.33 FEET TO A POINT; THENCE NORTH 78 DEGREES 56 MINUTES 45 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 213.00 FEET TO THE EAST LINE OF A 2.848 ACRE TRACT CONVEYED TO FIENUP FARM INC. BY INSTRUMENT RECORDED IN DEED BOOK 13491, PAGE 1842 OF SAID RECORDS; THENCE WITH THE EAST, SOUTH AND WEST LINES OF SAID FIENUP TRACT AND SAID NORTH RIGHT-OF-WAY LINE, THE FOLLOWING COURSES AND DISTANCES: SOUTH 01 DEGREES 51 MINUTES 09 SECONDS WEST, A DISTANCE OF 5.04 FEET; NORTH 78 DEGREES 54 MINUTES 52 SECONDS WEST, A DISTANCE OF 688.36 FEET; THENCE NORTH 00 DEGREES 44 MINUTES 21 SECONDS EAST, A DISTANCE OF 4.68 FEET; THENCE LEAVING THE WEST LINE OF SAID FIENUP TRACT AND CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID WILD HORSE CREEK ROAD, NORTH 78 DEGREES 57 MINUTES 24 SECONDS WEST, A DISTANCE OF 819.57 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5,699.65 FEET, AN ARC LENGTH OF 195.64 FEET, AND A CHORD WHICH BEARS NORTH 77 DEGREES 58 MINUTES 24 SECONDS WEST, A CHORD DISTANCE OF 195.63 FEET; THENCE NORTH 76 DEGREES 59 MINUTES 24 SECONDS WEST, A DISTANCE OF 295.60 FEET TO A POINT IN THE WEST LINE OF A TRACT CONVEYED TO FIRST BAPTIST CHURCH OF CHESTERFIELD BY INSTRUMENT RECORDED IN DEED BOOK 10998, PAGE 1382 OF THE ST. LOUIS COUNTY RECORDS; THENCE LEAVING SAID ROAD LINE CONTINUING NORTH 00 DEGREES 50 MINUTES 20 SECONDS EAST ALONG THE WEST LINE OF FIRST BAPTIST CHURCH OF CHESTERFIELD TRACT A DISTANCE OF 1,523.28 FEET TO A POINT; THENCE LEAVING SAID WEST LINE SOUTH 89 DEGREES 09 MINUTES 40 SECONDS EAST, A DISTANCE OF 150.53 FEET TO A POINT; THENCE NORTH 09 DEGREES 46 MINUTES 26 SECONDS EAST, A DISTANCE OF 57.18 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 110.45 FEET, AND A CHORD WHICH BEARS NORTH 24 DEGREES 44 MINUTES 07 SECONDS EAST, A CHORD DISTANCE OF 108.20 FEET TO A POINT; THENCE NORTH 39 DEGREES 41 MINUTES 48 SECONDS EAST, A DISTANCE OF 202.83 FEET TO A POINT; THENCE NORTH 10 DEGREES 22 MINUTES 30 SECONDS WEST, A DISTANCE OF 503.71 TO A POINT AT THE NORTH EAST CORNER OF A TRACT CONVEYED TO ELAINE NAVARRO BY INSTRUMENT RECORDED IN DEED BOOK 7511, PAGE 1392 OF THE ABOVE MENTIONED RECORDS AND IN THE SOUTH LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE ST. LOUIS, KANSAS CITY AND COLORADO RAILROAD) RIGHT-OF-WAY (100 FEET WIDE); THENCE ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY, NORTH 80 DEGREES 50 MINUTES 54 SECONDS EAST, A DISTANCE OF 876.90 FEET TO A POINT; THENCE NORTH 80 DEGREES 30 MINUTES 03 SECONDS EAST, A DISTANCE OF 2569.67 FEET TO THE NORTHWEST CORNER OF THE CHESTERFIELD FARMS PLAT TWO, A SUBDIVISION RECORDED IN PLAT BOOK 326, PAGES 18 TO 20 OF SAID RECORDS; THENCE SOUTH 01 DEGREES 32 SECONDS WEST, ALONG THE WEST LINE OF SAID CHESTERFIELD FARMS PLAT TWO, A DISTANCE OF 1276.19 FEET TO A POINT ON THE NORTH LINE OF WILDHORSE SPRINGS PLAT TWO, A SUBDIVISION RECORDED IN PLAT BOOK 344, PAGES 66 AND 67 OF SAID RECORDS; THENCE ALONG THE NORTH AND WEST LINES OF SAID WILDHORSE SPRINGS PLAT TWO THE FOLLOWING, NORTH 89 DEGREES 16 MINUTES 37 SECONDS WEST, A DISTANCE OF 80.71 FEET; THENCE SOUTH 02 DEGREES 35 SECONDS EAST, A DISTANCE OF 36.62 FEET TO THE MOST NORTHERN CORNER OF "OTTANDINO PLACE, LARGE LOT SUBDIVISION PLAT" A SUBDIVISION RECORDED IN PLAT BOOK 345, PAGE 613 OF SAID RECORDS; THENCE WITH THE NORTH AND WEST LINES OF SAID SUBDIVISION THE FOLLOWING COURSES AND DISTANCES: SOUTH 32 DEGREES 18 MINUTES 40 SECONDS WEST, A DISTANCE OF 89.40 FEET; NORTH 51 DEGREES 10 MINUTES 00 SECONDS WEST, A DISTANCE OF 208.70 FEET; SOUTH 38 DEGREES 59 MINUTES 00 SECONDS WEST, A DISTANCE OF 208.74 FEET; SOUTH 51 DEGREES 10 MINUTES 00 SECONDS WEST, A DISTANCE OF 208.70 FEET; SOUTH 16 DEGREES 14 MINUTES 09 SECONDS WEST, A DISTANCE OF 87.37 FEET; SOUTH 49 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 114.12 FEET; SOUTH 49 DEGREES 26 MINUTES 52 SECONDS EAST, A DISTANCE OF 221.69 FEET; SOUTH 41 DEGREES 32 MINUTES 58 SECONDS EAST, A DISTANCE OF 308.91 FEET; SOUTH 52 DEGREES 14 