

III.B.

**Memorandum
Department of Planning & Public Works**



To: Planning and Zoning Committee

From: Charlie Campo, Project Planner

Date: 11/5/2007

RE: P.Z. 29-2007 Elbridge Payne Office Park (1281 Chesterfield Parkway East): A request for an amendment to St. Louis County Ordinance Number 8,800 for an amendment to the parking setback requirement, for Elbridge Payne Office Park an approximately 5.4 acre tract of land, zoned "C-8" Planned Commercial District and located at the intersection of Chesterfield Parkway East and Elbridge Payne Road. (19S440523)

Summary

Michael Doster, on behalf of Chesterfield Payne Corp., has submitted an application for an ordinance amendment to St. Louis County Ordinance Number 8,800. The petitioner is requesting an amendment to the parking setback requirement.

St. Louis County Ordinance Number 8,800 requires a building and off-street parking stall setback of "five (5) feet from all interior parcel lines to be established by the subdivision of the subject property." The Petitioner is requesting that the language be amended to allow a setback of zero (0) feet from all interior parcel lines to be established by the subdivision of the subject property on the 5.4 acre tract located to the west of Elbridge Payne Road.

At the October 22, 2007 City of Chesterfield Planning Commission meeting, a recommendation for approval of the above-referenced matter was approved by a vote of 8-0.

Attached please find a copy of Staff's report, the Attachment A, and the preliminary plan.

Respectfully submitted,

Charlie Campo
Project Planner

Respectfully submitted,

Mara Perry
Senior Planner

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

VIII. B.

Planning Commission Staff Report

Subject: Rezoning Vote Report
Meeting Date: October 22, 2007
From: Charlie Campo, Project Planner
Location: 1281 Chesterfield Parkway East
Petition: P.Z. 29-2007 Elbridge Payne Office Park

Proposal Summary

Michael Doster, on behalf of Chesterfield Payne Corp., has submitted an application for an ordinance amendment to St. Louis County Ordinance Number 8,800. The petitioner is requesting an amendment to the parking setback requirement.

St. Louis County Ordinance Number 8,800 requires a building and off-street parking stall setback of “five (5) feet from all interior parcel lines to be established by the subdivision of the subject property.” The Petitioner is requesting that the language be amended to allow a setback of zero (0) feet from all interior parcel lines to be established by the subdivision of the subject property on the 5.4 acre tract located to the west of Elbridge Payne Road.

Staff Recommendation

The Attachment A for this request meets all of the development requirements of the City of Chesterfield and therefore, Staff recommends approval of the ordinance amendment.

Ordinance Amendment Analysis

The Petitioner is requesting an amendment to allow for a change to the parking and structure setbacks and to allow for a future lot split. The preliminary plan submitted meets all the requirements of the Attachment A as written.

Surrounding Land Use and Zoning

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

North: The property to the north is Clarkson Rd and Chesterfield Mall.

South: Across Chesterfield Parkway to the south is Brandywine Condominiums.

East: The property to the east is undeveloped land zoned "C-8" and "NU".

West: The property to the west is Clarkson Rd and Chesterfield Mall.





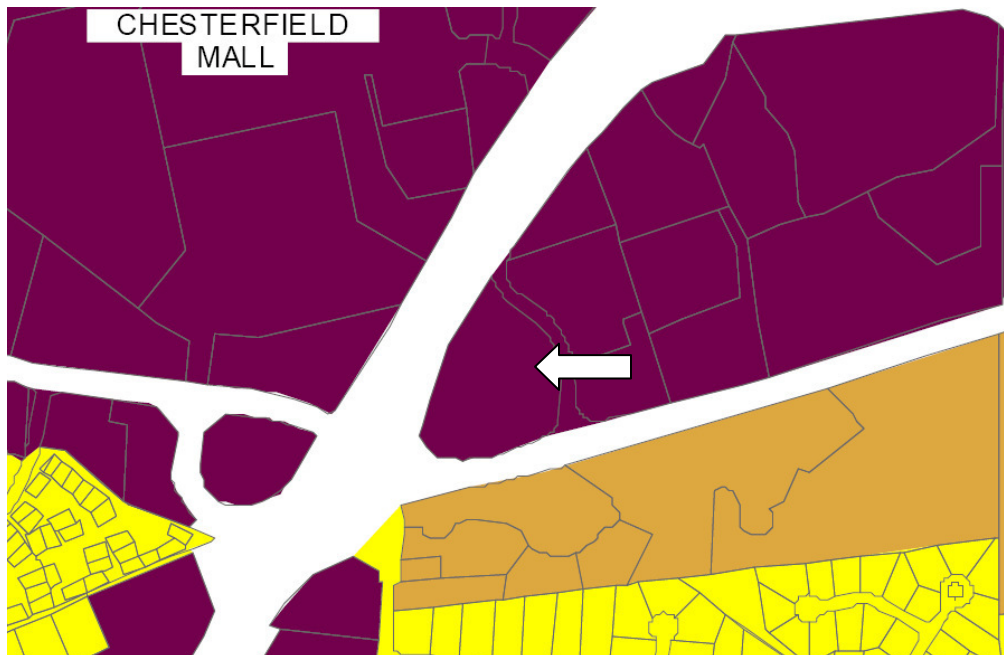
Looking east, along Chesterfield Parkway.



