



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, February 07, 2024 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman
Joe Baker, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Larry Miller, Staff Liaison

Angelia Thomas
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the January 10, 2024 minutes.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

2. Consider a request to approve a Land Exchange Certification for transferring 1 Acre from Lot 2 to Lot 1 of the Shriners Subdivision, as submitted by MidAmerica Hotels Corporation and BKR Commercial, LLC.
3. Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.
4. Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Realty Missouri, LLC.

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on February 2, 2024, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, JANUARY 10, 2024, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding, and Commissioners Tony Koeller, Eric Fraley, Angelia Thomas, Heather Harrison, Michelle Weber, Tina Weber, and Beth Emmendorfer were present. Commissioner Bill Fadler was absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh and Alderman Joe Bob Baker were present. The citizens attending were Chris Koehler, Steven L. Stroder, and Wyatt D. Stroder.

APPROVAL OF MINUTES

Approval of December 13, 2023)
regular meeting minutes)

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Eric Fraley, seconded by Commissioner Tony Koeller.

PUBLIC HEARINGS

None)

OLD BUSINESS

None)

NEW BUSINESS

Consider a request to approve the final plat)
of Stroder's Industrial Park Subdivision)
submitted by)
Trussworks Reality Missouri, LLC.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained where the property is located and how the portion of the tract inside the city limits will become part of Stroder's Industrial Park Subdivision, which is outside the city limits. He told the Commission that the applicant asks for four variances from the subdivision requirements under Chapter 57 of the City of Jackson Code of Ordinances. Mr. Miller read each variance request to the Commission.

Chairman Harry Dryer asked if the applicant or a representative of the applicant was present.

Chris Koehler from Koehler Engineering came forward and said he had prepared the plat and the variances for Mr. Steven L. Stroder, who is also present. With it being partially in the city and the rest out of the city, this is a little more difficult situation. Mr. Stroder wants to make the lots available on the market quickly. Mr. Koehler said even if they sold something next week with closing times to set up, the plat would be finished going through the process, and sewers would at least be under construction. Mr. Koehler explained to the Commission that the only reason to get the plat quickly and the requested variances is the timing.

Commissioner Eric Fraley asked if the plan is to annex the whole subdivision into the City. Mr. Koehler said Mr. Stroder is planning on annexing into the city.

Commissioner Tina Weber asked if they had started any part of the infrastructure yet, and Mr. Koehler responded that they had not. He said they do have the design for the sewer underway.

Commissioner Tony Koeller asked the Commission and Mr. Miller if a variance has ever been granted for a preliminary plat in the past. Mr. Miller said since he has been the Building and Planning Manager, there hasn't been one given, but he could speak on behalf of the prior Building and Planning Managers.

Chairman Harry Dryer asked Alderman Mike Seabaugh and Alderman Joe Bob Baker if they could remember whether a variance for turning in a preliminary plat while serving as Aldermen had been granted. Both responded they couldn't recall when that happened.

Commissioner Tony Koeller asked if Mr. Stroder has applied for annexation, and Mr. Koehler said it will be filed in the next week or so.

Commissioner Tina Weber asked if any lots had been sold or spoken for, and Mr. Steven L. Stroder, the owner of the lots from 2155 Greensferry, came forward and said no. He said they want to start marketing them as soon as possible and to be able to place a picture of the plat on the property for sale. He stated he wants to get things started since there is a 60 to 90-day process for annexation.

Commissioner Tony Koeller asked why he can't go ahead and market it. Mr. Stroder said he could. Then Commissioner Tony Koeller said if the Commission does this, they are setting a precedent for other contractors wanting to develop.

Mr. Chris Koehler said there are unique circumstances since some of the lots are primarily in the county and slightly in the city. He stated they could record three lots in the county and one in the city, but this was the better way.

Mr. Steven L. Stroder asked the Commission if it causes a problem to do it this way, and Commissioner Tony Koeller said it doesn't generate a problem in this case for you. However, if a developer came in with a survey and asked to approve it with the variances, we would have a hard time denying it because of the precedent set by approving this subdivision.

Mr. Steven L. Stroder said he didn't think it would cause a problem because the city property is such a small amount of this subdivision.

Commissioner Tina Weber asked if a rezoning would need to be applied for with this property, and Mr. Chris Koehler said it would be done in conjunction with the annexation process.

Commissioner Heather Harrison asked what would happen if this plat was approved, and then it was decided not to be annexed inside the city. Mr. Steven L. Stroder asked Mr. Chris Koehler if they had committed to annexation, and he said a verbal commitment had been made, but there was no application or agreement in place.

Commissioner Tony Koeller asked if the commission could approve the plat pending an annexation agreement. Mr. Larry Miller said they could.

Chairman Harry Dryer asked Mr. Chris Koehler when the 30 days start in reference to number two of the variance letter that explains plans to be submitted for the sewer construction to serve all lots. Mr. Chris Koehler said it started on the 3rd of January.

Chairman Harry Dryer asked why there was an urgency in getting the plat approved with all the variances. Mr. Chris Koehler said his client wants to be able to provide a plat for people who are interested in buying to show them there are four lots for Stroder's Industrial Park.

Mr. Chris Koehler told the commission they are in contact with MODOT on the entrances for these lots. He said he wasn't sure if MODOT would allow an entrance for each lot or if there would only be two entrances.

Commissioner Tony Koehler asked if the 10-foot easement Mr. Steven L. Stroder requested would later be added to the annexation. Mr. Chris Koehler said all the utilities are in the front, so there shouldn't be any reason for an easement in the rear of the lots.

Seeing no further questions or comments, Chairman Harry Dryer entertained a motion.

Commissioner Tony Koeller motioned to approve the subdivision plat and variances contingent on the annexation agreement in place. The request was seconded by Commissioner Tina Weber and was unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

ADDITIONAL ITEMS

None)

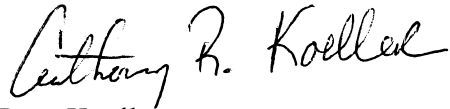
ADJOURNMENT

Consider a motion to adjourn)

Commissioner Heather Harrison motioned to adjourn, seconded by Commissioner Michelle Weber, and unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Respectfully submitted,



Tony Koeller
Planning and Zoning Commission Secretary

Attest:



Larry Miller
Building and Planning Manager

NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.

Staff Report

ACTION ITEM: Consider a request to approve a Land Exchange Certification for transferring 1 Acre from Lot 2 to Lot 1 of the Shriners Subdivision, as submitted by MidAmerica Hotels Corporation and BKR Commercial, LLC.

APPLICANT: MidAmerica Hotels Corporation and BKR Commercial, LLC.

APPLICANT STATUS: Receiving Property Owner and Owner

PURPOSE: Land Exchange Certification

SIZE: 1 Acre

PRESENT USES: Shriner's Hall is currently on the property.

PROPOSED USE: Unknown

ZONING: C-2 General Commercial District

SURROUNDING LAND USE: North, South, and West – C-2 General Commercial District, East- Outside the City Limits

HISTORY: The Shriner's Hall currently sits on Lot 1. Lot 2 is empty.

TRANSPORTATION AND PARKING: All required street frontage and parking exist.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57)

COMPREHENSIVE PLAN: Reginal Center

MAJOR STREET PLAN: This does not interfere with the major street plan.

FLOODPLAIN INFORMATION: Not in a Flood Plain per FEMA panel 29030251E dated 9-29-2011.

PHYSICAL CHARACTERISTICS: N/A

COMMENTS: MidAmerican Hotels Corporation owns lot two and wants to transfer one acre to lot one, which BKR Commercial, LLC owns.

ACTION REQUIRED: The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Alderman requires no action.

LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: January 10, 2024

ADDRESS OF GRANTING PROPERTY: 2495 E. Old Cape Road

ADDRESS OF RECEIVING PROPERTY: 5701 E. Old Cape Road

GRANTING PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): MidAmerica Hotels Corporation

Mailing Address: 4072 State Hwy K

City, State ZIP: Cape Girardeau, MO 63701

RECEIVING PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): BKR Commercial LLC

Mailing Address: 1330 N Kingshighway St

City, State ZIP: Cape Girardeau, MO 63701

ENGINEER / SURVEYING COMPANY: Koehler Engineering and Land Surveying

Engineer / Surveyor Contact: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

Contact's Email Address (if used): ckoehler@koehlerengineering.com

APPLICATION FOR (check one):

- Division of land into no more than four lots, all of which are 3 acres or greater in size
- Division of land for cemetery usage
- Lot line adjustment between adjoining lots
- Transfer to adjoining property to improve ingress or egress
- Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

REASON FOR REQUEST (use additional pages if needed):

Requiring property from adjoining lot

CURRENT ZONING: (circle all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input checked="" type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| | <input type="checkbox"/> I-3 (Planned Industrial Park) |

LEGAL DESCRIPTION OF TRACT: Submit a copy of the most current deed for the property being divided.

To Be supplied by Koehler Engineering.