MINUTES 47 SECONDS EAST, A DISTANCE OF 132.62 FEET; SOUTH 36 DEGREES 07 MINUTES 56 SECONDS WEST, A DISTANCE OF 94.92 FEET; SOUTH 13 DEGREES 52 MINUTES 01 SECONDS EAST, A DISTANCE OF 47.48 FEET TO A POINT IN THE CENTER OF CAULKS CREEK; THENCE, WITH THE MEANDERING CENTERLINE OF SAID CAULKS CREEK, BEING THE COMMON LINE BETWEEN THE AFORESAID FIENUP TRACT AND LOT 1 IN "GAMMA SUBDIVISION" RECORDED IN PLAT BOOK 349, PAGE 688 OF SAID RECORDS, THE FOLLOWING COURSES AND DISTANCES: SOUTH 53 DEGREES 54 MINUTES 57 SECONDS WEST, A DISTANCE OF 124.13 FEET; SOUTH 67 DEGREES 38 MINUTES 24 SECONDS WEST, A DISTANCE OF 63.71 FEET; SOUTH 80 DEGREES 50 MINUTES 47 SECONDS WEST, A DISTANCE OF 84.98 FEET; NORTH 82 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 401.88 FEET; SOUTH 88 DEGREES 07 MINUTES 02 SECONDS WEST, A DISTANCE OF 95.48 FEET; SOUTH 66 DEGREES 40 MINUTES 33 SECONDS WEST, A DISTANCE OF 57.03 FEET; SOUTH 48 DEGREES 05 MINUTES 31 SECONDS WEST, A DISTANCE OF 152.79 FEET; SOUTH 53 DEGREES 59 MINUTES 12 SECONDS WEST, A DISTANCE OF 183.31 FEET; SOUTH 17 DEGREES 02 MINUTES 16 SECONDS EAST, A DISTANCE OF 58.05 FEET; SOUTH 37 DEGREES 24 MINUTES 53 SECONDS EAST, A DISTANCE OF 87.39 FEET; SOUTH 56 DEGREES 56 MINUTES 10 SECONDS EAST, A DISTANCE OF 64.97 FEET; SOUTH 50 DEGREES 03 MINUTES 11 SECONDS EAST, A DISTANCE OF 81.84 FEET; SOUTH 09 DEGREES 05 MINUTES 09 SECONDS EAST, A DISTANCE OF 97.76 FEET; SOUTH 17 DEGREES 38 MINUTES 18 SECONDS EAST, A DISTANCE OF 44.57 FEET; NORTH 47 DEGREES 29 MINUTES 30 SECONDS EAST, A DISTANCE OF 81.79 FEET; NORTH 42 DEGREES 01 MINUTES 39 SECONDS EAST, A DISTANCE OF 103.85 FEET; NORTH 64 DEGREES 18 MINUTES 10 SECONDS EAST, A DISTANCE OF 137.92 FEET; NORTH 54 DEGREES 56 MINUTES 38 SECONDS EAST, A DISTANCE OF 72.15 FEET; NORTH 79 DEGREES 23 MINUTES 13 SECONDS EAST, A DISTANCE OF 91.73 FEET; NORTH 78 DEGREES 39 MINUTES 13 SECONDS EAST, A DISTANCE OF 87.52 FEET; SOUTH 86 DEGREES 55 MINUTES 31 SECONDS EAST, A DISTANCE OF 34.60 FEET; SOUTH 63 DEGREES 39 MINUTES 55 SECONDS EAST, A DISTANCE OF 53.92 FEET; SOUTH 31 DEGREES 16 MINUTES 48 SECONDS EAST, A DISTANCE OF 46.40 FEET; SOUTH 05 DEGREES 03 MINUTES 09 SECONDS WEST, A DISTANCE OF 34.68 FEET; SOUTH 13 DEGREES 33 MINUTES 00 SECONDS EAST, A DISTANCE OF 68.81 FEET; SOUTH 77 DEGREES 01 MINUTES 24 SECONDS WEST, A DISTANCE OF 82.18 FEET; SOUTH 59 DEGREES 25 MINUTES 21 SECONDS WEST, A DISTANCE OF 94.63 FEET; SOUTH 18 DEGREES 04 MINUTES 53 SECONDS WEST, A DISTANCE OF 212.80 FEET; AND SOUTH 06 DEGREES 31 MINUTES 31 SECONDS WEST, A DISTANCE OF 48.47 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK ROAD AS SHOWN ON SAID FIENUP TRACT - A MINOR SUBDIVISION; THENCE LEAVING THE SAID CENTERLINE OF CAULKS CREEK BEING THE AFORESAID COMMON LINE OF THE FIENUP TRACT AND SAID "GAMMA SUBDIVISION"; WITH THE NORTH RIGHT-OF-WAY LINE OF SAID WILD HORSE CREEK ROAD THE FOLLOWING COURSES, DISTANCES AND CURVES: SOUTH 83 DEGREES 10 MINUTES 36 SECONDS WEST, A DISTANCE OF 30.47 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 84.92 FEET, WHOSE CHORD BEARS SOUTH 72 DEGREES 40 MINUTES 37 SECONDS WEST, A CHORD DISTANCE OF 311.26 FEET, AN ARC LENGTH OF 313.01 FEET; THENCE SOUTH 62 DEGREES 10 MINUTES 36 SECONDS WEST, A DISTANCE OF 52.15 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 920.37 FEET, WHOSE CHORD BEARS SOUTH 72 DEGREES 08 MINUTES 29 SECONDS WEST, A CHORD DISTANCE OF 318.53 FEET, AN ARC LENGTH OF 320.14 FEET TO THE SOUTHEAST CORNER OF A TRACT CONVEYED TO ZH ASSET MANAGEMENT INC. BY INSTRUMENT RECORDED IN DEED BOOK 17886, PAGE 0118 OF SAID RECORDS; THENCE LEAVING THE NORTHERN RIGHT-OF-WAY LINE OF SAID WILD HORSE CREEK ROAD, WITH THE EAST, NORTH AND WEST LINES OF SAID ZH ASSET MANAGEMENT INC. TRACT THE FOLLOWING COURSES AND DISTANCES: NORTH 00 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 281.98 FEET; SOUTH 89 DEGREES 39 MINUTES 36 SECONDS WEST, A DISTANCE OF 856.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 224.0 ACRES, MORE OR LESS.