Looking north west across Clarkson Road.

Comprehensive Plan Analysis

The subject site is located within Ward 2 of the City of Chesterfield. The Comprehensive Plan designates this area as the Urban Core. It is bordered by Residential Multifamily on the south, and Urban Core to the west, north and east. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.



Site Area History

In 1978, St. Louis County approved ordinance 8800 changing the zoning on the 14.013 acre tract from "NU" Non-Urban District to "C-8" Planned Commercial District.

Issues

A public hearing was held on this request on July 23, 2007. There were no speakers regarding this request. At the time of the public hearing there were no outstanding issues.

Request

Staff recommends approval of the ordinance amendment with the Attachment A as written.

Respectfully submitted,

Respectfully submitted,

Charlie Campo
Project Planner

Mara M. Perry, AICP
Senior Planner of Plan Review

Attachments

1. Attachment A
2. Preliminary Plan

Attachment A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. Specific Criteria

A. PERMITTED USES

1. The uses allowed in this "C-8" District shall be either:
 - a. A maximum of 200,000 gross square feet of office space to be included in not more than seven (7) buildings; or
 - b. A maximum of 170,000 gross square feet of office space to be included in not more than six (6) buildings; and, one free standing restaurant not to exceed 15,000 square feet. Office buildings containing at least 30,000 gross square feet may contain retail uses (i.e. cigar/newspaper stands, snack bars, etc.) the aggregation of such uses in a single building shall not exceed 4,500 square feet, as may normally be found in such buildings. No banks or financial institutions shall be permitted on this site.

B. FLOOR AREA, HEIGHT, BUILDING AND STRUCTURE REQUIREMENTS

1. No structure within 300 feet of the existing northeast or southeast line of the subject property shall exceed two (2) stories in height or contain more than 30,000 gross square feet of floor area and no other structure shall exceed three stories and may not contain more than 45,000 gross square feet.

C. SETBACKS

1. No building or off-street parking stall shall be located within the following setbacks:
 - a. Seventy (70) feet of the existing southeast property line;
 - b. Forty-five (45) feet of the existing southeast property line, but if the fence and earth berm provided in E. 3. (below) is built the set back line may be reduced to thirty (30) feet.

- c. Fifteen (15) feet from all other existing property lines and from all roadway right-of-ways.
 - d. Five (5) feet from all interior parcel lines to be established by the subdivision of the subject property.
 - e. For lots to the west of Elbridge Payne Road there shall be a setback of Zero (0) feet from all interior parcel lines to be established by the subdivision of the subject property.
2. No portion of any building shall be located within the following:
 - a. Seventy-five (75) feet of the existing southeast property line.
 - b. One hundred (100) feet of the existing northeast property line.
 - c. Fifteen (15) feet of all other property lines and roadway right-of-ways.

D. PARKING AND LOADING REQUIREMENTS

1. Off-street parking spaces shall be as required in the Chesterfield City Code.
2. Off-street loading requirements for office buildings shall be provided according to the following ratio:
 - a. One (1) space for each building containing from 5,000 gross square feet to 24,000 gross square feet of floor area.
 - b. Two (2) spaces for each building containing from 24,000 gross square feet to 60,000 gross square feet of floor area.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield.
2. No portion of any building or parking lot may be located closer than 15 feet to any roadway right of way. Such setbacks shall be adequately landscaped as approved by the Planning Commission.
3. A landscaped buffer shall be indicated at least along the southeastern and northeastern property lines where subject site

adjoins developed residential property. Landscaping shall be provided by means of a combination of deciduous and evergreen trees and or earth berms in a manner approved by the Planning Commission. A five (5) foot high security fence shall be provided within the northeast property line buffer.

F. SIGN REQUIREMENTS

1. Two (2) free standing project identification signs shall be allowed, one along Clarkson Road and one along the future loop road. Such signs shall not exceed thirty (30) feet in height and shall not exceed fifty (50) square feet in outline area.
2. Business, information and directional signs shall conform to City of Chesterfield Code.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, color renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. An opportunity for recycling will be provided.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. The petitioner shall conform to the Missouri State Highway Department comments regarding a system of highway geometrics which may be required of the developer in conjunction with this development.