OWNER SIGNATURES:

I state upon my oath that all of the information contained in this application is true. (Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)

Gene Gury - (Genet of Midamerica) Hotels Corp.
8VP

Please submit the completed application along with the applicable application fee to:

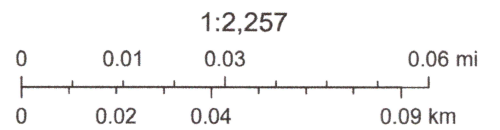
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755
Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: permits@jacksonmo.org

J. William King III

City of Jackson



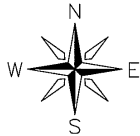
1/19/2024, 10:24:49 AM



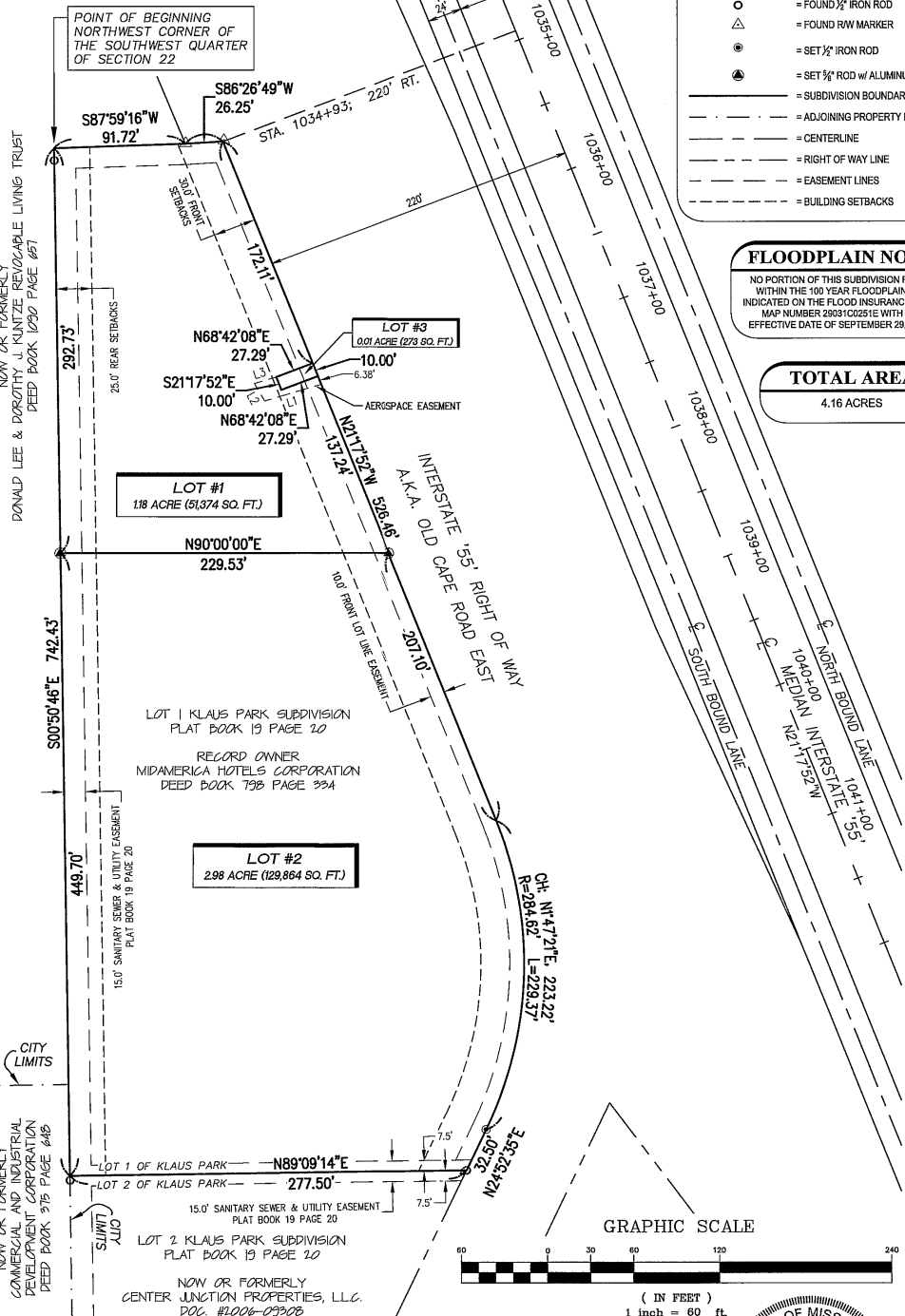
City of Jackson, Missouri Dept. of Conservation, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

RECORD PLAT OF SHRINERS SUBDIVISION

A RESUBDIVISION OF LOT 1 OF KLAUS PARK SUBDIVISION, PLAT BOOK 19 PAGE 20,
ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST
OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



NORTH ORIENTATION FROM
MISSOURI STATE PLANE COORDINATE SYSTEM
(KLAUS PARK SUBDIVISION - PLAT BOOK 19 PAGE 20)



LEGEND

- = FOUND 1/2" IRON ROD
- △ = FOUND RW MARKER
- = SET 1/2" IRON ROD
- ⊙ = SET 3/8" ROD w/ ALUMINUM CAP
- = SUBDIVISION BOUNDARY LINE
- - - = ADJOINING PROPERTY LINE
- = CENTERLINE
- - - = RIGHT OF WAY LINE
- - - = EASEMENT LINES
- - - = BUILDING SETBACKS

FLOODPLAIN NOTE

NO PORTION OF THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C0225E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

TOTAL AREA:

4.16 ACRES

SUBDIVISION DEDICATION

THE UNDERSIGNED MIDAMERICA HOTELS CORPORATION OWNER IN FEE OF ALL OF LOT 1 OF KLAUS PARK SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN PLAT BOOK 19 AT PAGE 20, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID KLAUS PARK SUBDIVISION, THENCE WITH THE NORTH LINE OF SAID SUBDIVISION, NORTH 87°59'16" EAST, 91.72 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF INTERSTATE 55, THENCE CONTINUING WITH THE NORTH LINE OF SAID SUBDIVISION AND WITH SAID WEST RIGHT OF WAY LINE, NORTH 87°24'49" EAST, 28.25 FEET, TO INTERSTATE STATION 1034+93, AT A POINT 220 FEET RIGHT OF CENTERLINE, ALSO BEING THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE CONTINUING WITH SAID WEST RIGHT OF WAY LINE AND WITH THE EAST LINE OF SAID SUBDIVISION, SOUTH 21°17'52" EAST, PARALLEL WITH THE CENTERLINE OF SAID INTERSTATE 55, 526.46 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 294.62 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 229.37 FEET, THENCE SOUTH 24°52'35" WEST, 32.50 FEET, TO THE SOUTHEAST CORNER OF LOT 1 OF SAID KLAUS PARK SUBDIVISION, THENCE LEAVING SAID WEST RIGHT OF WAY LINE AND WITH THE SOUTH LINE OF SAID SUBDIVISION, SOUTH 89°09'14" WEST, 277.50 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, THENCE WITH THE WEST LINE OF SAID SUBDIVISION AND SECTION, NORTH 0°00'00" WEST, 742.43 FEET, TO THE POINT OF BEGINNING AND CONTAINING 4.16 ACRES, MORE OR LESS, AND HEREBY DECLARE THAT WE HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AS SHOWN AND DESIGNATED HEREON, AND WE HAVE NAMED SAID SUBDIVISION "SHRINERS SUBDIVISION", AND WE DO HEREBY ESTABLISH PERMANENT EASEMENTS AS SHOWN HEREON, AND WE DO HEREBY DEDICATE THE ABOVE SET OUT EASEMENTS TO THE PUBLIC USE FOREVER. THE SUBDIVISION SHALL BE SUBJECT TO COVENANTS AND RESTRICTIONS AS SET OUT IN A SEPARATE INSTRUMENT ON FILE IN THE LAND RECORDS OF SAID COUNTY IN DOCUMENT NO. N/A

Daniel M. Drury
Daniel M. Drury
President of MidAmerica Hotels Corporation

STATE OF MISSOURI }
COUNTY OF CAPE GIRARDEAU } SS

On this 15th day of November, 2016, before me, a Notary Public for said County and State, appeared Daniel M. Drury, President of MidAmerica Hotels Corporation, to me known to be the person described herein, and who executed the foregoing instrument as the free act and deed of said Corporation.

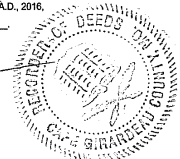
IN WITNESS WHEREOF, I hereunto set my hand and affix my official seal

this 15th day of November A.D., 2016.
My commission expires June 9, 2020

Melanie R. Cantrell
Melanie R. Cantrell
Notary Public
Commission Number: 12373011

Filed for record this 16th day of November A.D., 2016,
In Document Number 2016-120104

Andrew David Blattner
Andrew David Blattner, Recorder of Deeds
Cape Girardeau County, Missouri



I, Mary Lowry, City Clerk of the City of Jackson, Missouri, hereby certify that this plat was approved by the City of Jackson, Missouri,

by Ordinance No. 16-111

passed and approved this 7th day of November, A.D. 2016.

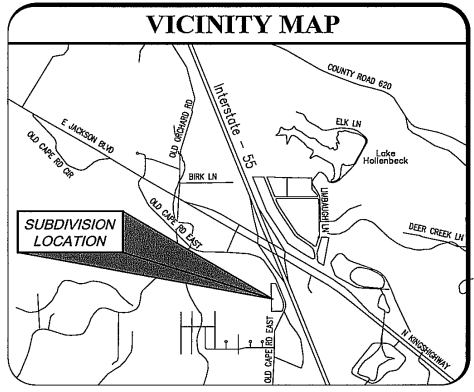
Mary Lowry
Mary Lowry, City Clerk



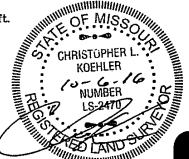
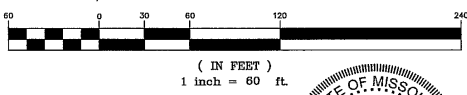
Mike Seabach
Mike Seabach, Planning and Zoning Commission Chairman

Dylan Potts
Dylan Potts, Mayor

Rodney Bollinger
Rodney Bollinger, Director of Public Works



GRAPHIC SCALE



SUBDIVISION NOTES

LOT NOTES

NUMBER OF LOTS = 3
MAXIMUM LOT SIZE = 2.98 ACRES
MINIMUM LOT SIZE = 0.01 ACRES

ZONING

C-2 (GENERAL COMMERCIAL DISTRICT)

BUILDING SETBACKS FOR C-2 ZONING

30' FRONT SETBACKS - 25' REAR SETBACKS
NO SIDE SETBACKS

RECORD OWNER

MIDAMERICA HOTELS CORPORATION
PARCEL NO. 15-519-00-02-002.00
DEED BK. 798, PG. 334

VARIANCE NOTE

A VARIANCE IS SHOWN FOR THE SMALLEST LOT SIZE (5,000 SQ. FT. REQUIRED; 273 SQ. FT. PROPOSED)

SURVEYOR'S CERTIFICATION

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE OCTOBER 30, 2003.

