

**AN ORDINANCE REZONING FOUR TRACTS OF LAND IN THE CITY OF PEVELY, MISSOURI, IDENTIFIED AS LOT 1-14 & 1-3, LOTS 3-16 & LOTS 15-24**

**WHEREAS**, an application to rezone four tracts of land known as Lots 1-14 & Lots 1-3, and specifically identified further in Exhibit A From B-2 to I-2 and Lots 3-16 & 15-24 from MH to I-2 specifically identified further in Exhibit A has been submitted to the City of Pevely, and

**WHEREAS**, the proper public hearings have been held, pursuant to City Ordinance and the laws of the State of Missouri, and

**WHEREAS**, the Planning Commission has submitted its report and recommendation to the City Council on the proposed rezoning for the two tracts of land from B-2 to I-2, and two tracts of land from MH to I-2, and

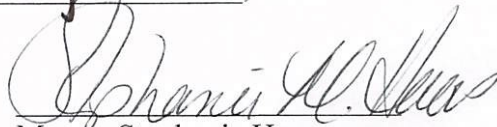
**WHEREAS**, the Council finds that this rezoning request meets the criteria in that the rezoning is will not be detrimental to the surrounding uses or the city as a whole. The property is suitable for I-2 uses. There are adequate facilities to accommodate I-2 zoning. The rezoning will be compatible with the uses and character of the neighborhood

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PEVELY, MISSOURI, AS FOLLOWS:**

Section 1: The two tracts of land Lots 1-14 & 1-3 and specifically identified further in Exhibit A From B-1 to I-2 has been submitted to the City of Pevely. The two tracts of land Lots 3-16 & 15-24 and specifically identified further in Exhibit A From MH to I-2 has been submitted to the City of Pevely.

Section 2: This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

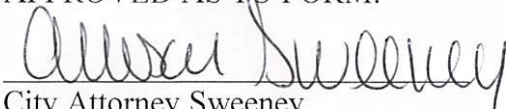
Read twice and passed this 10 day of January, 2022.

  
Mayor, Stephanie Haas

ATTEST:

  
City Clerk, Ashton Cooke

APPROVED AS TO FORM:

  
City Attorney Sweeney

**To Put Bill 2022/103 on its 1st Reading  
by Caption:**

Motioned: Tyler Leeder  
Seconded: William Brooks

	<u>Aye</u>	<u>Nay</u>
Yount	✓	—
Menkhus	—	—
Markus	✓	—
Coulson	—	—
Tucker	✓	—
Leeder	✓	—
Brooks	✓	—
Eckles	✓	—
Absent:	<u>Menkhus, Coulson</u>	

**To Accept Bill 2022/103 on its 1st Reading  
by Caption:**

Motioned: Rick Yount  
Seconded: William Brooks

	<u>Aye</u>	<u>Nay</u>
Yount	✓	—
Menkhus	—	—
Markus	✓	—
Coulson	—	—
Tucker	✓	—
Leeder	✓	—
Brooks	✓	—
Eckles	✓	—
Absent:	<u>Menkhus, Coulson</u>	

**To Put Bill 2022/103 on its 2nd Reading  
by Caption:**

Motioned: Rick Yount  
Seconded: William Brooks

	<u>Aye</u>	<u>Nay</u>
Yount	✓	—
Menkhus	—	—
Markus	✓	—
Coulson	—	—
Tucker	✓	—
Leeder	✓	—
Brooks	✓	—
Eckles	✓	—
Absent:	<u>Menkhus, Coulson</u>	

**To Approve Ordinance #1565:**

Motioned: Rick Yount  
Seconded: William Brooks

	<u>Aye</u>	<u>Nay</u>
Yount	✓	—
Menkhus	—	—
Markus	✓	—
Coulson	—	—
Tucker	✓	—
Leeder	✓	—
Brooks	✓	—
Eckles	✓	—
Absent:	<u>Menkhus, Coulson</u>	



**PLANNING & ZONING APPLICATION**  
CITY OF PEVELY, MO  
401 MAIN ST.  
PEVELY, MO 63070  
636-475-4452

PAID  
NOV 23 2021  
By Ch 1597  
\$150<sup>00</sup>

COPY

(Please Print)

Date 11/12/2021

Name JETT Acquisitions

Address 1550 Herculanum

Herculanum MO

63048

Boundary Adjustment \_\_\_\_\_  
(\$100.00)