J. PUBLIC PRIVATE ROAD IMPROVEMENTS INCLUDING PEDESTRIAN CIRCULATION

1. Provide for the extension of the exiting east service road of Clarkson Road southwardly and westwardly through this tract to an intersection with Baxter Road.
2. Dedicate necessary right-of-way for the proposed Chesterfield Village loop road in this area and construct a portion of the loop road as required to serve this development.
3. Contribute to the Chesterfield Village Trust Fund in a manner similar to the contribution required by other developers in the Chesterfield Village Area.
4. Construct sidewalks along Baxter Road and the Chesterfield Village loop road.
5. Provide improvements along the frontage of Chesterfield Parkway in accordance with the "Pathway on the Parkway" project, as directed by the City of Chesterfield. A minimum 14' wide area is required for the improvements. The improvements may be located in the St. Louis County ROW or within an easement on the subject property. The improvements include, but are not limited to, construction of a 8' wide sidewalk and installation of street trees and street lights.
6. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the St. Louis County Department of Highways and Traffic.

K. POWER OF REVIEW

1. The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

L. SANITARY SEWERS

1. Formal plan submittal and approval is required by MSD prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

M. GEOTECHNICAL REPORT

1. Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and improvement plans.

N. SPECIAL USE PERMIT

1. Prior to Special Use Permit issuance by the St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements

O. MISCELLANIOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

- 1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
- 2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.

3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.

12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

The developer will be required to contribute to any and all trust funds as applicable, as directed by the City of Chesterfield.

VI. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds.

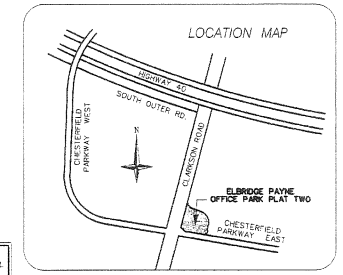
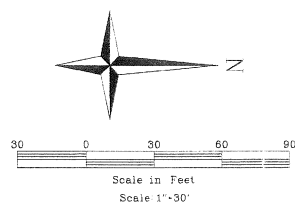
Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VII. ENFORCEMENT

- A. The City of Chesterfield Missouri will enforce the conditions of this ordinance in accordance with the plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

RESUBDIVISION OF ADJUSTED LOT A OF
 "A BOUNDARY ADJUSTMENT PLAT OF LOTS 2 AND 3 OF
 A RESUBDIVISION OF LOT 2 AND PART OF LOT 3
 OF ELBRIDGE PAYNE OFFICE PARK"
 IN U.S. SURVEY 2002, TOWNSHIP 45 NORTH - RANGE 4 EAST
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

ZONED C-8 PLANNED COMMERCIAL DISTRICT
 LOCATOR NUMBER 195440523
 PROPERTY ADDRESS 1281 CHESTERFIELD PARKWAY EAST



The following list of metric coordinates are referenced to the East Zone of the Missouri Coordinate System 1983 (MCS83) by a Static Survey traverse to Station 61-31 of the St. Louis Geographic Reference System. The average site Grid Factor is 0.999976. Relative Fractional Tolerance for said points is less than one hundred parts per million. Survey North varies 0 degrees 11 minutes 32.6 seconds to the left of Grid North MCS83.

PL. No.	Northing	Easting	PL. No.	Northing	Easting
01	312926.38300	242716.69000	01	312370.17788	244720.46463
02	312293.64822	244561.59559	02	312347.20661	244719.64367
03	312206.02681	244562.33843	03	312326.56776	244719.21073
04	312330.03171	244569.07289	04	312327.83744	244698.20979
05	312296.41988	244590.60377	05	312296.07173	244698.29836
06	312484.18137	244544.49070	06	312283.16333	244660.66696
07	312484.88285	244593.78224	07	312282.06583	244657.59230
08	312483.62023	244564.48152	08	312459.46589	244657.68850
09	312437.53267	244687.33884	09	312276.17137	244602.47508
10	312373.13169	244641.43136	10	312283.88730	244577.26409

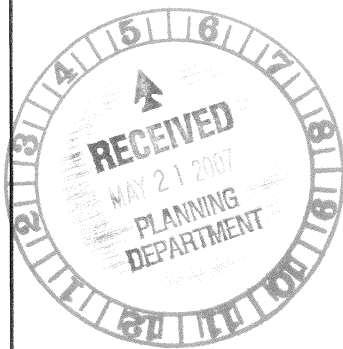
M.S.D. BENCH MARK
 12.165 ELEVATION 646.98 (USGS DATUM)
 "STANDARD ALUMINUM DISK" STAMPED SL-31
 1990 DISC IS SET ALONG THE WEST SIDE OF
 ELBRIDGE PAYNE DRIVE ACROSS FROM THE
 NORTH DRIVE EXTENDED FOR THE FIRST
 NATIONAL BANK APPROXIMATELY 160 SOUTH
 SIDE THE INTERSECTION OF SOUTH
 OUTER ROAD AND ELBRIDGE PAYNE DRIVE.