DEVELOPER OF SUBDIVISION AND PLAT PREPARED FOR:

MIDAMERICA HOTELS CORPORATION
105 SOUTH MOUNT AUBURN ROAD
CAPE GIRARDEAU, MO 63703

PLAT PREPARED BY AND LAND SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.
194 COKER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3026

LINE TABLE

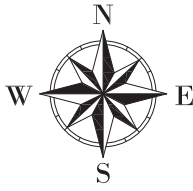
LINE #	DIRECTION	LENGTH
L1	S73° 08' 39"W	41.19'
L2	N29° 10' 47"W	14.55'
L3	N73° 08' 39"E	15.82'

KOEHLER

Professional Engineers & Land Surveyors

194 Coker Lane
Cape Girardeau, Missouri 63701
Ph: (573) 335 - 3026 Fax: (573) 335 - 3049

DRAWN BY:	TS	REV	DATE	DESCRIPTION	INITIALS
CHECKED BY:	CK	1	9/20/16	MOVED LOT LINE LOCATION	TS
SURVEY DATE:	JULY 2016	2	10/6/16	CREATED LOT 3	DH
DRAWING DATE:	JULY 28, 2016				
DRAWING NO.:	36320				



NORTH ORIENTATION FROM MISSOURI STATE PLANE COORDINATE SYSTEM

LAND EXCHANGE PLAT FOR MIDAMERICA HOTELS CORPORATION

ALL OF LOT 1 AND ALL OF LOT 2 OF SHRINERS SUBDIVISION OF DOCUMENT NO. 2016-12964 OF TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

Plat Note

TRACT 1 WILL BE ADDED TO LOT 1 UPON APPROVAL OF THIS PLAT.

Floodplain Note

NO PORTION OF THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C0251E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

Reference Documents

SHRINERS SUBDIVISION PLAT (DOC. NO. 2016-12964)
BKR COMMERCIAL LLC (2023-06736)
MIDAMERICA HOTELS CORPORATION (BOOK 798, PAGE 334)

Description of Survey

DESCRIPTION - TRACT 1

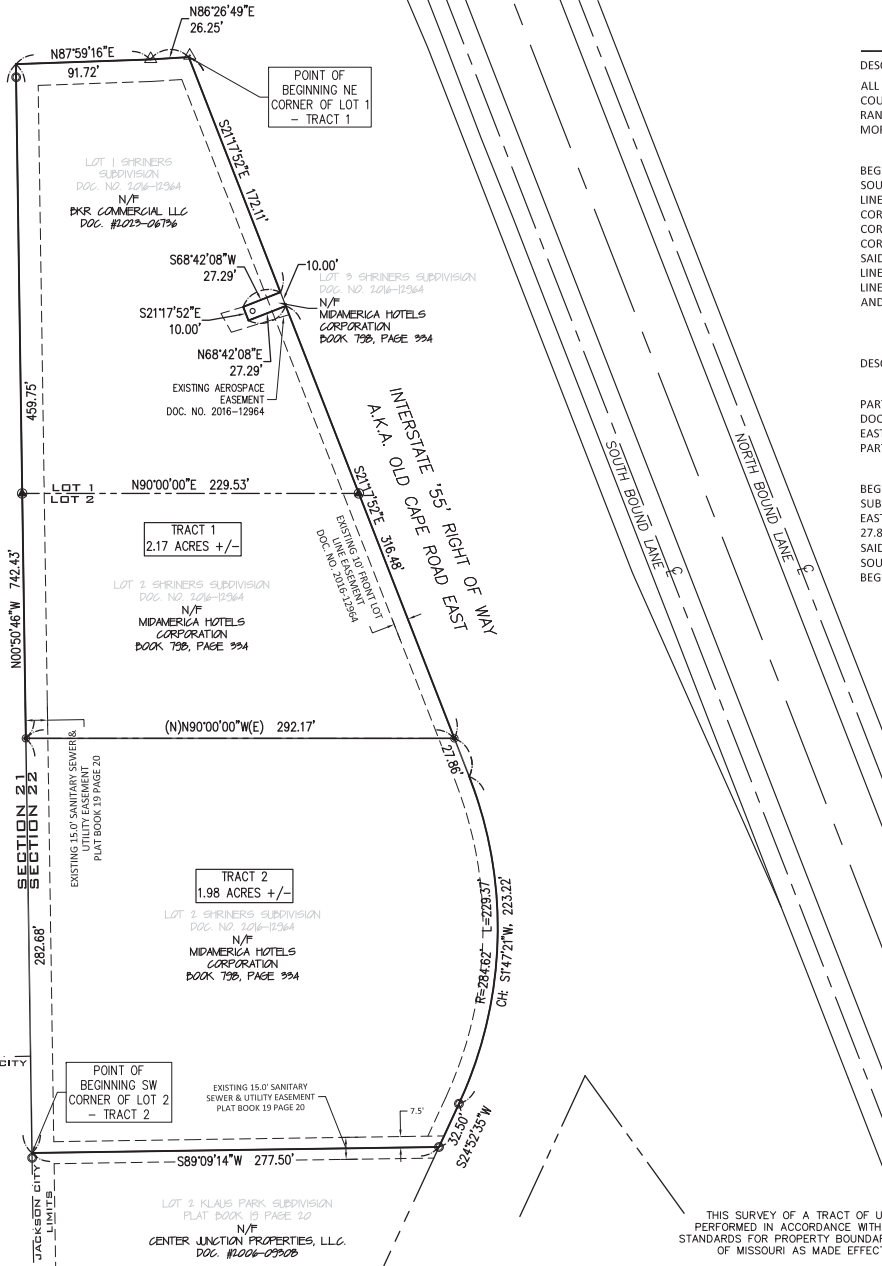
ALL OF LOT 1 AND PART OF LOT 2 OF SHRINERS SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN DOCUMENT NO. 2016-12964, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1 OF SAID SHRINERS SUBDIVISION, THENCE WITH THE EAST LINE OF SAID SUBDIVISION, SOUTH 21°17'52" EAST, 172.11 FEET, TO THE NORTHEAST CORNER OF LOT 3 OF SAID SUBDIVISION, THENCE LEAVING SAID EAST LINE OF SAID SUBDIVISION AND WITH THE NORTH LINE OF SAID LOT 3, SOUTH 68°42'08" WEST, 27.29 FEET; TO THE NORTHWEST CORNER OF SAID LOT 3 THENCE WITH THE WEST LINE OF SAID LOT 3, SOUTH 21°17'52" EAST, 10.00 FEET; TO THE SOUTHWEST CORNER OF SAID LOT 3, THENCE WITH THE SOUTH LINE OF SAID LOT 3, NORTH 68°42'08" EAST, 27.29 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3 AND THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH 21°17'52" EAST, 316.48 FEET; THENCE LEAVING SAID EAST LINE NORTH 90°00'00" WEST, 292.17 FEET TO A POINT ON WEST LINE OF SAID SUBDIVISION; THENCE WITH SAID WEST LINE NORTH 00°50'46" WEST, 459.75 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE WITH THE NORTH LINE OF SAID LOT, NORTH 87°59'16" EAST, 91.72 FEET; THENCE NORTH 86°26'49" EAST, 26.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.17 ACRES, MORE OR LESS.

DESCRIPTION - TRACT 2

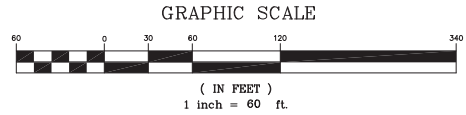
PART OF LOT 2 OF SHRINERS SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN DOCUMENT NO. 2016-12964, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2 OF SAID SHRINERS SUBDIVISION, THENCE WITH THE WEST LINE OF SAID SUBDIVISION, NORTH 00°50'46" WEST, 282.68 FEET; THENCE LEAVING SAID WEST LINE OF SAID SUBDIVISION, NORTH 90°00'00" EAST, 292.17 FEET TO A POINT ON THE EAST LINE OF SAID SUBDIVISION; THENCE WITH SAID EAST LINE, SOUTH 21°17'52" EAST, 27.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 284.62 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 229.37 FEET, (THE CHORD OF SAID CURVE BEARS SOUTH 01°47'21" WEST, 223.22 FEET); THENCE SOUTH 24°52'35" WEST, 32.50 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 89°09'14" WEST, 277.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.98 ACRES, MORE OR LESS.