Code Change Request \_\_\_\_\_

Sketch Plan \_\_\_\_\_

Lot Consolidate \_\_\_\_\_

Rezoning X

~~(\$100.00)~~ 156<sup>00</sup>

Special Use Permit \_\_\_\_\_

(\$100.00 + \$2.00 per lot)

PRD/PBD/PID \_\_\_\_\_

(\$100.00 + \$2.00 per lot)

Business Approval \_\_\_\_\_

Phone # 636-638-1150 Cell Phone # 314-713-1647

Current Property Zone Commercial (Change to?) Light Industrial

Adjoining Zoning: North: \_\_\_\_\_ South: \_\_\_\_\_ East: \_\_\_\_\_ West: \_\_\_\_\_

Number of Acres: 12.2 Present use of property: Lot

Describe your request \_\_\_\_\_

Rezoning From Commercial to Light Industrial

RYAN HUCKELDT

[Signature]  
Signature of Person Desiring Hearing

**\*\*Attach plans or drawings of any new construction associated with proposal.**



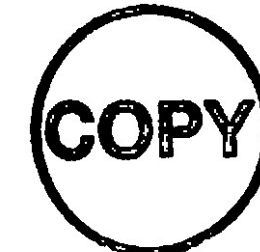
How will it be a benefit to the neighborhood and community? creates job opportunities and tax revenue.

No Address yet. below lots AND Document No.  
LOTS 3-7 : 14-16 Doc no 020044286  
Property Address: LOTS 1-14 Doc no 020044286 / LOTS 15-24 Doc no 020044286

Property description (location, lot, subdivision, etc.): lot

NORTHWEST CORNER OF WEIER ROAD AND  
LYNNWOOD DRIVE. Block II-8.96 acres : 3.22<sup>Acres</sup> Block III

Name & Address of Legal Property Owner  
CADWALLADER FARMS LLC



Is Transfer of Ownership dependent on Commission Action? Yes X No     

Have there been prior applications for action on this property? Yes      No X

Adjoining Property Owners (Special Use & Rezoning Permit Only)

Heizer Aerospace 8750 PEVELY INDUSTRIAL DR.

United Engineering 8800 PEVELY INDUSTRIAL DR.

**\*\*Attach legal description and/or plat of property.**

**Attach scale plat of tract(s) including: boundary dimensions, adjoining streets and alleys, present improvements, intended improvements, adjoining & cornering property lines and owners and their zoning, addressed & stamped envelopes for all abutting property owners subject to notification of public hearing.**





Taylor Dr

Lynnwood Dr

Woods Dr

Center Dr

Fletcher Dr

Weier Rd

Weier Rd

COPY

Tributary of Sandy Creek

Tributary of Sandy Creek

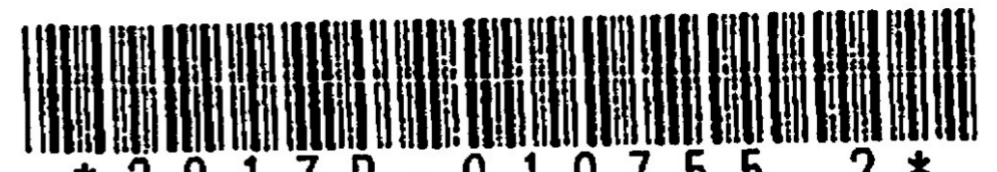
Beverly

55

55

180

27E



\* 2 0 1 7 R - 0 1 0 7 5 5 2 \*

2017R-010755

FILED AND RECORDED  
IN OFFICIAL RECORD  
04/11/2017 09:14:38AM  
DEBBIE DUNNEGAN, RECORDER  
PAGES 2  
REC FEE: 27.00  
NS FEE:

RECEIVED

APR 11 2017



**GENERAL WARRANTY DEED**

***This Deed***, Made and entered into this 30th day of March 2017, by and between **G. William Weier and Patricia R. Weier**, his wife, and **Mary Susan Duncan and David W. Duncan**, her husband, 12444 Powerscourt Dr., Suite 170, Saint Louis, MO 63131, in the county of St. Louis, State of Missouri, as tenants in common, party or parties of the first part, Grantor(s) and **Cadwallader Farms II, LLC**, a Limited Liability Company, organized and existing under the laws of the State of Missouri with its principal office at: 12444 Powerscourt Drive, Suite 170, St. Louis, MO 63131, in the county of St. Louis, State of Missouri, party or parties of the second part, Grantee(s). \*