SITE BENCH MARK
 ELEVATION 640.57 (USGS DATUM)
 DESCRIPTION: TOP OF EXISTING
 STORM SEWER MANHOLE #7 AT
 ELBRIDGE PAYNE RD. AND
 CHESTERFIELD PARKWAY EAST

THE PROPERTY IS IN THE FOLLOWING DISTRICTS
 AND SERVICE AREAS:

PARKWAY SCHOOL DISTRICT
 MONARCH FIRE PROTECTION DISTRICT
 METROPOLITAN ST. LOUIS SEWER DISTRICT
 MISSOURI AMERICAN WATER COMPANY
 LACLEDE GAS COMPANY
 AMERENUE CHARTER CABLE

LEGEND
 (S) SURVEY
 (R) RECORD FROM P.S. 350, PG. 237
 C.P.S. COTTON PICKER SPINDLE



We have during the month of July 2006, by order of Chesterfield Payne Corporation, made a Survey and Subdivision of "A tract of land being Adjusted Lot A of 'A Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and part of Lot 3 of Elbridge Payne Office Park', according to the plat thereof recorded in Plat Book 350, page 237 of the St. Louis County records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri" and the results are represented herein. 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, Professional Land Surveyors and Landscape Architects and the Missouri Department of Natural Resources, and meets the accuracy requirements set forth for Urban Property. Monumentation shown on this plat is existing as of this date.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 30th day of November, 2006.



VOLZ INCORPORATED
 19544
 State of Missouri
 Professional Land Surveyor
 No. P.L.S. #1437

We, the undersigned owners of the tract of land plotted 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 subdivision shall hereinafter be known as "Resubdivision of Adjusted Lot A of a Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and part of Lot 3 of Elbridge Payne Office Park."

Building lines as shown on this plat are hereby established. A parking setback of zero feet is hereby established. The cross access easements shown hereon are hereby dedicated to the present and future owners of the land shown hereon, their tenants, guests, invitees and assigns for ingress and egress between said lots. This subdivision is subject to conditions and restrictions recorded in Deed Book _____ page _____ of the St. Louis County records.

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

IN WITNESS WHEREOF, I have signed the foregoing this _____ day of _____, 2006.

Chesterfield Payne Corporation
 By: _____
 Signature Printed Name

STATE OF MISSOURI)
) SS
 COUNTY OF ST. LOUIS

On this _____ day of _____, 2006, before me personally appeared _____, who being by me duly sworn did say that he/she is the _____ of Chesterfield Payne Corporation, a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