LEGEND

- = FOUND 1/2" IRON ROD
- = SET 1/2" IRON ROD
- = FOUND RW MARKER
- = FOUND 3/8" ROD w/ ALUMINUM CAP
- = EXISTING EASEMENT LINE
- = SUBDIVISION BOUNDARY LINE
- = OLD PARCEL LINE
- = EXTERNAL PROPERTY LINE
- = RIGHT-OF-WAY LINE
- = CENTERLINE



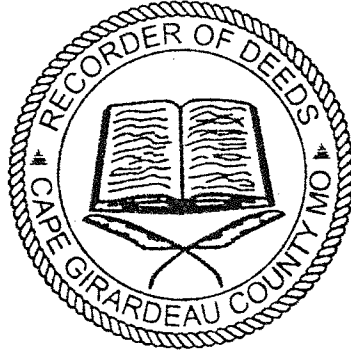
KOEHLER

Professional Engineers & Land Surveyors

194 Coker Lane
Cape Girardeau, Missouri 63701
Ph: (573) 335 - 3024 Fax: (573) 335 - 3049
PLS CORPORATE LICENSE NO. 000262

DRAWN BY: SUSAN DODDS	REV/DATE:	DESCRIPTION:	INITIALS:
CHECKED BY: CHRISTOPHER L. KOEHLER	01/22/24	ADDRESS CITY REVIEW COMMENTS	SD
SURVEY DATE: DECEMBER 2023			
DRAWING DATE: JANUARY 9, 2024			
DRAWING NO: 39193			

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2022.



ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
08/15/2023 11:00:10 AM
REC FEE: 27.00
PAGES: 2

WARRANTY DEED

This Warranty Deed made and entered into this 14 day of August, 2023, by and between **CAPE NOBLES, INC.**, a Missouri not for profit corporation, hereinafter referred to as **GRANTOR**, and **BKR Commercial, LLC**, a Missouri Limited Liability Company, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

1330 N. Kingshighway, Cape Girardeau, MO 63701

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

All of Lot One (1) of Shriners Subdivision, in the City of Jackson, County of Cape Girardeau, Missouri, as shown by plat filed for record in Document No. 2016-12964 in the land records of Cape Girardeau County, Missouri.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

GRANTOR:
CAPE NOBLES, INC., a Missouri not for profit corporation

BY: *James Schmidt*
James Schmidt, President

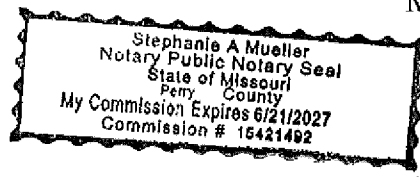
ATTEST:
Gerald Eaker
Gerald Eaker, Secretary/Treasurer

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 14 day of August, 2023, before me personally appeared **James Schmidt and Gerald Eaker, President and Secretary/Treasurer of CAPE NOBLES, INC., a Missouri not for profit corporation**, to me known to be the persons described in and who executed the within Warranty Deed, in behalf of said corporation and acknowledged to me that they executed the same for the purposes therein stated.

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

Stephanie A Mueller
Notary Public
My commission expires:



003687

THIS INDENTURE, made on the 27th day of March, A.D. One Thousand Nine Hundred and Ninety-Six by and between Rhodes Real Estate Partners, L.P. of the County of Cape Girardeau in the State of Missouri, Party of the First Part, and Midamerica Hotels Corporation of the County of Cape Girardeau, in the State of Missouri, Party of the Second Part:

(mailing address of said first named grantee is: P.O. Box 557
Cape Girardeau MO 63702-0557)

WITNESSETH, That the said party of the First Part, in consideration of the sum of Ten Dollars and No Cents (\$10.00) to be paid by the said party of the Second Part, the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain and Sell, Convey and Confirm, unto the said party of the Second Part their successors / heirs and assigns, the following described Lots, Tracts or Parcels of Land, lying being situate in the County of Cape Girardeau and State of Missouri, to-wit:

Starting at a stone on the quarter section corner line between sections 21 and 22; Township 31 North, range 13 East; thence South along the west line of said Section 22, a distance of 335 feet for the point of beginning; thence continue South along said west line, a distance of 1015.6 feet for a corner; thence North 25 deg. 30' East, a distance of 858 feet for a point marked by a stone; thence North 50 deg. 0' East, a distance of 375 feet for a corner; thence North 90 deg. West, 654 feet to the point of beginning and containing 6.50 acres, more or less, except that part conveyed for Interstate Route 55 right of way recorded in Book 195 at Page 257.

Subject to an Easement for Utility Line given to Missouri Utilities Company, a corporation, dated April 4, 1983, as set forth more fully in book 409, Page 837 of the Recorder of Deeds of Cape Girardeau County, Missouri.

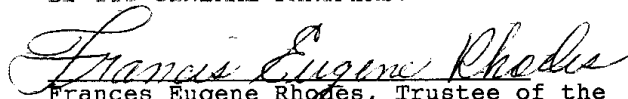
Which above said description has been superseded by survey of Wayne Koehler dated June 1, 1978 as attached hereto marked Exhibit "A".

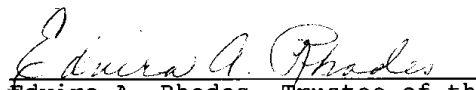
TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the Second Part, and unto its successors / heirs and assigns,

FOREVER, the said party of the first part Rhodes Real Estate Partners, L.P. hereby covenanting that it lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that it had good right to convey the same: that the said premises are free and clear of any encumbrance done or suffered by it or those under whom it claims, and that it will WARRANT AND DEFEND the title to the said premises unto the said party of the Second Part, and unto its successors / heirs and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the First Part had hereunto set its hand the day and year first above written.

RHODES REAL ESTATE PARTNERS, L.P.
BY ITS GENERAL PARTNERS:


Frances Eugene Rhodes, Trustee of the
Frances Eugene Rhodes Revocable Living
Trust Agreement of September 3, 1993
GENERAL PARTNER


Edvira A. Rhodes, Trustee of the
Edvira A. Rhodes Revocable Living Trust
Agreement of September 3, 1993
GENERAL PARTNER

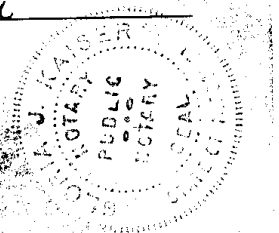
STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

BOOK 798 PAGE 336

On this 27th day of March, 1996, before me personally appeared James D. Maurer, General Partner in the Rhodes Real Estate Partners, L.P. to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cape Girardeau, Missouri, the day and year first above written.

Gloria J. Kaiser
Notary Public
Gloria J. Kaiser, Notary Public
Cape Girardeau County, State of Missouri
My Commission Expires 4/20/97



My commission expires: 4-20-97

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

IN THE RECORDER'S OFFICE

I, _____, Recorder of said County, do hereby certify that the within instrument of writing was, at _____ o'clock and _____ minutes _____ M., on the _____ day of _____ A.D. 19____, duly filed for record in my office, and is recorded in the records of this office, in Book _____ at Page _____.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in _____, Missouri, the this _____ day of _____ A.D. 19____.

RECORDER

Exhibit A

That part of the Southwest Quarter of Section 22, Township 31 North, Range 13 East, County of Cape Girardeau, State of Missouri described as follows: Start at the Northwest corner of the Southwest Quarter of said Section 22; thence South 1 degree 16' East with the West line of said Section, 335.0 feet, to the place of beginning; thence continue South 1 degree 16' East, 1009.02 feet to a stone on the West line of a county road; thence North 22 degrees 49' East, with said West line, 375.0 feet; thence North 23 degrees 49' East, 332.0 feet to the point of a 21 degrees 22' curve to the left thence along the arc of said curve, 213.36 feet; thence North 21 degrees 45' West, 163.0 feet; thence departing said road; North 89 degrees 54' West, 245.2 feet to the place of beginning.

Being and intended to be the same real estate as conveyed in Warranty Deed Recorded in Book 435 at page 917, Warranty Deed recorded in Book 691 at page 942 and Warranty Deed recorded in Book 783 at page 666.

STATE OF MISSOURI
County of Cape Girardeau,) ss

I hereby certify that this instrument was FILED FOR RECORD at the date and time shown hereon and is recorded in Book 798 Page 337

JANET ROBERT
Recorder of Deeds

By *Shirley M. McIntyre*
Deputy

Filed for Record
9:00
APR - 1 1996
Janet Robert, Recorder
Cape Girardeau County
Jackson, Mo.

\$ 27.00 Chg.

Chg
metre
mail
Grantee

**Planning & Zoning Commission Meeting
Staff Report**

ACTION ITEM: Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.

APPLICANT: City of Jackson

APPLICANT STATUS: Owner

PURPOSE: To use a temporary housing unit for the Fire Department while station #1 is being refurbished.

SIZE: 24'x 56'

PRESENT USES: Fire Station

PROPOSED USE: Fire Station

ZONING: C-3 Central Business District

SURROUNDING LAND USE: North, East & West - C-3 Central Business District; South - I-2 Heavy Industrial District

HISTORY: The City of Jackson has owned this property since March 1979.

TRANSPORTATION AND PARKING: All required street access and parking currently exist.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

COMPREHENSIVE PLAN: Commercial use

MAJOR STREET PLAN: S Hope St and W Jackson Blvd are arterial streets.

FLOODPLAIN INFORMATION: Not in the Flood Plain per FEMA panel 29031C0232E dated 9-29-11.

PHYSICAL CHARACTERISTICS: Flat area near the north side of the bay doors facing S Hope Street.

COMMENTS: This temporary building will house the Fire Department. They are asking for the building to be placed in their provided area because it will be easier to connect to the City's utilities.

ACTION REQUIRED: The Commission shall approve or deny this request. A public hearing at this level is optional.



REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

APPLICATION DATE: 1-22-2024

TYPE OF APPLICATION: Rezoning Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

525 South Hope Street, Jackson MO. 63755 (Fire Station #1)

CURRENT PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): City of Jackson, Missouri

Mailing Address: 101 Court Street

City, State ZIP: Jackson, Missouri 63755

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): Same

Mailing Address:

City, State, ZIP

CONTACT PERSON HANDLING APPLICATION:

Contact Name: George L. Harris

Mailing Address: 102 Court Street

City, State ZIP: Jackson, Missouri 63755

Contact's Phone: 573-243-2045

Email Address (if used): gharris@jacksonmo.org

CURRENT ZONING: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input checked="" type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

CURRENT USE OF PROPERTY: City of Jackson Fire Station #1

PROPOSED ZONING: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input checked="" type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

PROPOSED USE OF PROPERTY: Building will be used for temporary housing of fire dept. personnel during the rehabilitation of the existing fire station #1 building.