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of Jefferson, State of Missouri, to-wit:

A tract of land being part Lot 14, all of Lots 3 thru 7, 15, 16 and Part of Mary Court and Elizabeth Avenue in Block III of Cadwallader Acres Subdivision (P.B. 35, Pg. 23), in part of U.S. Survey No. 420, part of U.S. Survey No. 266, Township 41 North, Ranges 5 and 6 East, Fifth Principal Meridian, Jefferson County, Missouri, and being more particularly described as follows:

Beginning at a found 3/8 inch pin at the Northwest corner of Block III of the above mentioned Cadwallader Acres Subdivision, said corner also being on the South line of Railroad Right-of-way and being the Northeast corner of property n/f to City of Pevely, as recorded in Deed Book 328, Page 555 of the land records of Jefferson County, Missouri; thence along the South line of said Railroad right-of-way, North 60° 38' 55" East, a distance of 846.15 feet to the Northwest corner of Lot 2 in Block III of Cadwallader Acres Subdivision; thence along the West line of said Lot 2, South 01° 47' 30" East, a distance of 106.07 feet to the North right-of-way line of Elizabeth (40' wide) Avenue; thence leaving said North line, South 20° 33' 40" east, a distance of 20.00 feet to the centerline of said Elizabeth Avenue; thence along said centerline line of Elizabeth Avenue the following courses and distances: along a curve to the left having a radius of 294.71 feet and a central angle of 8° 47' 16" and an arc length 45.20 feet; thence South 60° 39' 04" West, a distance of 173.22 feet to the beginning of a curve tangent to said line; thence along a curve to the left having a radius of 116.78 feet, a central angle of 49° 14' 53" and an arc length of 100.37 feet; thence South 11° 24' 11" West, a distance of 203.08 feet; thence leaving said centerline, North 89° 48' 10" West, a distance of 441.55 feet to the East line of said City of Pevely property; thence along said East line, North 10° 40' 47" West, a distance of 91.78 feet to the Point of Beginning. Containing 141,759 Square Feet or 3.254 Acres, more or less.

Also, all of Block II of Cadwallader Acres Subdivision, as shown upon plat on file in the Recorder's Office of Jefferson County, Missouri, in Plat Book 35, at Page 23, part of U.S. Survey No. 420, Township 47 North, Part of U.S. Survey No. 266, Township 41 North, Ranges 5 and 6 East, Part of



Fractional Section No. 13 Township 41 North, Ranges 5 & 6 East and part of Fractional Section No. 18, Township 41 North, Range 6 East Jefferson County, Missouri, and including all land underlying adjacent roadways in the subdivision in Blocks II and III.

Subject to building lines, conditions, easements, restrictions of record, and any zoning laws or ordinances affecting this property, if any.

**TO HAVE AND TO HOLD** the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever.

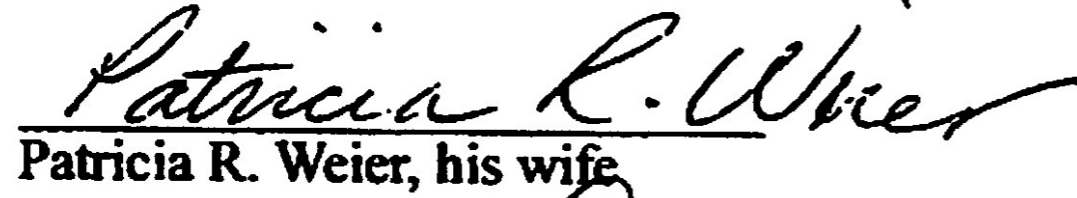
The said party of the first part hereby covenanting that it and its successors, shall and will **WARRANT AND DEFEND** the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year 2017 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year first above written.