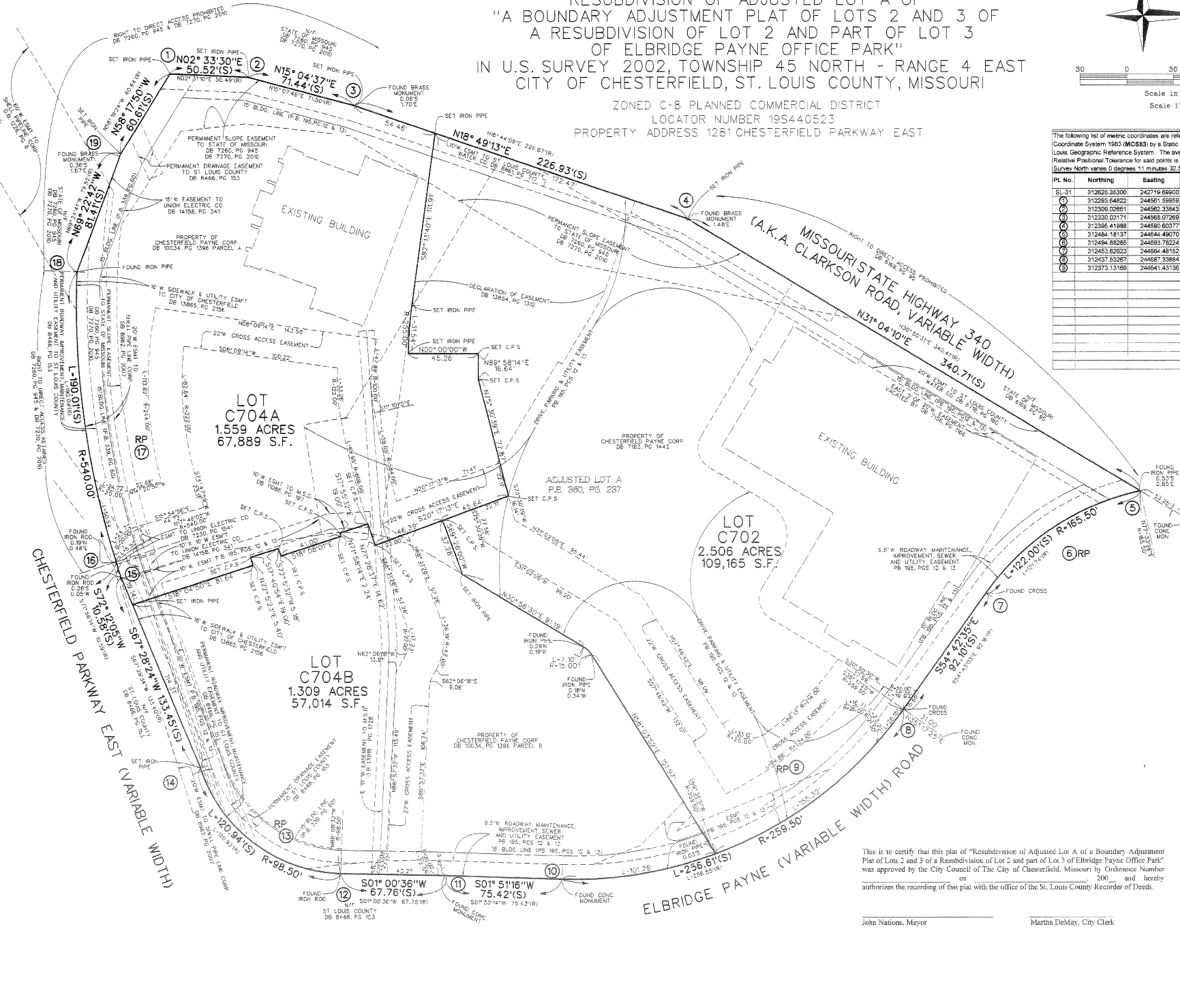
Notary Public _____
 Printed Name

My Commission Expires _____

Title Commitment Notes
 Property referenced from First American Title Insurance Company commitment for title insurance number NCS-240551-STLO with an effective date of August 2, 2006, which was relied upon to disclose all easements and restrictions affecting this property. Title Parcels 3 and 4 of said commitment comprise the property within this plat.