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

see attached

REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

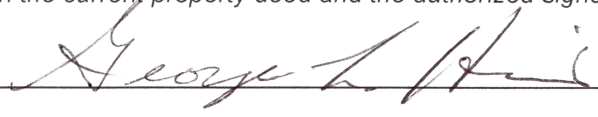
A temporary housing unit is needed to house fire fighters while fire station #1 is being rehabilitated.

DRAWINGS (FOR SPECIAL USE PERMITS ONLY): If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

OWNER SIGNATURES:

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



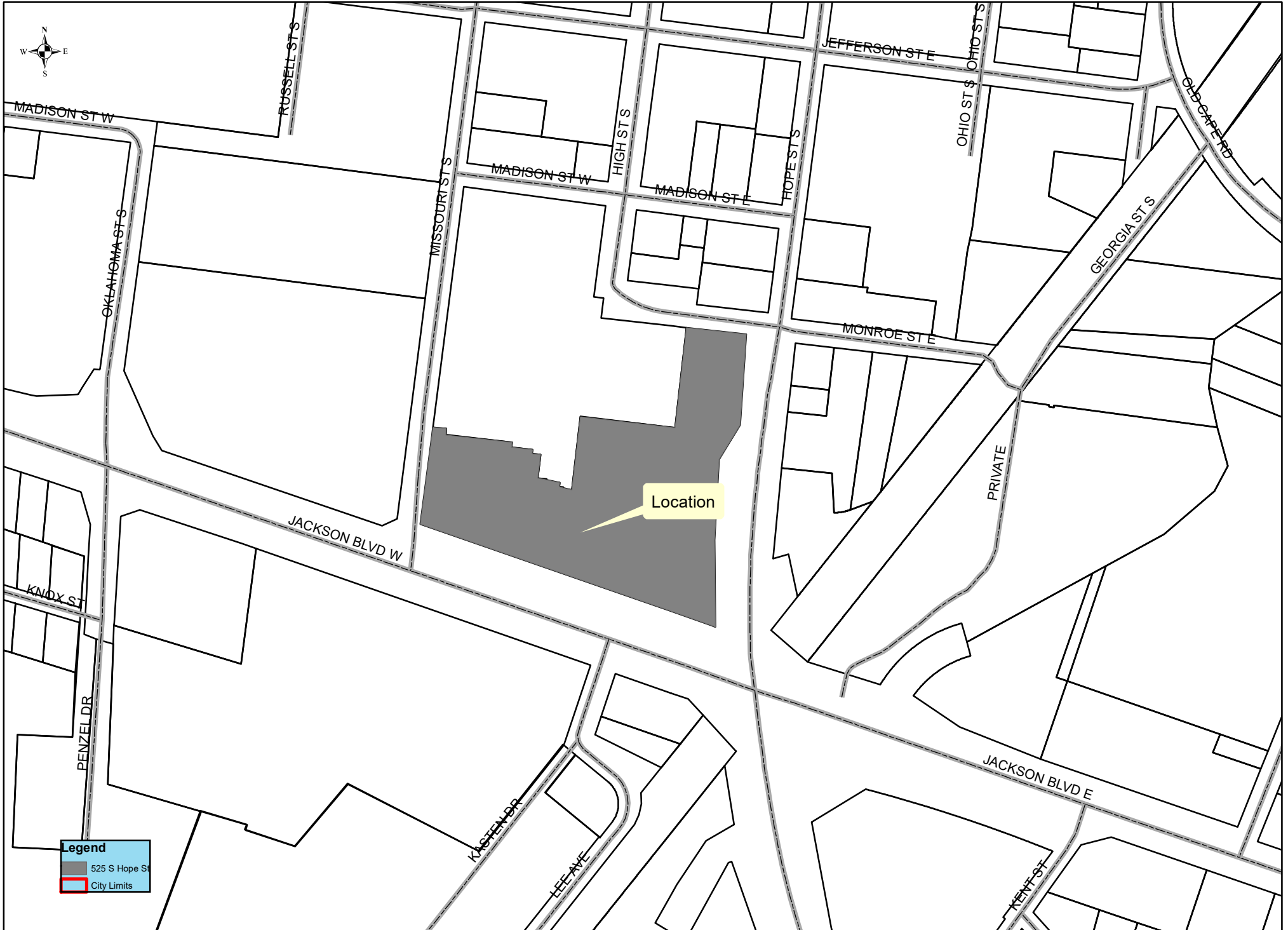
Please submit this application along with appropriate non-refundable application fee to:

Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755

573-243-2300 ext.29 (ph)
573-243-3322 (fax)
permits@jacksonmo.org

APPLICATION FEE: \$200.00

525 South Hope Street





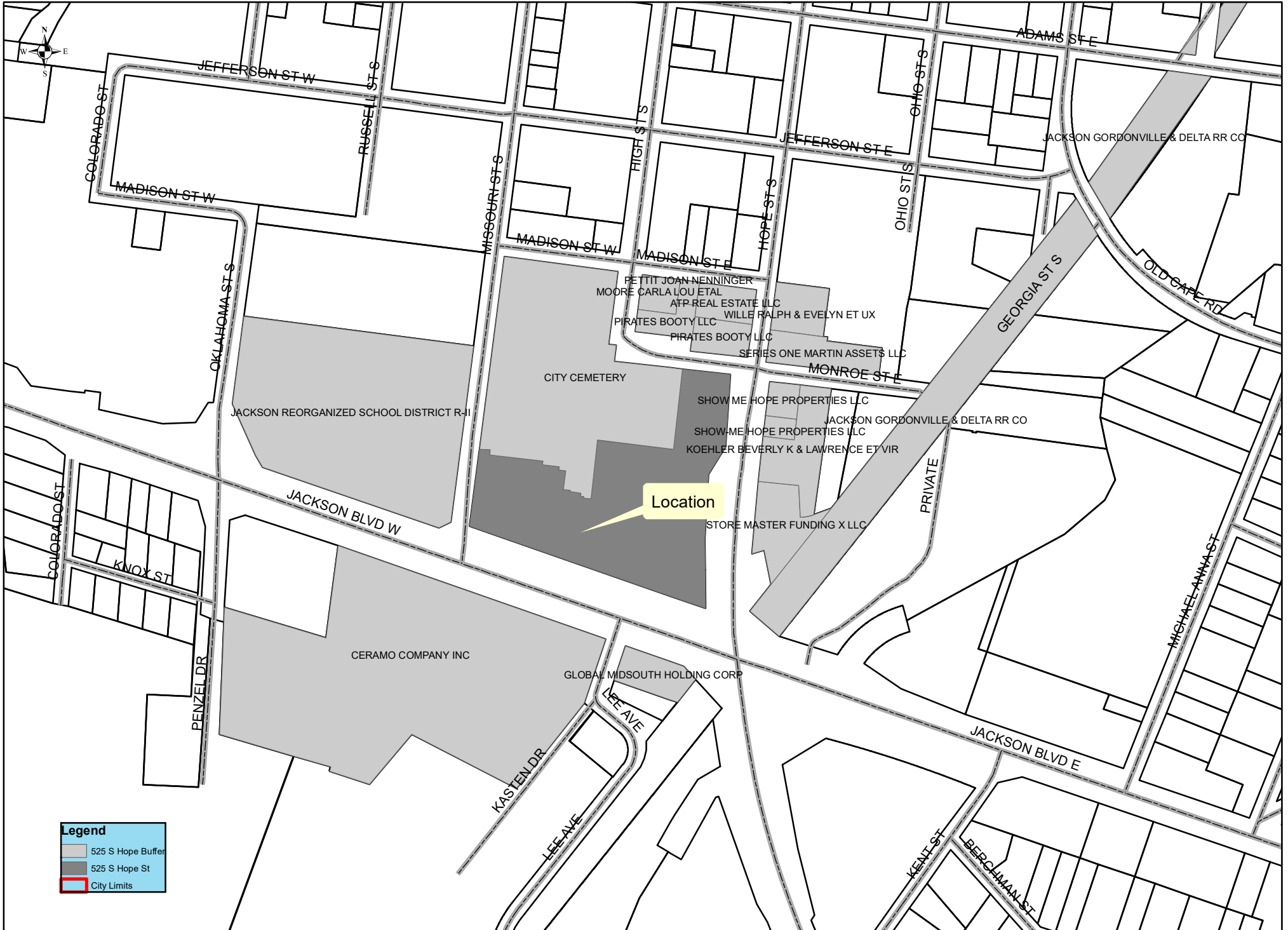
56' x 24'
Temp Housing

Text



Location Map
Special Use Permit for Fire Department Temporary Mobile Housing during Remodel of Fire Station No. 1

525 South Hope Street





City of Jackson

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on February 7, 2024, at a regular meeting in consideration of the following:

Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.