AND, A TRACT, OR TRACTS, OF U.S. SURVEY 125 AND 886, TOWNSHIP 45 NORTH, RANGE 4 EAST, IN ST. LOUIS COUNTY, MISSOURI, BEING PART OF THE TRACT OF LAND AS DESCRIBED IN A DEED TO FIENUP FARMS, INC. AS RECORDED IN DEED BOOK 8950, PAGE 1259 OF THE ST. LOUIS COUNTY RECORDS, AND BEING ALL THAT PART OF SAID FIENUP FARMS, INC. TRACT LYING NORTH OF THE SOUTHERN RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE ST. LOUIS, KANSAS CITY AND COLORADO RAILROAD) RIGHT-OF-WAY AND CONTAINING 3.0 ACRES, MORE OR LESS.

LESS AND EXCEPTING TRACT "C" OF A RESUBDIVISION OF PART "A" OF FIENUP TRACT, A MINOR SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 227 PAGE 99, CONTAINING 173,250 SQUARE FEET OR 3.98 ACRES MORE OR LESS.

THE TOTAL NET OF THE ABOVE PARCELS BEING 223.02 ACRES, MORE OR LESS, ACCORDING TO CALCULATIONS BY THE STERLING COMPANY DURING DECEMBER, 2016 BASED UPON RECORD AND AVAILABLE INFORMATION AND SUBJECT TO THE RESULTS OF A FUTURE PROPERTY BOUNDARY SURVEY.

LEGEND

- FND IRON ROD
○ FND IRON PIPE
△ FND STONE

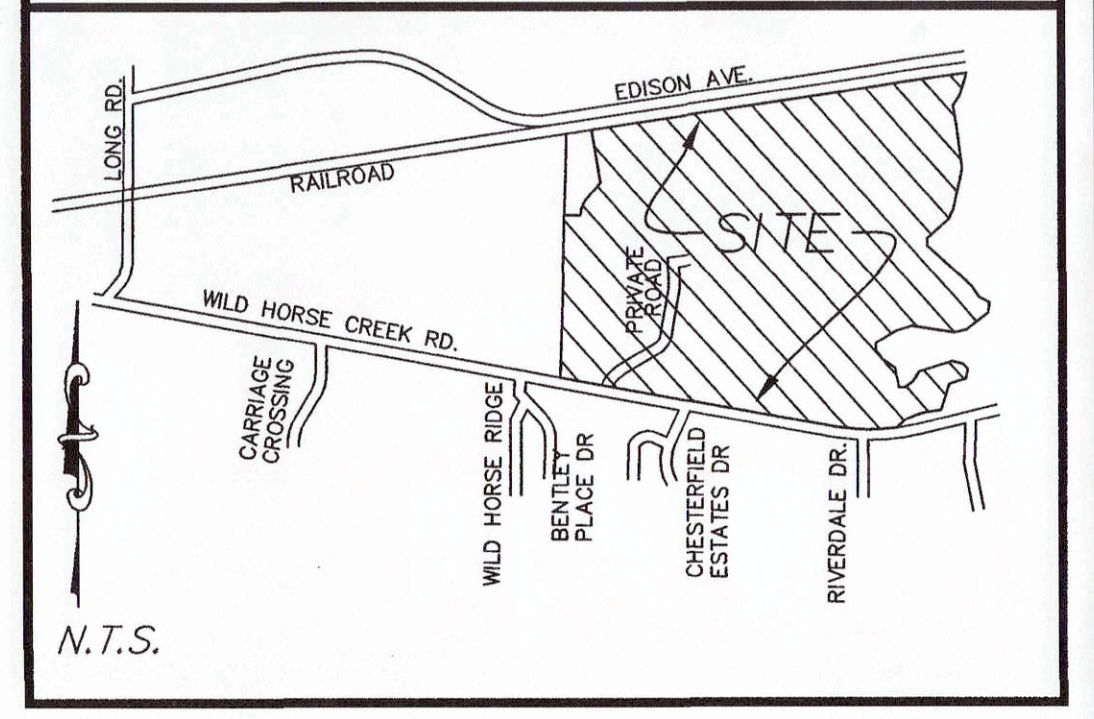
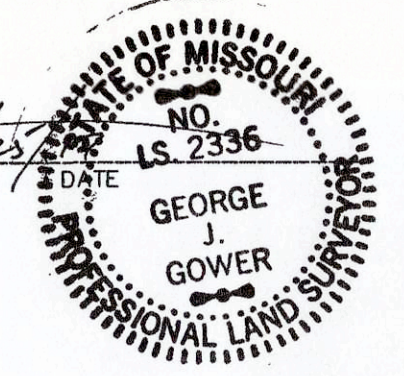
SURVEYOR'S CERTIFICATE:

ORDER NUMBER: 14-06-196
THE STERLING COMPANY
5055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 487-0440

TO WILDHORSE RESIDENTIAL LLC AND OLD REPUBLIC TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT IS BASED ON RECORD PLATS AND A SURVEY CONDUCTED BY STOOK & ASSOCIATES SEALED ON 11-03-2014.

THE STERLING COMPANY
MO. REG. 307-0
GEORGE L. GOWER, P.L.S.
MO. REG. L.S. #2336



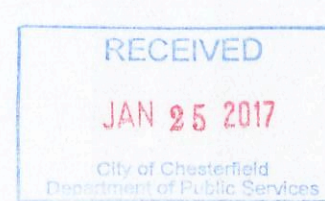
SURVEYOR'S NOTES:

- 1. THE PROFESSIONAL WHOSE SIGNATURE AND PERSONAL SEAL APPEARS BELOW ASSUMES RESPONSIBILITY ONLY FOR WHAT APPEARS ON THIS PAGE AND DISCLAIMS (PURSUANT TO SECTION 327.41 RSMO) ANY RESPONSIBILITY FOR PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS NOT SEALED BY THE UNDERSIGNED RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT FOR WHICH THIS PAGE APPEARS.
2. BASIS OF BEARINGS THE WESTERN LINE OF TRACT "A" OF THE "FIENUP TRACT", A SUBDIVISION FIELD FOR RECORD IN PLAT BOOK 219, PAGE 48 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS.
3. SOURCE OF RECORD TITLE: THE STERLING COMPANY HAS USED, EXCLUSIVELY, A TITLE COMMITMENT FURNISHED BY OLD REPUBLIC TITLE COMPANY OF ST. LOUIS, INC. WITH A COMMITMENT FILE NUMBER OF 1604861 WITH A REVISED DATE OF OCTOBER 4, 2016.
4. SOURCE OF RECORD DESCRIPTION: LEGAL DESCRIPTION IN TITLE COMMITMENT FILE NUMBER 1604861.
5. FOR EASEMENTS, THE STERLING COMPANY HAS USED, EXCLUSIVELY, A TITLE COMMITMENT FURNISHED BY OLD REPUBLIC TITLE COMPANY OF ST. LOUIS, INC. WITH A COMMITMENT FILE NUMBER OF 1604861 WITH A REVISED DATE OF OCTOBER 4, 2016. THE NOTES REGARDING SCHEDULE B, SECTION II OF THE ABOVE COMMITMENT ARE OUTLINED IN THE "TITLE NOTES" SECTION HEREON.

TITLE NOTES:

FOR EASEMENTS, THE STERLING COMPANY HAS USED, EXCLUSIVELY, A TITLE COMMITMENT BY OLD REPUBLIC TITLE COMPANY OF ST. LOUIS, INC. WITH FILE NUMBER 1604861 AND WITH AN REVISED DATE OF OCTOBER 04, 2016. THE NOTES REGARDING SCHEDULE B, SECTION II OF THE ABOVE COMMITMENT ARE OUTLINED BELOW:

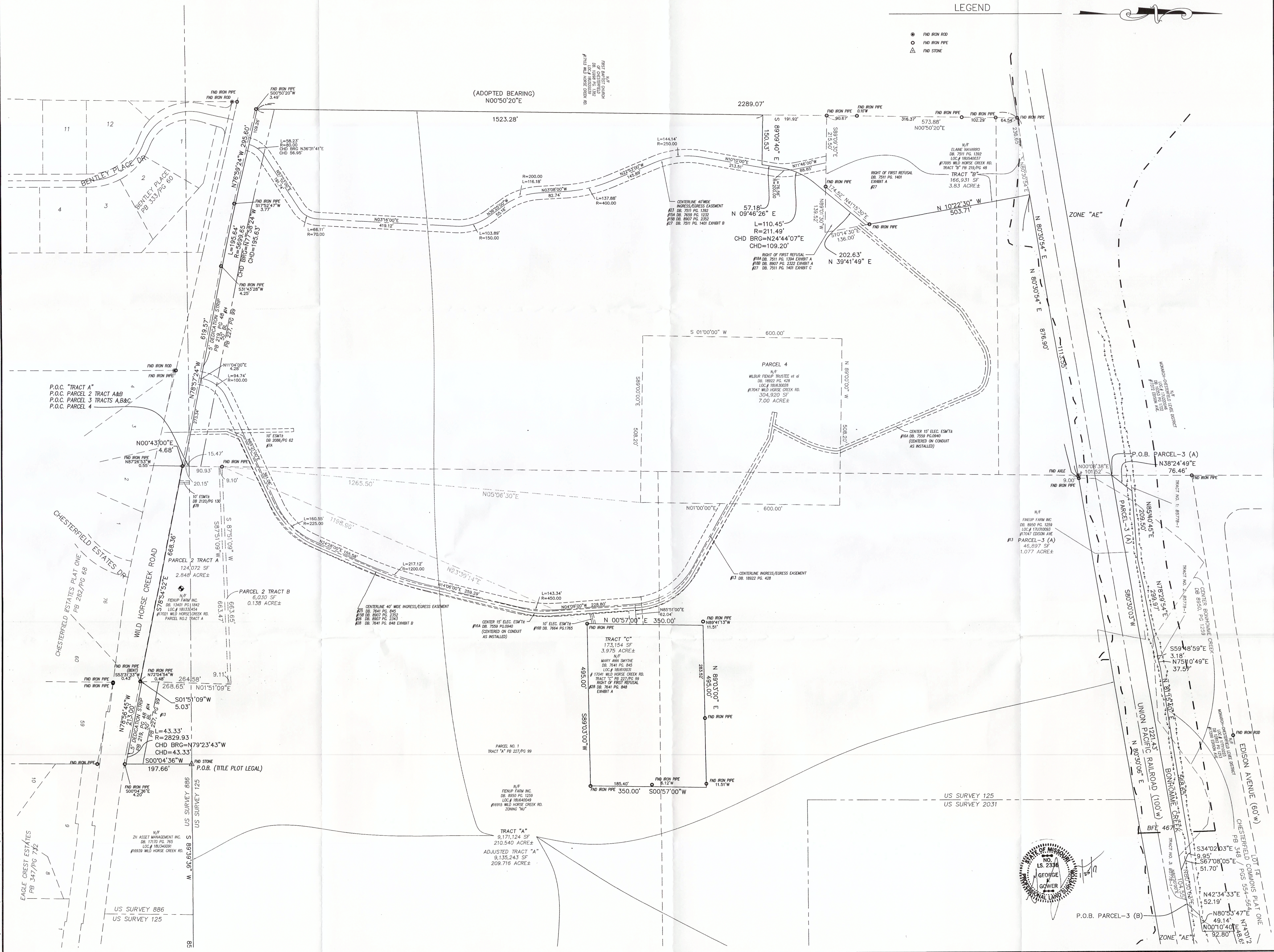
- ITEM NO. 1-4: GENERAL EXCEPTIONS WITH NO COMMENT BY SURVEYOR.
ITEM NO. 5: RIGHT-OF-WAY OF MISSOURI AND MERAMEC WATER COMPANY, ACCORDING TO INSTRUMENT RECORDED IN BOOK 130 PAGE 634. DOES NOT AFFECT THE SUBJECT PROPERTY.
ITEM NO. 6: EASEMENT GRANTED TO UNION ELECTRIC LIGHT AND POWER COMPANY, ACCORDING TO INSTRUMENT RECORDED IN BOOK 1391 PAGE 383, DOCUMENT STATES A "10 FOOT WIDE STRIP OF LAND BEING PART OF" AND REFERENCES A WARRANTY DEED WITHIN U.S.S. 125 AND THE SUBJECT PARCEL. LOCATION OF EASEMENT IS BLANKET IN NATURE AND THEREFORE NOT PLOTTABLE. BOOK 1427 PAGE 278 STATES IN PART "THE RIGHT AND EASEMENT 10 FEET IN WIDTH WITH THE RIGHT-TO CONSTRUCT, KEEP, MAINTAIN A LINE OR LINES, IN, ON, THROUGH, AND REFERENCES A WARRANTY DEED WITHIN U.S.S. 888 AND THE SUBJECT PARCEL. LOCATION OF EASEMENT IS BLANKET IN NATURE AND THEREFORE NOT PLOTTABLE.
ITEM NO. 7: EASEMENT GRANTED TO UNION ELECTRIC COMPANY, ACCORDING TO INSTRUMENT RECORDED IN BOOK 2086 PAGE 62. AFFECTS SUBJECT PROPERTY AND IS SHOWN. BOOK 2120 PAGE 130 AFFECTS SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 8: SUBJECT TO RIGHT-OF-WAY OF A 20 FOOT PRIVATE ROAD REFERRED TO IN BOOK 889 PAGE 293. DOES NOT AFFECT THE SUBJECT PROPERTY.
ITEM NO. 9: RIGHTS OF THE PUBLIC OR OTHERS IN AND TO "AN OLD MILL SITE LOCATED ON A HISTORICAL SITE, ADJOINING CAULKS CREEK", NOTICE OF WHICH IS GIVEN IN THE INSTRUMENT RECORDED IN BOOK 6404 PAGE 105 AND SHOWN IN SURVEY RECORD BOOK B PAGE 94 (1911) OF THE ST. LOUIS COUNTY RECORDS, AFFECTS THE PROPERTY AND IS SHOWN.
ITEM NO. 10: EASEMENT GRANTED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT BY THE INSTRUMENT RECORDED IN BOOK 7933 PAGE 884 AFFECTS THE PROPERTY AND IS SHOWN.
ITEM NO. 11: RIGHTS OF UPPER AND LOWER RIPARIAN OWNERS IN AND TO THE FREE AND UNOBSTRUCTED FLOW OF WATER OF THE BONHOMME CREEK AND CAULKS CREEK EXTENDING THROUGH THE LAND, WITHOUT DIMINUTION. NO COMMENT BY SURVEYOR.
ITEM NO. 12: SUBJECT TO ANY RAILROAD RIGHTS-OF-WAY, SWITCHES AND SIDINGS ON, OVER AND ACROSS SAID PROPERTY BY POSSESSION, LIMITATION, LICENSE, CONDEMNATION, DEED, ORDINANCE OR OTHERWISE. NO COMMENT BY SURVEYOR.
ITEM NO. 13: LACK OF DIRECT ACCESS TO AND FROM THE PROPERTIES DESCRIBED ON SCHEDULE "A" OF THIS COMMITMENT AS PARCEL NO. 3. PARCELS 1 IS NORTH OF UNION PACIFIC RAILROAD PROPERTY AND IDENTIFIED AS PARCELS 3 A, B, AND C RESPECTIVELY.
ITEM NO. 14: SUBJECT PROPERTY LIES WITHIN THE BOUNDARIES OF THE MONARCH CHESTERFIELD LEVEE DISTRICT AND MAYBE SUBJECT TO ADDITIONAL CLAIMS OR EASEMENT IN FAVOR OF SAID DISTRICT FOR WHICH NO CONSTRUCTIVE NOTICE IS EVIDENCED IN THE CHAIN OF TITLE. NO COMMENT BY SURVEYOR.
ITEM NO. 15: TERMS AND PROVISIONS OF THE ROAD MAINTENANCE AGREEMENT BETWEEN WILBUR G. FIENUP AND ELAINE K. NAVARRO (OWNER OF TRACT B OF FIENUP TRACT) RECORDED IN BOOK 7859 PAGE 1232, AND MODIFIED BY THE ASSUMPTION AGREEMENT BY FIENUP FARM, INC. RECORDED IN BOOK 8907 PAGE 2352 IN WINGS OF SUBJECT TRACT A AS SHOWN IS BURDENED BY MAINTENANCE OF 40 FOOT WIDE ROADWAY EASEMENT IN FAVOR OF TRACT B OF FIENUP FARMS.
ITEM NO. 16: EASEMENT GRANTED TO UNION ELECTRIC COMPANY BY THE INSTRUMENT RECORDED IN BOOK 7559 PAGE 940 (AS SHOWN HEREON) AND IN BOOK 7684 PAGE 1765. AFFECTS SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 17: EASEMENT GRANTED FOR WATER PIPE TO ST. LOUIS COUNTY WATER COMPANY BY THE INSTRUMENT RECORDED IN BOOK 8444 PAGE 1593. AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.
ITEM NO. 18: TERMS AND PROVISIONS OF THE OPTION AGREEMENT, WHEREIN THE OWNER OF TRACT B OF FIENUP TRACT HAS AN ONGOING, FIRST OPTION TO PURCHASE A PORTION OF GROUND LOCATED WITHIN TRACT A OF FIENUP TRACT, BEING SET FORTH MORE FULLY IN THE INSTRUMENT RECORDED IN BOOK 7511 PAGE 1394, OPTION TO PURCHASE LOCATED ON THE SOUTHEASTERN LINE OF TRACT B, AS MODIFIED BY INSTRUMENT RECORDED IN BOOK 8907 PAGE 2352, WHERIN SAID OPTION A, HOWEVER, STILL RETAINS THE RIGHT TO PURCHASE OPTION AREA FROM NEW PURCHASERS.