- Subject to terms, provisions, building lines and easements as shown on plans recorded in Plat Book 195 pages 12 and 13 (shown) and Plat Book 339 page 60 (shown). Terms, provisions, building lines and easements as shown on plan recorded in Plat Book 202 page 58 do not affect this property (not shown).
- Subject to terms, provisions, easements, covenants, conditions and restrictions according to instrument recorded in Book 7197 page 27 (not shown), as amended by instrument recorded in Book 7275 page 165 (not shown).
- Subject to easement granted to Union Electric Company according to instrument recorded in Book 1572 page 240. Said easement is a "blanket" easement and is of an unplottable nature (not shown).
- Subject to easement in favor of Shell Pipe Line Corporation according to instrument recorded in Book 1226 page 9 (shown). Note: The above easement was partially released and relocated according to instrument recorded in Book 8962 page 2007 (shown).
- Subject to relinquishment of abutter's right of direct access according to instruments recorded in Book 6169 page 95 (shown), Book 7260 page 945 (shown) and Book 7270 page 2010 (shown).
- Subject to permanent easements to the State of Missouri according to instruments recorded in Book 7260 page 945 (shown) and Book 7270 page 2010 (shown).
- Subject to covenants, conditions and restrictions according to instrument recorded in Book 7026 page 258 (not shown).
- Subject to terms, provisions and easements shown on Development Plans recorded in Plat Book 188 page 50 (not shown), Plat Book 192 page 26 (not shown), Plat Book 192 page 28 (not shown) and Plat Book 320 page 14 (not shown).
- Subject to terms and provisions as set out in Ordinance recorded in Book 7135 page 1363 (not shown).
- Subject to partial release of St. Louis County Water Company easement according to instrument recorded in Book 7156 page 1166 (shown).
- Subject to easement granted to Union Electric Company according to instrument recorded in Book 7230 page 1541 (shown).
- Subject to terms and provisions as set out in agreement with the State of Missouri recorded in Book 7270 page 2003 (not shown).
- Subject to Dedication of Sewer Systems and Facilities to the Metropolitan St. Louis Sewer District according to instrument recorded in Book 7551 page 1413 (not shown).
- Easement granted to the Metropolitan St. Louis Sewer District according to instrument recorded in Book 7615 page 1682 does not affect this property (not shown).
- Terms, provisions, building lines and easements as shown on survey recorded in Book 7868 page 944 do not affect this property (not shown).
- Deed of Trust according to instrument recorded in Book 12809 page 1588 does not affect this property (not shown). Assignment of Rents according to instrument recorded in Book 12809 page 1621 does not affect this property (not shown).
- Subordination, Non-disturbance and Attornment Agreement according to instrument recorded in Book 17191 page 3990 does not affect this property (not shown).
- Financing statement according to instrument recorded in Book 12809 page 1634 does not affect this property (not shown). Continuation of the above financing statement according to instrument recorded in Book 16737 page 2264 does not affect this property (not shown).
- Terms and provisions as set out in unrecorded lease to River Cement Sales Company according to Notice in instrument recorded in Book 17191 page 3990 do not affect this property (not shown).
- Easement in favor of St. Louis County, Missouri according to instrument recorded in Book 8466 page 159 does not affect this property (not shown).
- Subject to easement in favor of St. Louis County Water Company according to instrument recorded in Book 8861 page 717 (shown).
- Subject to Deed of Trust according to instrument recorded in Book 11008 page 654 (not shown). Subject to assignment of rents according to instrument recorded in Book 11008 page 725 (not shown).
- Subject to financing statement according to instrument recorded in Book 11008 page 781 (not shown).
- Subject to easement granted to the Metropolitan St. Louis Sewer District according to instrument recorded in Book 11086 page 197 (shown).
- Subject to dedication of sewer system to the Metropolitan St. Louis Sewer District according to instrument recorded in Book 12747 page 1920 (not shown).
- Subject to Permanent Roadway Improvement, Maintenance and Utility Easement (shown) and Permanent Drainage Easement (shown) to St. Louis County, Missouri according to instrument recorded in Book 8466 page 153. The Temporary Slope and Construction License described in said instrument was "for temporary purposes only" and is assumed to have terminated (not shown).
- The instrument recorded in Book 7136 page 1979 is not an easement to Southwestern Bell Telephone Company as reported in said title commitment.

- General Notes:
- Bearing of South 01 degrees 00 minutes 36 seconds West on the West line of Elbridge Payne Road at Lot C704B was adopted from "A Boundary Adjustment Plat of Lots 2 and 3 of 'A Resubdivision of Lot 2 and part of Lot 3 of Elbridge Payne Office Park', recorded in Plat Book 350, page 237 of the St. Louis County records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as:
 - We find the following easements that do not appear on the commitment referenced herein:
 - Easement granted to St. Louis County Water Company according to instrument recorded in Book 6718 page 180 (shown).
 - Declaration of Easement according to instrument recorded in Book 13854 page 1312 (shown).
 - Easement in favor of St. Louis County, Missouri according to instrument recorded in Book 8466 page 159 does not affect this property (not shown).
 - Easement granted to the Metropolitan St. Louis Sewer District according to instrument recorded in Book 13918 page 1728 (shown).
 - Easement granted to Union Electric Company according to instrument recorded in Book 14158 page 337 described as being "A strip 100 feet wide strip of land being part of a tract of land being part of a resubdivision of Lot 2 and part of Lot 3 of Elbridge Payne Office Park." "The strip where the Grantee's facilities shall be located hereunder ("Easement Strip") shall be ten (10) feet wide, the centerline of which shall be the centerline of Grantee's facilities, as actually installed. The location of this easement cannot be determined by the recorded document (not shown).
 - Easement granted to Union Electric Company according to instrument recorded in Book 14158 page 341 (shown).
 - Based upon available information, there is a public sanitary sewer crossing the subject property at Elbridge Payne Road in the vicinity of the "Ham" recorded in Plat Book 195, Pages 12 and 13 (plotted hereon) and a sanitary sewer located within the vicinity of the easement granted M.S.D. Benches recorded in Deed Book 13918, Page 1728 (plotted hereon) of the St. Louis County Records. The true position of said sewers are subject to field verification.