Applicant: CITY OF JACKSON
Filing Date of Application/Fee: JANUARY 22, 2024
Submission Date of Application to Commission: FEBRUARY 7, 2024
Public Hearing Date: WAIVED

In examining this consideration, the following factors were considered and found as noted:

Administrative Staff Findings:		Yes/	No
1.	Application provided all necessary information:	<u>X</u>	<u> </u>
2.	Generally conforms with City Comprehensive Plan:	<u>X</u>	<u> </u>
3.	Generally conforms with Major Street Plan:	<u>X</u>	<u> </u>
Planning & Zoning Commission Findings:		Yes	/No
1.	Creates adverse effects on adjacent property:	<u> </u>	<u>X</u>
2.	Creates adverse effects on traffic movement or safety:	<u> </u>	<u>X</u>
3.	Creates adverse effects on fire safety:	<u> </u>	<u>X</u>
4.	Creates adverse effects on public utilities:	<u> </u>	<u>X</u>
5.	Creates adverse effects on general health and welfare:	<u> </u>	<u>X</u>

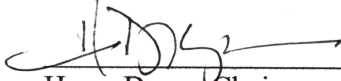
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

THE ABOVE APPLICATION IS:

- Approved**
- Disapproved**
- Approved with conditions specified below**

By a roll call of 7 ayes, nays, abstentions, and 2 absent this 7TH day of FEBRUARY 2024.

CITY OF JACKSON, MISSOURI



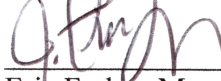
Harry Dryer, Chairman



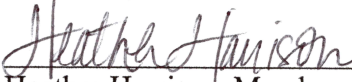
Tony Koeller, Secretary

Bill Fadler, Member

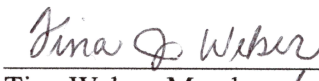
Beth Emmendorfer, Member



Eric Fraley, Member



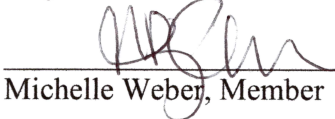
Heather Harrison, Member



Tina Weber, Member

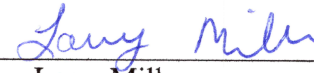


Angelia Thomas, Member



Michelle Weber, Member

ATTEST:



Larry Miller,
Building & Planning Manager

QUITCLAIM DEED

BOOK 401 PAGE 678

THIS INDENTURE, made this 15th day of March, 19 79,

between the STATE OF MISSOURI, acting by and through the STATE HIGHWAY COMMISSION OF MISSOURI, party of the first part and City of Jackson, Missouri, a Municipal Corporation

of the County of Cape Girardeau, State of Missouri, part y of the second part.

WITNESSETH, in consideration of the payment of the sum of (\$265,250.11)

TWO HUNDRED SIXTY FIVE THOUSAND, TWO HUNDRED FIFTY AND 11/100 - - - - - DOLLARS,

the receipt of which is hereby acknowledged, the said party of the first part does hereby REMISE, RELEASE, and FOREVER QUITCLAIM to the said part y of the second part, a tract of land, lying situated and being in the County of Cape Girardeau, State of Missouri, to-wit:

All that part of U.S.P. Survey No. 527, Township 31 North, Range 12 East, in the City of Jackson, Missouri, described as follows:

Start at the Northeast corner of U.S.P. Survey No. 527 and run south 71°15'59" west, 1871.10 feet for the point of beginning; thence north 7°52'47" East, 208.6 feet to the northeast corner of the City Cemetery; thence south 82°49' east, 124.8 feet to the intersection of the south line of Monroe Street with the west right-of-way line of Highway 61; thence south 7°55'42" west, 187.42 feet, thence south 32°21'45" west 84.55 feet; thence with the arc of 2°24'39" curve to the left (said curve having a long chord length of 340.57 feet and a bearing of S. 3°49'19" W.) for a distance of 166.76 feet to a point 85.0 feet westerly of and radial to Route 61 centerline Station 41+70; thence continuing left on the arc of said 2°24'39" curve for a distance of 174.24 feet to a point 85.0 feet westerly of and radial to Route 61 centerline Station 43+40.6, said last point also being at right angles to and 100.0 feet northerly of and at right angles to Route 72 centerline Station 675+69.1; thence N. 70°27' W. along the northerly right-of-way line of Route 72 a distance of 150.6 feet to a point 100' northerly of and at right angles to Route 72 centerline Station 674+18.5; thence N 70°27' W. along said right-of-way line 470.97 feet; thence north 4°06' east, 196.2 feet; thence south 45°25' east, 267.65 feet; thence south 17°04' west, 50.0 feet; thence with the arc of a 7°40' curve to the left (said last curve has a chord bearing of S. 76°42'06" E.) for a distance of 92.75 feet along the center of old mill switch as abandoned; thence north 7°52'47" east, 288.90 feet; thence south 82°49' east, 210.0 feet to the point of beginning, containing 3.83 acres, more or less.

Grantor specifically reserves all abutters' rights of direct access to the rights-of-way and roadways of Route 61 between Station 41+70 and Station 43+40.6 and Route 72(34) between Station 674+18.5 and Station 675+69.1 as said centerline Stations are identified and referenced herein.

Subject to all easements of record and all public utility facilities as now located.

TO HAVE AND TO HOLD THE SAME, with all and singular the rights, immunities, privileges, and appurtenances thereunto belonging, unto the said part y of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written:

ATTEST:

Irene Wollenberg
Secretary

Irene Wollenberg

STATE OF MISSOURI, acting by and through the
STATE HIGHWAY COMMISSION OF MISSOURI

By: Jay B. Dillingham
Chairman

Jay B. Dillingham

APPROVED AS TO FORM:

Bruce A. Ring
Attorney
Bruce A. Ring

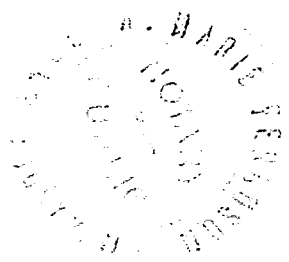
ACKNOWLEDGMENT

State of Missouri)
County of Cole) ss.

On this 15th day of March, 1979, before me personally appeared Jay B. Dillingham, to me personally known, who being by me duly sworn did say that he is Chairman of State Highway Commission of Missouri; that the seal affixed to the foregoing instrument is the official seal of said Commission; that said instrument was signed and sealed in behalf of said Commission by authority of said Commission, and that said Jay B. Dillingham acknowledged said instrument to be the free act and deed of said Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Cole County, the day and year first above written.

My Commission expires My Commission Expires September 21, 1980, 19 .



A. Marie Ferguson
Notary Public
A. Marie Ferguson

STATE OF MISSOURI }
County of Cape Girardeau, } SS.

In the Recorder's Office

I, JANET ROBERT, Recorder of Said County, do hereby certify that the within instrument of writing was, at 1 o'clock and 42 minutes P. M., on the 10th day of September, A. D., 19 82 duly filed for record in my office, and is recorded in the records of this office, in book 401 at page 678.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jackson, Mo., the date first above written.

By _____, Deputy

Janet Robert
JANET ROBERT

Recorder

City of Jackson

Old file
\$7.00
1.00 day.

Filed for Record
SEP 10 1982
JANET ROBERT, RECORDER
CAPE GIRARDEAU COUNTY
JACKSON, MO.

Staff Report

ACTION ITEM: Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Realty Missouri, LLC.

APPLICANT: Trussworks Realty Missouri, LLC (Steven L. Stroder)

APPLICANT STATUS: Property Owner

PURPOSE: To rezone from an R-1 and R-2 Single-family residential district to a C-2 General commercial district.

SIZE: 1.45 acres (inside the city limits), 10.55 acres (in the process of annexation) 12 acres total.

PRESENT USES: Agricultural

PROPOSED USE: C-2 General commercial district.

ZONING: R-1 and R-2 Single-family residential district

SURROUNDING LAND USE: North – I-2 Heavy industrial district; South – C-2 General commercial district; East – C-2 General commercial district; West – R-1 Single-family residential district

HISTORY: This tract was part of the Larry D. Borgfield and Audrey Borgfield property before being sold to Trussworks Realty Missouri, LLC. A small portion of this tract was annexed into the city as part of a large voter-approved annexation that followed public survey lines.

TRANSPORTATION AND PARKING: All required street frontage exists.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

2009 COMPREHENSIVE PLAN: Single-Family Residential

MAJOR STREET PLAN: This does not conflict with the major street plan.

FLOODPLAIN INFORMATION: This property is not in a floodplain per FEMA panel 29031C0143E dated 9/29/11.

PHYSICAL CHARACTERISTICS: Various

COMMENTS: This rezoning is concurrent with annexing the land outside the city limits. Once the land is annexed, it will become an R-1 Single-family residential district. This rezoning will be for the 12 acres of Stroder's Industrial Park Subdivision, which is 12 acres.

ACTION REQUIRED: The Commission shall vote to recommend approving or denying this request and will need to make their recommendation contingent on the annexation of the 12 acres for Stroder's Industrial Park Subdivision. A public hearing at this level is optional but requires one at the Board of Aldermen level.



REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

APPLICATION DATE: January 23, 2024

TYPE OF APPLICATION: [checked] Rezoning [] Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

N. High St. Parcel Number's 143080014001010000 & 099003600007000000

CURRENT PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Trussworks Realty Missouri, LLC / Steve Stroder, President
Mailing Address: 2270 Greensferry Road
City, State ZIP: Jackson, MO 63755

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s):
Mailing Address:
City, State, ZIP

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Chris Koehler
Mailing Address: 194 Coker Lane
City, State ZIP: Cape Girardeau, MO 63701
Contact's Phone: 573.335.3026
Email Address (if used): ckoehler@koehlerengineering.com

CURRENT ZONING: (check all that apply)

- [checked] R-1 (Single-Family Residential)
[checked] R-2 (Single-Family Residential)
[] R-3 (One- And Two-Family Residential)
[] R-4 (General Residential)
[] MH-1 (Mobile Home Park)
[] O-1 (Professional Office)
[] CO-1 (Enhanced Commercial Overlay)
[] C-1 (Local Commercial)
[] C-2 (General Commercial)
[] C-3 (Central Business)
[] C-4 (Planned Commercial)
[] I-1 (Light Industrial)
[] I-2 (Heavy Industrial)
[] I-3 (Planned Industrial Park)

CURRENT USE OF PROPERTY: Agricultural

PROPOSED ZONING: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

PROPOSED USE OF PROPERTY: Commerical use

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

see attached description

REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

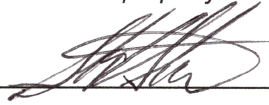
The majority of the property is in the County, which is unzoned and will be annexed and come into the city with a R-1 zoning. The property is along a commercial corridor which is developing commercially. The adjacent property and property across the street is zoned either C-2, I-1, or I-2. The owner intends the property for commerical use, and is requesting a C-2 zoning, which will be consistent with the use along the corridor and near by properties.