ITEM NO. 19: PERMANENT EASEMENTS FOR CONSTRUCTION AND MAINTENANCE OF DRAINAGE CONTROL, AND INCLUDING A TEMPORARY EASEMENT FOR CONSTRUCTION OR IMPROVEMENT OF ROUTE CC TO THE STATE OF MISSOURI, ACTING BY AND THROUGH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION RECORDED IN BOOK 18221 PAGE 17, AFFECTS THE SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 20: EASEMENT GRANTED TO LAQUELLE GAS COMPANY BY THE INSTRUMENT RECORDED IN BOOK 19817 PAGE 1395. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 21: EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY BY THE INSTRUMENT RECORDED IN BOOK 7298 PAGE 864. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 22: EASEMENT GRANTED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT BY THE INSTRUMENT RECORDED IN BOOK 7368 PAGE 1620. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 23: NON-EXCLUSIVE ROAD EASEMENT GRANTED TO ELAINE K. NAVARRO, (OWNER OF TRACT B OF FIENUP TRACT) A 40 FOOT WIDE PRIVATE ROAD CREATED BY THE INSTRUMENT RECORDED IN BOOK 7511 PAGE 1392. SHOWN ON PLAT AS INGRESS/EGRESS EASEMENT FROM WILD HORSE CREEK ROAD TO TRACT B.
ITEM NO. 24: BUILDING LINE AND DEDICATIONS ACCORDING TO THE PLATS RECORDED IN PLAT BOOK 219 PAGE 48, AND PLAT BOOK 227 PAGE 99. AFFECTS SUBJECT PROPERTY ALONG WILD HORSE CREEK ROAD AND IS SHOWN.
ITEM NO. 25: EASEMENT FOR INGRESS AND EGRESS GRANTED TO MARY ANN SMYTHE (OWNER OF TRACT C OF FIENUP TRACT) CREATED BY THE INSTRUMENT RECORDED IN BOOK 7841 PAGE 845 SHOWN ON PLAT AS INGRESS/EGRESS EASEMENT TO FROM WILD HORSE CREEK ROAD TO TRACT C.
ITEM NO. 26: EASEMENT GRANTED FOR INGRESS AND EGRESS OVER THE PROPERTY DESCRIBED ON SCHEDULE A OF THIS COMMITMENT AS PARCEL No. 1 FOR THE BENEFIT OF THE PROPERTY DESCRIBED ON SCHEDULE A OF THIS COMMITMENT AS PARCEL No. 4, CREATED BY THE INSTRUMENT RECORDED IN BOOK 8907 PAGE 2343. AFFECTS THE SUBJECT PROPERTY IS SHOWN.
ITEM NO. 27: RIGHT OF FIRST REFUSAL AGREEMENT DATED JULY 9, 1983 BETWEEN ELAINE K. NAVARRO AND WILBUR G. FIENUP RECORDED ON JULY 11, 1983 IN BOOK 7511 PAGE 1401. WHEREIN WILBUR G. FIENUP OWNER OF TRACT A OF FIENUP TRACT HAS THE RIGHT OF FIRST REFUSAL FOR TRACT B OF FIENUP TRACT. AFFECTS THE SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 28: RIGHT OF FIRST REFUSAL AGREEMENT DATED JULY 16, 1983 BETWEEN MARY ANN SMYTHE AND WILBUR G. FIENUP, TRUSTEE OF THE WILBUR G. FIENUP REVOCABLE TRUST AGREEMENT, DATED DECEMBER 15, 1983 RECORDED ON JULY 18, 1984 IN BOOK 7841 PAGE 848. WHEREIN THE TRUST, OWNER AT THE TIME OF TRACT A OF FIENUP TRACT HAS THE FIRST OPTION TO PURCHASE TRACT C OF FIENUP TRACT. AFFECTS SUBJECT PROPERTY AND IS SHOWN.
ITEM NO. 29: BUILDING LINES, EASEMENTS, COVENANTS AND RESTRICTIONS ESTABLISHED BY THE BOUNDARY ADJUSTMENT PLAT OF THE FIENUP TRACT PLAT RECORDED IN PLAT BOOK PAGE NOT RECORDED.
ITEM NO. 30: ANY INCONSISTENCIES IN THE BOUNDARIES OF THE SUBJECT PROPERTY BY REASON OF ANY ACCRETIONS, AVULSIONS, RELICTIONS, OR BY THE MEANDERINGS OF BONHOMME CREEK AND CAULKS CREEK. NO COMMENT BY SURVEYOR.
ITEM NO. 31: ANY REFERENCE TO ACREAGE CONTENT OF THE LAND DESCRIBED IN SCHEDULE A HEREIN IS SHOWN AS IT APPEARS OF RECORD AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. NO REPRESENTATION AS TO THE ACCURACY THEREOF IS ASSUMED HEREUNDER. NO COMMENT BY SURVEYOR.
ITEM NO. 32: ANY LIEN OR RIGHT TO A LIEN FILED BY A LICENSED REAL ESTATE BROKER, REAL ESTATE SALES PERSON, OF STATE CERTIFIED REAL ESTATE APPRAISER, PURSUANT TO THE PROVISIONS OF THE COMMERCIAL REAL ESTATE BROKERS AND STATE CERTIFIED REAL ESTATE APPRAISER LIEN ACT. NO COMMENT BY SURVEYOR.
ITEM NO. 33: ANY ASSESSMENTS FOR MAINTENANCE OF SEWER SYSTEM. NO COMMENT BY SURVEYOR.
ITEM NO. 34: ANY SEWER LATERAL LINE SURCHARGE. NO COMMENT BY SURVEYOR.
ITEM NO. 35: ANY ASSESSMENTS BY THE MONARCH CHESTERFIELD LEVEE DISTRICT. NO COMMENT BY SURVEYOR.