Lot C704A
 A tract of land being part of Adjusted Lot A of "A Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and Part of Lot 3 of Elbridge Payne Office Park", according to the plat thereof recorded in Plat Book 350, page 237 of the St. Louis County records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as:

Beginning at a point reached by the following courses and distances:

Commencing at the intersection of the Southeast line of Missouri State Highway 340, (Clarkson Road) variable width, with the Southwest line of Elbridge Payne Road, variable width, and point being the Northeast corner of said Adjusted Lot A; thence Southeastwardly and Southwardly along the Southeast and East line of said Missouri State Highway 340, (Clarkson Road) variable width, North 11 degrees 04 minutes 10 seconds West 340.71 feet and South 18 degrees 49 minutes 13 seconds West 172.47 feet to the ACTUAL POINT OF BEGINNING; thence South 82 degrees 13 minutes 02 seconds East 111.91 feet to a point; thence along a curve to the left whose radius point bears North 7 degrees 46 minutes 20 seconds East 255.00 feet from the last mentioned point, a distance of 31.54 feet to a point; thence North 00 degrees 00 minutes 00 seconds East 45.26 feet to a point; thence North 89 degrees 58 minutes 14 seconds East 16.64 feet to a point; thence North 75 degrees 30 minutes 39 seconds East 77.87 feet to a point; thence South 20 degrees 17 minutes 13 seconds East 92.03 feet to a point; thence South 71 degrees 28 minutes 37 seconds West 14.62 feet to a point; thence South 17 degrees 55 minutes 32 seconds East 16.64 feet to a point; thence North 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence South 18 degrees 08 minutes 01 second East 41.00 feet to a point; thence South 72 degrees 05 minutes 32 seconds West 5.18 feet to a point; thence South 17 degrees 40 minutes 54 seconds East 19.00 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.40 feet to a point; thence South 18 degrees 04 minutes 50 seconds East 81.64 feet to a point in the North line of Chesterfield Parkway East, variable width, thence Westwardly along said North line of Chesterfield Parkway East, variable width, the following courses and distances: South 67 degrees 28 minutes 24 seconds West 19.14 feet, South 72 degrees 12 minutes 05 seconds West 10.58 feet, along a curve to the right whose radius point bears North 17 degrees 46 minutes 02 seconds West 540.00 feet from the last mentioned point, a distance of 190.01 feet, North 69 degrees 22 minutes 42 seconds West 81.41 feet and North 58 degrees 17 minutes 50 seconds West 60.61 feet to a point in the East line of aforesaid Missouri State Highway 340, (Clarkson Road) variable width, thence Northwardly along the East line of said Missouri State Highway 340, (Clarkson Road) variable width, the following courses and distances: North 02 degrees 33 minutes 26 seconds East 50.55 feet, North 15 degrees 04 minutes 37 seconds East 17.44 feet and North 18 degrees 49 minutes 13 seconds East 54.46 feet to the point of beginning and containing 1,559 acres according to a survey by Volz Incorporated.

Lot C704B
 A tract of land being part of Adjusted Lot A of "A Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and Part of Lot 3 of Elbridge Payne Office Park", according to the plat thereof recorded in Plat Book 350, page 237 of the St. Louis County records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as:

Beginning at a point reached by the following courses and distances:

Commencing at the intersection of the Southeast line of Missouri State Highway 340, (Clarkson Road) variable width, with the Southwest line of Elbridge Payne Road, variable width, and point being the Northeast corner of said Adjusted Lot A; thence Southeastwardly along the Southwest line of said Elbridge Payne Road, variable width, the following courses and distances: along a curve to the left whose radius point bears: North 77 degrees 33 minutes 26 seconds East 165.50 feet from the last mentioned point, a distance of 122.00 feet, South 54 degrees 42 minutes 35 seconds East 92.10 feet and along a curve to the right whose radius point bears South 35 degrees 17 minutes 25 seconds West 259.50 feet from the last mentioned point, a distance of 155.32 feet to the ACTUAL POINT OF BEGINNING; thence Southwardly and Southwestwardly along the West and Northwest lines of said Elbridge Payne Road, variable width, the following courses and distances: along a curve to the right whose radius point bears South 69 degrees 55 minutes 05 seconds West 259.50 feet from the last mentioned point, a distance of 101.29 feet, South 01 degree 51 minutes 16 seconds West 75.42 feet, South 01 degree 10 minutes 36 seconds West 67.76 feet and along a curve to the right whose radius point bears North 88 degrees 08 minutes 32 seconds West 98.50 feet from the last mentioned point, a distance of 120.94 feet to a point in the North line of Chesterfield Parkway East, variable width, thence Westwardly along said North line of Chesterfield Parkway East, variable width, South 28 minutes 24 seconds West 114.31 feet to a point; thence North 18 degrees 04 minutes 50 seconds West 81.64 feet to a point; thence South 72 degrees 05 minutes 23 seconds West 5.40 feet to a point; thence North 17 degrees 40 minutes 54 seconds East 19.00 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.18 feet to a point; thence North 18 degrees 08 minutes 01 second East 41.00 feet to a point; thence South 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence North 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence South 18 degrees 04 minutes 50 seconds East 81.64 feet to a point in the North line of Chesterfield Parkway East, variable width, thence Westwardly along said North line of Chesterfield Parkway East, variable width, the following courses and distances: along a curve to the left whose radius point bears North 77 degrees 33 minutes 26 seconds East 165.50 feet from the last mentioned point, a distance of 122.00 feet, South 54 degrees 42 minutes 35 seconds East 92.10 feet and along a curve to the right whose radius point bears South 35 degrees 17 minutes 25 seconds West 259.50 feet from the last mentioned point, a distance of 155.32 feet to a point; thence South 58 degrees 15 minutes 52 seconds West 151.97 feet to a point; thence along a curve to the left whose radius point bears South 31 degrees 56 minutes 08 seconds East 15.00 feet from the last mentioned point, a distance of 7.10 feet to a point; thence South 30 degrees 56 minutes 30 seconds West 91.19 feet to a point; thence South 69 degrees 26 minutes 00 seconds West 37.28 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.40 feet to a point; thence North 18 degrees 04 minutes 50 seconds West 81.64 feet to a point; thence South 72 degrees 05 minutes 23 seconds West 5.40 feet to a point; thence North 17 degrees 40 minutes 54 seconds East 19.00 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.18 feet to a point; thence North 18 degrees 08 minutes 01 second East 41.00 feet to a point; thence South 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence North 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence South 18 degrees 04 minutes 50 seconds East 81.64 feet to a point in the North line of Chesterfield Parkway East, variable width, thence Westwardly along said North line of Chesterfield Parkway East, variable width, the following courses and distances: North 02 degrees 33 minutes 26 seconds East 50.55 feet, North 15 degrees 04 minutes 37 seconds East 17.44 feet and North 18 degrees 49 minutes 13 seconds East 54.46 feet to the point of beginning and containing 1,309 acres according to a survey by Volz Incorporated.