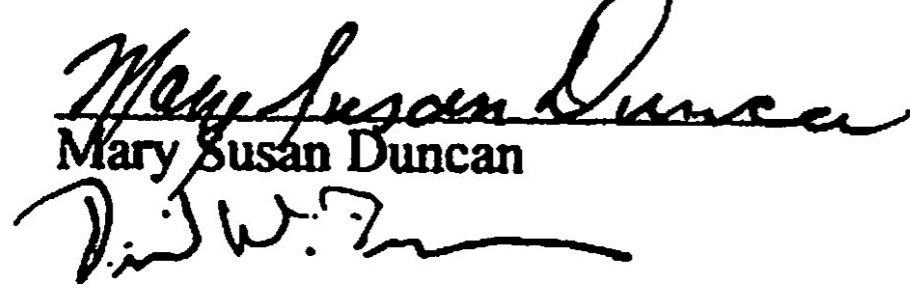
**GRANTOR(S)**



G. William Weier



Patricia R. Weier, his wife



Mary Susan Duncan



David W. Duncan, her husband

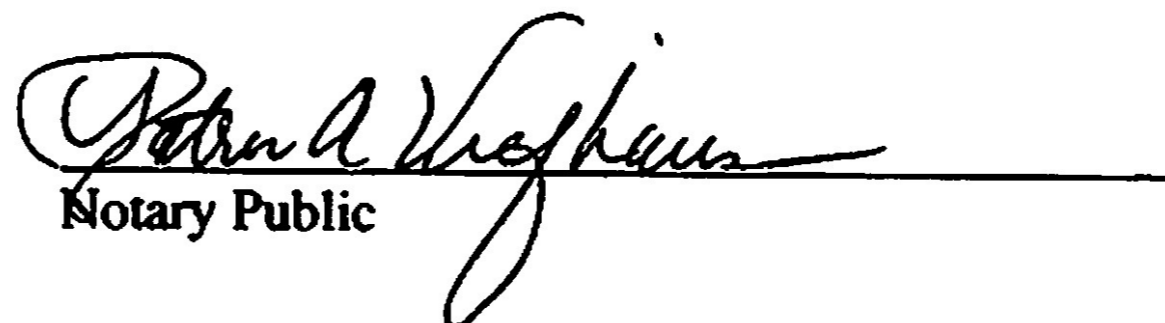
STATE OF Missouri )  
 )SS.  
COUNTY OF Saint Louis )

On this 30th day of March 2017, before me appeared G. William Weier and Patricia R. Weier, his wife, and Mary Susan Duncan and David W. Duncan, her husband, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

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.



PATRICIA A. VIEFHAUS  
My Commission Expires  
December 2, 2019  
St. Louis County  
Commission #11452441

  
Notary Public



**AFFIDAVIT OF DEATH**

This Affidavit of Death is made this 22nd day of July, 1997, by DOROTHY L. WEIER (Mailing Address: 9096 Lynnwood Drive, Pevely, Missouri 63070), daughter-in-law of AMELIA C. WEIER, a/k/a CORA AMELIA WEIER.

Dorothy L. Weier, being first duly sworn, deposes and says that AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, died on the 24<sup>th</sup> day of May, 1997.

Affiant further states that AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, executed two (2) Missouri Warranty Deeds dated February 12, 1992 and recorded in the Office of the Recorder of Deeds of Jefferson County, Missouri, at Book 511, Page 679 and Book 511, Page 681, which affected the interest of AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, in the following described property situated in the County of Jefferson, State of Missouri, to-wit:

**PARCEL 1:**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, Block I; and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, Block III, of CADWALLADER ACRES SUBDIVISION, as shown upon plat on file in the Recorder's Office of Jefferson County, Missouri, in Plat Book 35, at Page 23.

**PARCEL 2:**

Lots 1 and 2, Block III, of CADWALLADER ACRES SUBDIVISION, as shown upon plat on file in the Recorder's Office of Jefferson County, Missouri, in Plat Book 35, at Page 23.

Affiant further states that the aforesaid Missouri Warranty Deeds provide that AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, retained her interest in the above-described properties for and during her natural life, with the power in her to use, occupy and enjoy the same and to collect the rents and income thereof for her sole and exclusive use and to mortgage, sell, convey or in any manner dispose of the same and to rent or lease same or any part thereof for any period, with the remainder at her death and termination of said life estate as to any part undisposed of by AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, to DOROTHY F. WEIER and unto her heirs and assigns forever.

Affiant states that during the natural life of AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, she did not exercise any of the aforementioned retained powers and the Affiant, DOROTHY L. WEIER, became entitled to the interest of AMELIA C. WEIER, a/k/a CORA AMELIA WEIER, upon her death.