DRAWINGS (FOR SPECIAL USE PERMITS ONLY): If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

OWNER SIGNATURES:

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



Steven L. Stroder

Please submit this application along with appropriate non-refundable application fee to:

Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755

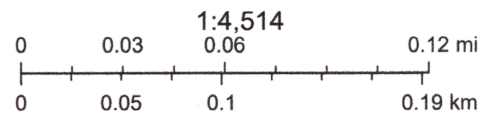
573-243-2300 ext.29 (ph)
573-243-3322 (fax)
permits@jacksonmo.org

APPLICATION FEE: \$200.00

City of Jackson

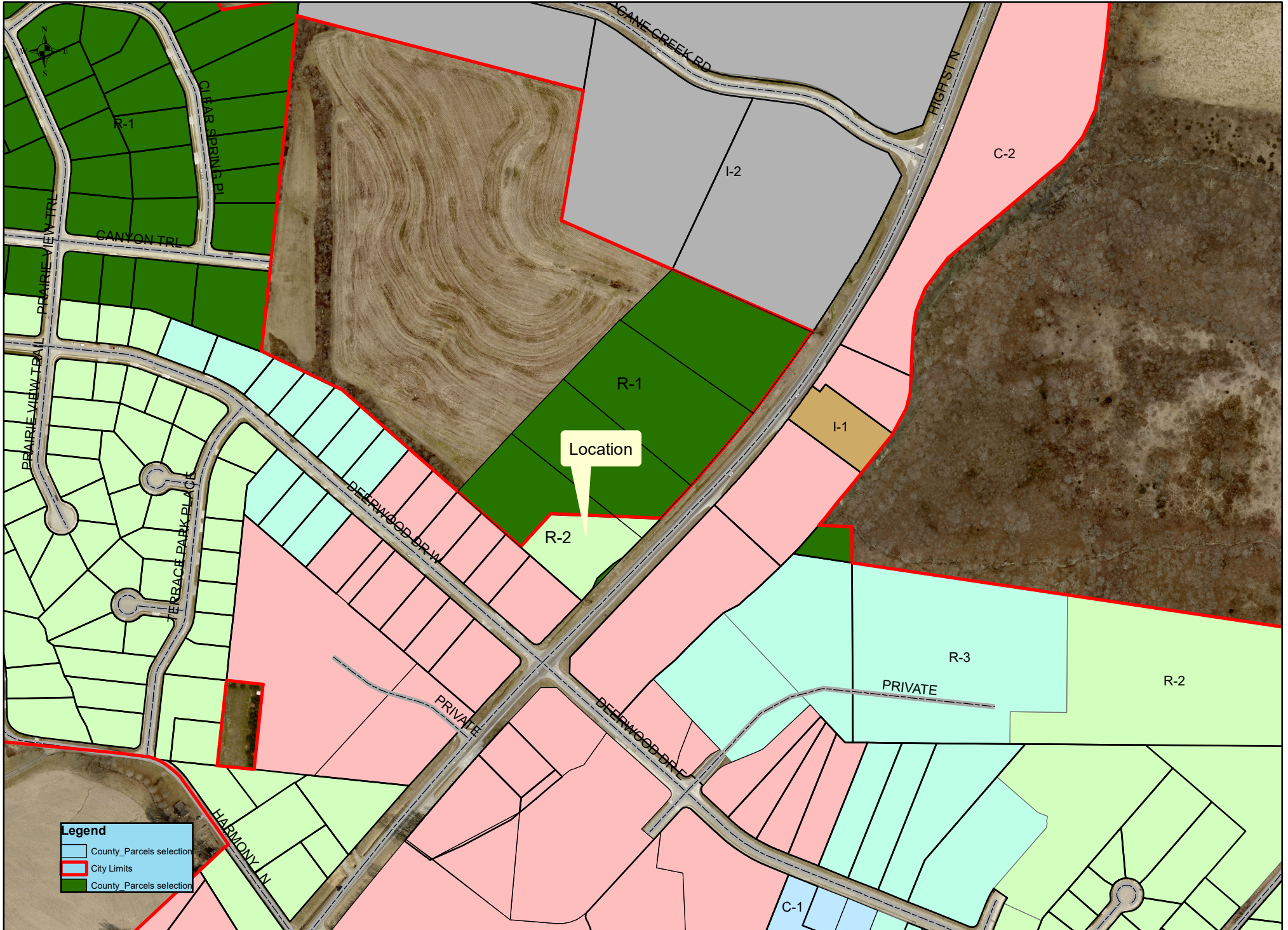


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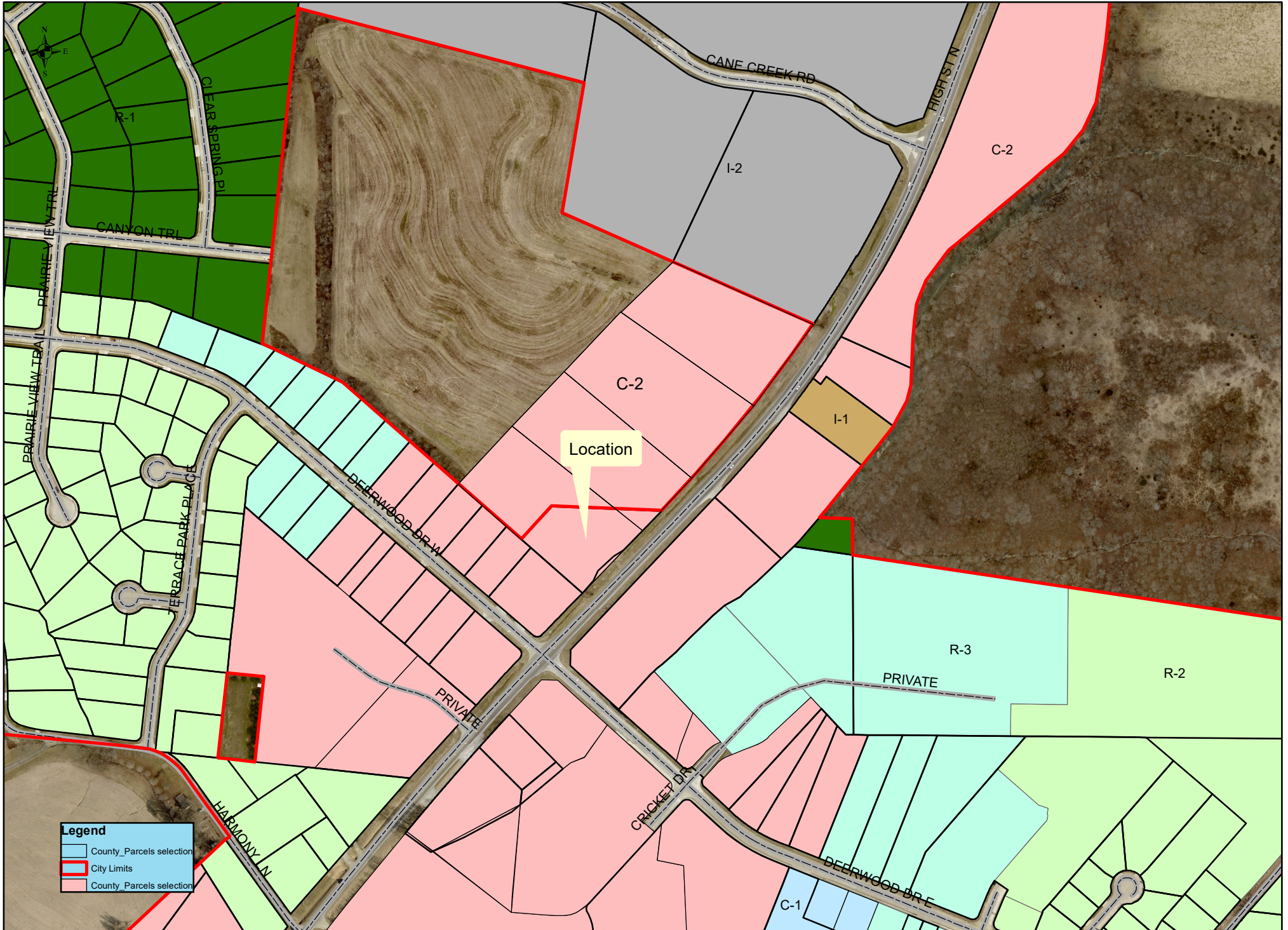