This is to certify that this plat of "Resubdivision of Adjusted Lot A of a Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and part of Lot 3 of Elbridge Payne Office Park" was approved by the City Council of The City of Chesterfield, Missouri by Ordinance Number _____ and is hereby authorized the recording of this plat with the office of the St. Louis County Recorder of Deeds.

John Nations, Mayor
 Martin DeMay, City Clerk

Lot C702
 A tract of land being part of Adjusted Lot A of "A Boundary Adjustment Plat of Lots 2 and 3 of a Resubdivision of Lot 2 and Part of Lot 3 of Elbridge Payne Office Park", according to the plat thereof recorded in Plat Book 350, page 237 of the St. Louis County records, in U.S. Survey 2002, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as:

Beginning at the intersection of the Southeast line of Missouri State Highway 340, (Clarkson Road) variable width, with the Southwest line of Elbridge Payne Road, variable width, and point being the Northeast corner of said Adjusted Lot A; thence Southeastwardly along the Southwest line of said Elbridge Payne Road, variable width, the following courses and distances: along a curve to the left whose radius point bears North 77 degrees 33 minutes 26 seconds East 165.50 feet from the last mentioned point, a distance of 122.00 feet, South 54 degrees 42 minutes 35 seconds East 92.10 feet and along a curve to the right whose radius point bears South 35 degrees 17 minutes 25 seconds West 259.50 feet from the last mentioned point, a distance of 155.32 feet to a point; thence South 58 degrees 15 minutes 52 seconds West 151.97 feet to a point; thence along a curve to the left whose radius point bears South 31 degrees 56 minutes 08 seconds East 15.00 feet from the last mentioned point, a distance of 7.10 feet to a point; thence South 30 degrees 56 minutes 30 seconds West 91.19 feet to a point; thence South 69 degrees 26 minutes 00 seconds West 37.28 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.40 feet to a point; thence North 18 degrees 04 minutes 50 seconds West 81.64 feet to a point; thence South 72 degrees 05 minutes 23 seconds West 5.40 feet to a point; thence North 17 degrees 40 minutes 54 seconds East 19.00 feet to a point; thence North 72 degrees 05 minutes 23 seconds East 5.18 feet to a point; thence North 18 degrees 08 minutes 01 second East 41.00 feet to a point; thence South 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence North 71 degrees 58 minutes 14 seconds East 2.24 feet to a point; thence South 18 degrees 04 minutes 50 seconds East 81.64 feet to a point in the North line of Chesterfield Parkway East, variable width, thence Westwardly along said North line of Chesterfield Parkway East, variable width, the following courses and distances: North 02 degrees 33 minutes 26 seconds East 50.55 feet, North 15 degrees 04 minutes 37 seconds East 17.44 feet and North 18 degrees 49 minutes 13 seconds East 54.46 feet to the point of beginning and containing 2,506 acres according to a survey by Volz Incorporated.

