

BILL NO. 3433

ORDINANCE NO. 3226

AN ORDINANCE VACATING AN EASEMENT ON PART OF LOT 3 OF SPIRIT VALLEY BUSINESS PARK "AS DESCRIBED PASSAGE WAY FOR WAGONSDEED BOOK 273 PAGE 111", THE EAST LINE OF A TRACT OF LAND AS RECORDED IN DEED BOOK 273, PAGE 111 OF THE ST. LOUIS COUNTY RECORDS, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a petition has been filed by Spirit Valley Development, LLC, requesting the City to vacate an unnecessary easement on said tracts of land; and,

WHEREAS, Spirit Valley Development, LLC, owns the properties on which the easement is located and has no need for the easement; and,

WHEREAS, the Departments of Planning and Public Works have reviewed the petition and have determined that said petition meets all applicable regulations and that the vacation will have no adverse effect on the City of Chesterfield.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Chesterfield hereby approves the easement vacation located on part of Lot 3 of Spirit Valley Business Park "as described passage way for wagons Deed Book 273 Page 111" as described in Exhibit 2, which is attached hereto and made part of hereof; and

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the vacation of this easement by affixing their signatures and the Official Seal of the City of Chesterfield to a Certificate of Approval as required on said documents. The petitioner is required and directed to record this easement vacation with the Saint Louis County Recorder of Deeds Office; and

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 6TH day of March, 2023.

Bob Nation
PRESIDING OFFICER

Bob Nation
Bob Nation, MAYOR

ATTEST:

Vickie McGownd
Vickie McGownd, CITY CLERK

First Reading Held: 03/06/2023

NOTICE OF VACATION OF EASEMENT

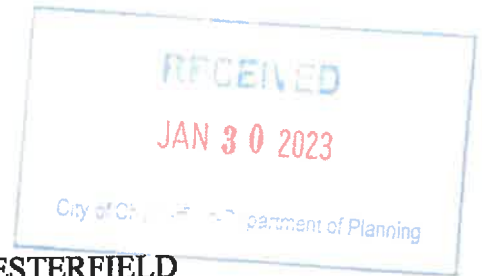
NOTICE IS HEREBY GIVEN that the City of Chesterfield has received a petition to vacate the easement situated in the City of Chesterfield, Missouri. The easement cannot be legally described or precisely located. Should anyone have an interest in this, please contact Shilpi Bharti, planner at 636-537-4743 or email at Sbharti@chesterfield.mo.us. The legal description of the property to be vacated is as follows:

A tract of land being part of Lot 3 of Amelia Boisselier Estate, a subdivision according to the plat thereof as recorded in Plat Book 16, Page 27 of the St. Louis County records, located in US Surveys 368, 1937 and 133, Township 45, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the west line of said Lot 3, and the southern right-of-way line of Olive Street Road, 60 feet wide; thence along said south right-of-way line, South 82 degrees 22 minutes 04 seconds East 547.73 feet to the west line of a tract of land conveyed to Peter Horobec by Deed Book 25102 Page 477 of said records; thence along said west line, South 11 degrees 38 minutes 43 seconds East, 767.00 feet to the northwest corner of Lot 3 of Spirit Valley Business Park, as recorded in Plat Book 356 Page 177; thence along the east line of said Spirit Valley Business Park, South 12 degrees 35 minutes 50 seconds East, 1421.85 feet, to the southeast corner of Lot 3 of said Amelia Boisselier Estate; thence along the south line of Lot 3 of Amelia Boisselier Estate, South 78 degrees 17 minutes 10 seconds West, 537.69 feet to the southwest corner of Lot 3 of said Amelia Boisselier Estate; thence along the west line of said Lot 3, North 11 degrees 43 minutes 00 seconds West, 2,369.53 feet to the POINT OF BEGINNING.

Containing 1,191,327 square feet or 27.356 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc on December 5, 2022.

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



TO THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
STATE OF MISSOURI
PETITION FOR VACATION OF EASEMENT
UNDER SECTION 02-11 OF THE UNIFIED DEVELOPMENT CODE

Petitioner, Spirit Valley Development, LLC, states to the City Council of the City of Chesterfield, State of Missouri that:

1. It is the owner of fee simple title to the following described parcel of real estate situated in the City of Chesterfield, County of St. Louis, State of Missouri, containing approximately 1,191,327 square feet of ground as shown and described on Exhibit "A" and incorporated herein by reference.
2. Petitioner desires to vacate an easement situated in the City of Chesterfield, Missouri. The easement cannot be legally described or precisely located. The easement to be vacated is described on Exhibit "B."
3. The easement to be vacated is not used and has not been used for many years as access to any properties in the vicinity.
4. All property owners who could possibly be served by the easement have other access.
5. The vacation herein petitioned for is in the interest of the public necessity, convenience and general welfare, and will not interfere with the best interest of the public use.