LOCATION MAP

Current Zoning

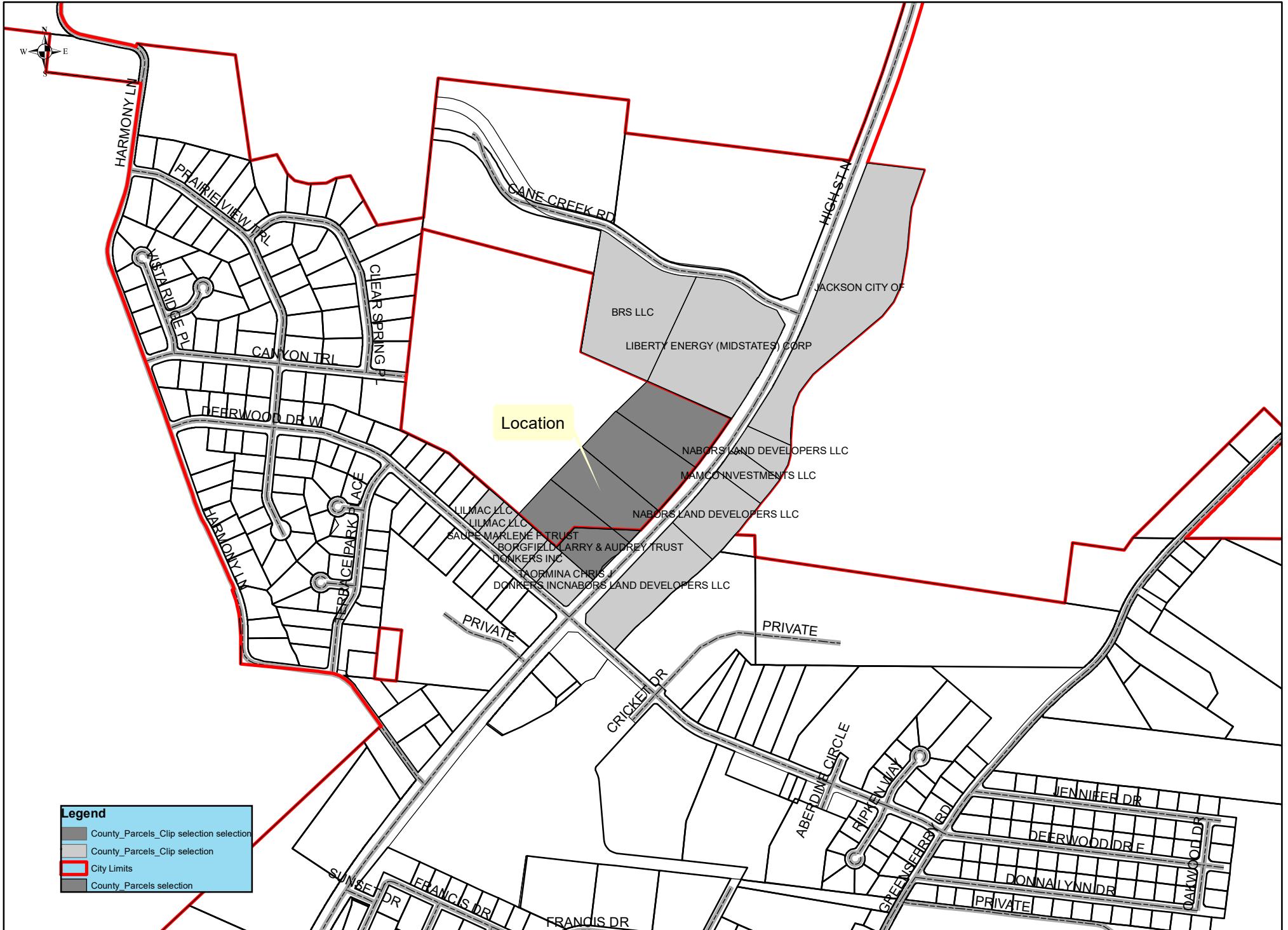


Proposed Rezoning



Legend	
	County_Parcels selection
	City Limits
	County_Parcels selection

Property Owners Within 180'





City of Jackson

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION REZONING: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on FEBRUARY 7, 2024, at a regular meeting in consideration of the following:

Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Realty Missouri, LLC.

Applicant: TRUSSWORKS REALTY MISSOURI, LLC
Filing Date of Application/Fee: JANUARY 23, 2024
Submission Date of Application to Commission: FEBRUARY 7, 2024
Public Hearing Date: WAIVED

In examining this consideration, the following factors were considered and found as noted:

<u>Administrative Staff Findings:</u>		<u>Yes/</u>	<u>No</u>
1.	Application provided all necessary information:	<u>X</u>	<u> </u>
2.	Generally conforms with City Comprehensive Plan:	<u>X</u>	<u> </u>
3.	Generally conforms with Major Street Plan:	<u>X</u>	<u> </u>
<u>Planning & Zoning Commission Findings:</u>		<u>Yes</u>	<u>/No</u>
1.	Creates adverse effects on adjacent property:	<u> </u>	<u>X</u>
2.	Creates adverse effects on traffic movement or safety:	<u> </u>	<u>X</u>
3.	Creates adverse effects on fire safety:	<u> </u>	<u>X</u>
4.	Creates adverse effects on public utilities:	<u> </u>	<u>X</u>
5.	Creates adverse effects on general health and welfare:	<u> </u>	<u>X</u>

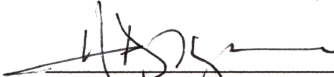
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

THE ABOVE APPLICATION IS:

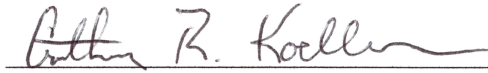
Approved
 Disapproved
 Approved with conditions specified below

By a roll call of 7 ayes, ___ nays, ___ abstentions, and 2 absent this 7TH day of
FEBRUARY 2024.

CITY OF JACKSON, MISSOURI




Harry Dryer, Chairman



Tony Koeller, Secretary

Bill Fadler, Member

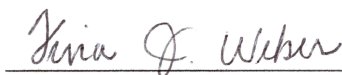
Beth Emmendorfer, Member



Eric Fraley, Member



Heather Harrison, Member



Tina Weber, Member

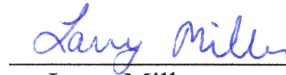


Angelia Thomas, Member



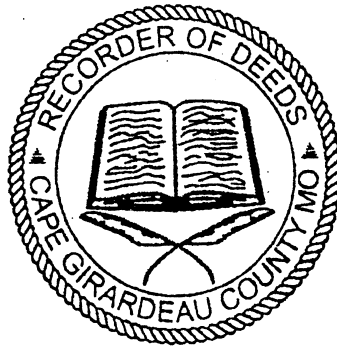
Michelle Weber, Member

ATTEST:



Larry Miller,
Building & Planning Manager

eRecorded
DOCUMENT #
2023-09671



ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
11/27/2023 10:42:35 AM
REC FEE: 30.00
PAGES: 3

WARRANTY DEED

This Warranty Deed made and entered into this 24th day of November, 2023, by and between **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, hereinafter referred to as **GRANTOR**, and **Trussworks Realty Missouri, LLC, a Texas Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

2155 Greensferry rd. Jackson, MO 63755

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

SEE EXHIBIT "A"

Larry D. Borgfield further states that he is the current acting trustee of the **Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, that said trust has not been amended or revoked, and that he has the authority, under of the terms of said trust, to convey the subject property.
Grantor further states Audrey Borgfield died on September 5, 2022.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

GRANTOR:

Larry D. Borgfield and Audrey Borgfield
Joint Revocable Trust Agreement dated June
6, 2017

BY: Larry D. Borgfield Trustee
Larry D. Borgfield, Trustee

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 24th day of November, 2023, before me personally appeared **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, to me known to be the person described in and who executed the within Warranty Deed, and acknowledged to me that he executed the same as his free act and deed and in his capacity as Trustee and in behalf of the aforesaid Trust.

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



Notary Public
My commission expires:

2309020

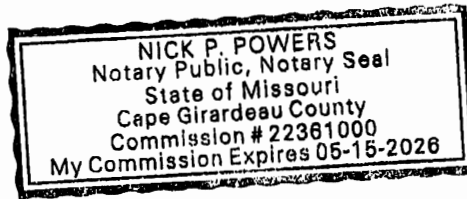


EXHIBIT "A"

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 990.34 feet to the most easterly corner of said Terrace Park Estates, said point being also on the west right of way line of North High Street / US Highway '61', thence with said west right of way line of said US Highway '61', North 44°22'23" East, 525.25 feet; thence continuing along said west right of way, along the arc of a curve to the left having a radius of 3075.22 feet, a distance of 217.46 feet; thence along an offset in said west right of way, South 49°40'43" East, 10.00 feet; thence continuing along said west right of way line of US Highway '61', along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears North 36°58'15" East, 360.64 feet), to a point at the most southerly corner of a tract now or formerly held in title by Liberty Energy (Midstates) Corp., as conveyed in Document 2013-01838; thence with the South line of said tract, North 64°46'04" West, 476.81 feet to the most westerly corner of said Liberty Energy (Midstates) Corp tract and the most southerly corner of said Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 390.40 feet to the place of beginning and containing 38.18 acres, more or less

Description taken from Survey dated October 27, 2023 by Christopher L. Koehler, LS-2470, Koehler Engineering and Land Surveying, Inc.

2309020



KOEHLER ENGINEERING & LAND SURVEYING, INC.

194 COKER LANE
CAPE GIRARDEAU, MO 63701
PH: (573) 335-3026

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most easterly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, South 64°46'04" East, 476.81 feet, to the most easterly corner of Liberty Energy (Midstates) Corp tract, as conveyed in Document 2013-01838; thence leaving said easterly corner and along the west right of way line of U.S. Highway 61, along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears South 36°58'15" West, 360.64 feet); thence along an offset in said west right of way, North 49°40'43" West, 10.00 feet; thence continuing along said west right of way, along the arc of a curve to the right having a radius of 3075.22 feet, a distance of 217.46 feet (the chord across said arc bears South 42°20'50" West, 217.42 feet); thence South 44°22'23" West, 525.25 feet to a point on the most easterly corner of lot 73 of Terrace Park Estates, said plat being recorded in Document 2006-06668, thence North 48°46'04" West, 520.15 feet; thence North 45°39'09" East, 972.22 feet; thence South 64°46'04" East, 3.22 feet to the place of beginning and containing 12.00 acres, more or less, and being subject to any easements of record.