Vertical sidebar containing project information: PROJECT: WILD HORSE RESIDENTIAL, LLC; PREPARED FOR: WILD HORSE RESIDENTIAL, LLC; ADDRESS: 5901 NEW BAUMGARTNER ROAD, ST. LOUIS, MISSOURI 63129; CONTACT: (314) 487-6717; ENGINEERS & SURVEYORS: THE STERLING COMPANY; SHEET TITLE: FIENUP; SHEET NO: 1 OF 3; DATE: 14-06-196.

LEGEND

- FND IRON ROD
- FND IRON PIPE
- △ FND STONE



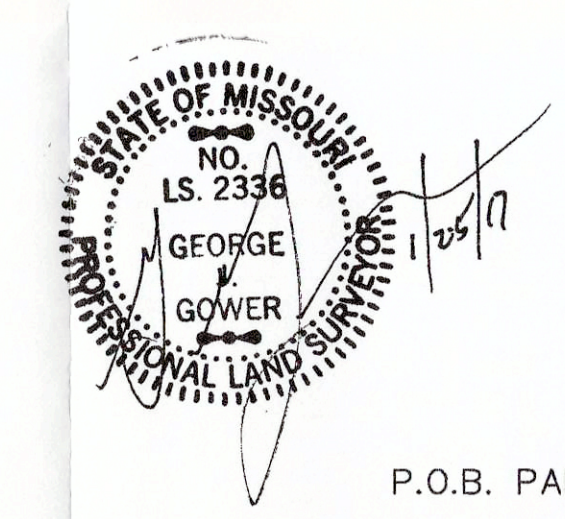
THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BY FIELD SURVEY AND ARE NOT GUARANTEED TO BE ACCURATE. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE LOCATIONS OF THE UTILITIES SHOWN AND HAS FOUND THEM TO BE IN SUBSTANTIAL ACCORD WITH THE RECORD DRAWINGS. THE SURVEYOR HAS NOT CONDUCTED ANY TESTING OR VERIFICATION OF THE UTILITIES SHOWN. THE USER OF THIS SURVEY SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ANY UTILITIES THAT MAY BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION WORK. THE SURVEYOR HAS NOT CONDUCTED ANY TESTING OR VERIFICATION OF THE UTILITIES SHOWN. THE USER OF THIS SURVEY SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ANY UTILITIES THAT MAY BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION WORK.