WHEREOF, Petitioner prays that the City Council of the City of Chesterfield, Missouri, vacate the portion of the easement as set forth in detail in this petition and Petitioners further pray that the portion of the easement to be vacated as herein described shall revert to the Petitioners who are the owner in fee simple of the adjoining and abutting property and ordain such further orders as may be proper to accomplish vacation prayed.

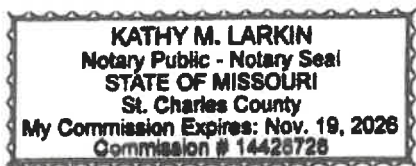
SPIRIT VALLEY DEVELOPMENT, LLC

By *Michael J. Doster*
Michael J. Doster, Attorney for Petitioner

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

On this 30th day of January, 2023, before me personally appeared Michael J. Doster, who, being duly sworn, did say that he is the attorney for the company, and that said instrument was signed on behalf of said company, by authority granted by the company. Michael J. Doster acknowledged said instrument to be the free act and deed of said company.

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



Kathy M Larkin
Notary Public
My Commission expires: 11/19/26



AS SURVEYED DESCRIPTION DEED BOOK 17739 PAGE 2283

A tract of land being part of Lot 3 of Amelia Boisselier Estate, a subdivision according to the plat thereof as recorded in Plat Book 16, Page 27 of the St. Louis County records, located in US Surveys 368, 1937 and 133, Township 45, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the west line of said Lot 3, and the southern right-of-way line of Olive Street Road, 60 feet wide; thence along said south right-of-way line, South 82 degrees 22 minutes 04 seconds East 547.73 feet to the west line of a tract of land conveyed to Peter Horobec by Deed Book 25102 Page 477 of said records; thence along said west line, South 11 degrees 38 minutes 43 seconds East, 767.00 feet to the northwest corner of Lot 3 of Spirit Valley Business Park, as recorded in Plat Book 356 Page 177; thence along the east line of said Spirit Valley Business Park, South 12 degrees 35 minutes 50 seconds East, 1421.85 feet, to the southeast corner of Lot 3 of said Amelia Boisselier Estate; thence along the south line of Lot 3 of Amelia Boisselier Estate, South 78 degrees 17 minutes 10 second West, 537.69 feet to the southwest corner of Lot 3 of said Amelia Boisselier Estate; thence along the west line of said Lot 3, North 11 degrees 43 minutes 00 seconds West, 2,369.53 feet to the POINT OF BEGINNING.

Containing 1,191,627 square feet or 27.356 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc on December 5, 2022.



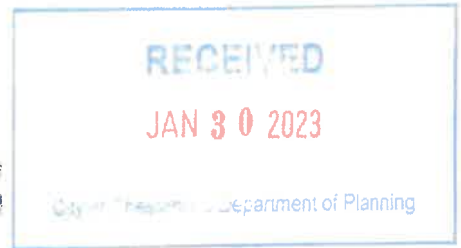
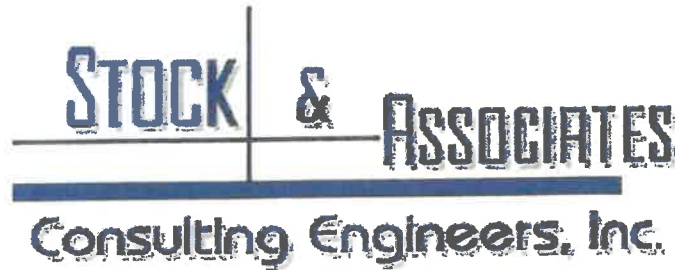
The above "As Surveyed Description" includes the following proposed parcel.

PROPOSED LOT 3 DESCRIPTION

A tract of land being part of Lot 3 of Amelia Boisselier Estate, a subdivision according to the plat thereof as recorded in Plat Book 16, Page 27 of the St. Louis County records, located in US Surveys 368, 1937 and 133, Township 45, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Commencing at intersection of the southern right-of-way line of Olive Street Road, 60 feet wide, and the west line of a tract of land conveyed to Peter Horobec by Deed Book 25102 Page 477, of said records; thence along said west line, South 11 degrees 38 minutes 43 seconds East, 767.00 feet, to the northwest corner of Lot 3 of Spirit Valley Business Park, as recorded in Plat Book 356 Page 177, of said records; thence along the west line of Lot 3 of said Spirit Valley Business Park, South 12 degrees 35 minutes 50 seconds East, 12.08 feet to the POINT OF BEGINNING of the herein described tract; thence continuing along said west line, South 12 degrees 35 minutes 50 seconds East, 737.34 feet; thence departing said west line, South 78 degrees 17 minutes 10 second West, 487.35 feet to its intersection with the east right-of-way line of a proposed Forty (40) feet wide roadway; thence along said right-of-way line, North 11 degrees 43 minutes 00 seconds West, 737.25 feet; thence departing said right-of-way line, North 78 degrees 17 minutes 10 second East, 476.02 feet to the POINT OF BEGINNING.

Containing 355,125 square feet or 8.153 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc on November 16, 2022, revised December, 5th 2022.



As Described passage way for wagons Deed Book 273 Page 111 to be vacated.

A reserved road, for wagons, on the east line of a tract of land conveyed by Deed Book 273 Page 111 of the St. Louis County (city) records; located in Township 45, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Any portion of the wagon road as described Deed Book 273 Page 111 of the St. Louis County (city) records contained within the following:

A tract of land being part of Lot 3 of Amelia Boisselier Estate, a subdivision according to the plat thereof as recorded in Plat Book 16, Page 27 of the St. Louis County records, located in US Surveys 368, 1937 and 133, Township 45, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the west line of said Lot 3, and the southern right-of-way line of Olive Street Road, 60 feet wide; thence along said south right-of-way line, South 82 degrees 22 minutes 04 seconds East 547.73 feet to the west line of a tract of land conveyed to Peter Horobec by Deed Book 25102 Page 477 of said records; thence along said west line, South 11 degrees 38 minutes 43 seconds East, 767.00 feet to the northwest corner of Lot 3 of Spirit Valley Business Park, as recorded in Plat Book 356 Page 177; thence along the east line of said Spirit Valley Business Park, South 12 degrees 35 minutes 50 seconds East, 1421.85 feet, to the southeast corner of Lot 3 of said Amelia Boisselier Estate; thence along the south line of Lot 3 of Amelia Boisselier Estate, South 78 degrees 17 minutes 10 second West, 537.69 feet to the southwest corner of Lot 3 of said Amelia Boisselier Estate; thence along the west line of said Lot 3, North 11 degrees 43 minutes 00 seconds West, 2,369.53 feet to the POINT OF BEGINNING.

Containing 1,191,327 square feet or 27.356 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc on December 5, 2022.

MONARCH-CHESTERFIELD LEVEE DISTRICT

February 6, 2023

City of Chesterfield
Attn: City Council
690 Chesterfield Parkway W
Chesterfield, MO 63017-0760

Re: Spirit Valley Business Park - Vacation of Easement

Dear Members of the City Council:

On behalf of the Monarch-Chesterfield Levee District please be advised that it has no interest in the Easement referenced in the Petition for Vacation of Easement and it consents to the vacation of easement.

If you should have any questions or comments, please do not hesitate to contact me.

Monarch-Chesterfield Levee District



By: _____

David R. Human
District Counsel

February 9, 2023

Mr. Justin Wyse
Director of Planning
City of Chesterfield
690 Chesterfield Pkwy W.
Chesterfield Mo., 63017

Re: Spirit Valley Business Park -- Vacation of Easement

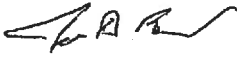
Dear Director Wyse:

I am the Director of Aviation at Spirit of St. Louis Airport. The Airport is owned and operated by St. Louis County.

In my capacity as Director, I am familiar with an easement located within the Airport ("Easement") on property owned by Spirit Valley Development, LLC. I am also familiar with a "Petition for Vacation of Easement" relating to the Easement which was filed by Spirit Valley Development, LLC on or about January 2023.

Please be advised that St. Louis County has no interest in the Easement and consents to the Petition for Vacation of Easement.

Sincerely

A handwritten signature in black ink, appearing to read "J. Bales", written in a cursive style.

John Bales
Director of Aviation