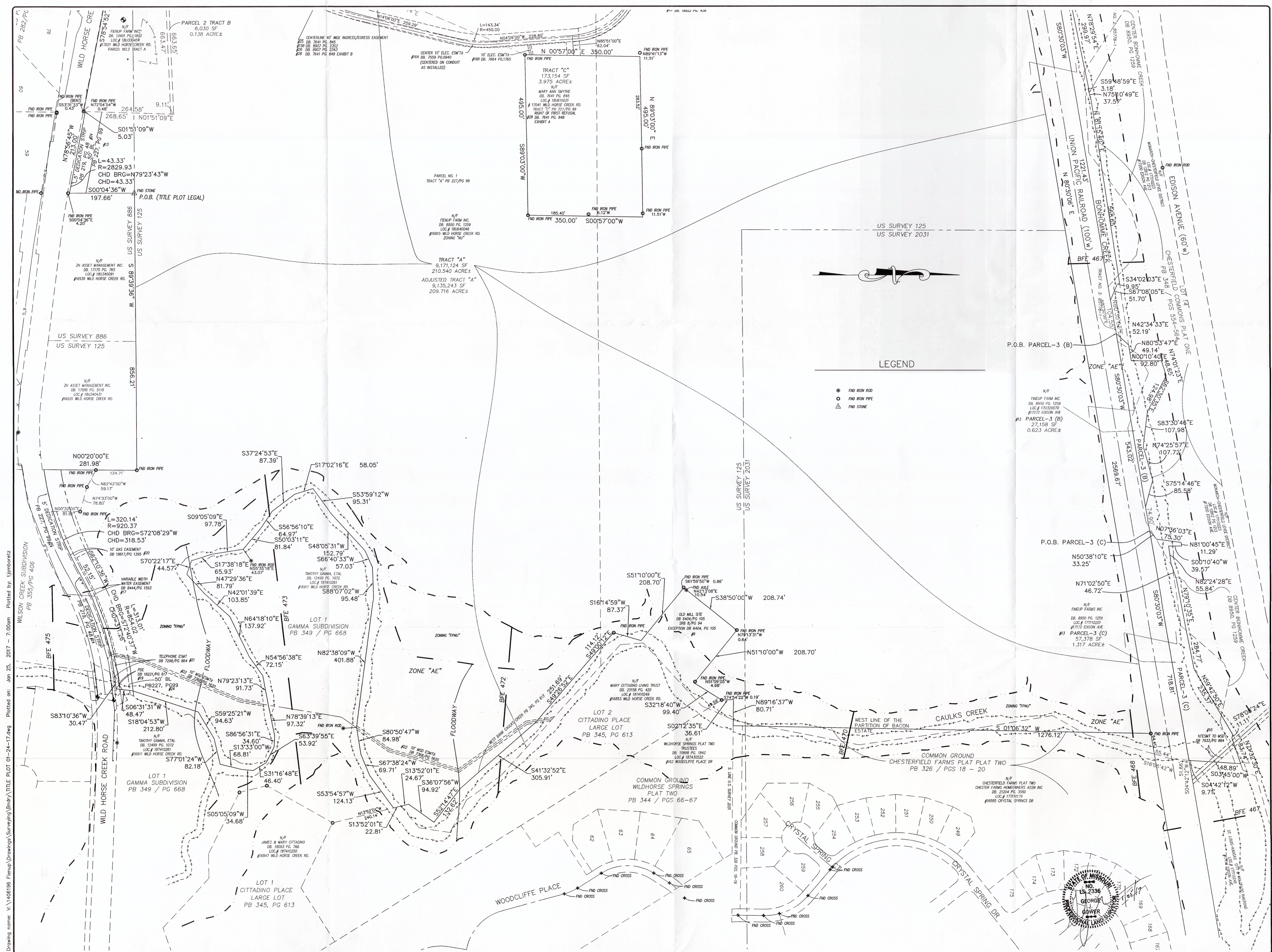
ISSUE	REMARKS/DATE

PREPARED FOR:
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DRAWN:	TJM	DESIGNED:		CHECKED:	JAH
PROJECT:	NO. 14-06-196				
SHEET:	2	OF:	3	TITLE PLOT	
RECEIVED:	JAN 25 2017				





THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REPRESENT THE ACTUAL LOCATION OF THESE OR OTHER UTILITIES. THE ENGINEER HAS NOT BEEN RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR FOR CONSTRUCTION OF ANY GRAVING, EXCAVATION OR CONSTRUCTION OF TRENCHES IN ANY MANNER. THE USER OF THIS PLAT ASSUMES ALL LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY SUCH UTILITIES.

NO.	ISSUE	REMARKS

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PROJECT:	NO. 14-06-196
DESIGNED:	M.S.D.
CHECKED:	JAH
DRAWN:	T/MJ
SHEET NO. 3	SHEET TOTAL 3
TITLE: TITLE PLOT	

RECEIVED
JAN 25 2017
Office of the Surveyor
State of Missouri
Surveyor General
George W. Gower