

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH REPUBLIC R-III SCHOOL DISTRICT AND DRURY PROPERTIES INC. FOR RIGHT OF WAY ACCESS AND OTHER RELATED OBLIGATIONS AS PART OF THE NEW REPUBLIC INTERMEDIATE SCHOOL PROJECT

WHEREAS, the City of Republic, Missouri, (“City” and/or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and,

WHEREAS, Drury Properties, Inc. (“Drury”) currently owns approximately 2.12 acres of improved real property located near the intersection of existing Farm Road 107 and U.S. Highway 60 in Republic (the “Property”); and

WHEREAS, the Republic School District (“School District”) is currently planning for construction of a new school building on certain real property it owns immediately to the north of the Property; and

WHEREAS, in order to ensure safe and adequate access to the new school, once constructed, certain infrastructure and improvements must be made to various areas surrounding the Property, including portions of the Property itself; and

WHEREAS, among the improvements needed is the realignment of existing Farm Road 107 and the construction of a new intersection at the realigned Farm Road 107 and U.S. Highway 60, which will require right-of-way access to a portion of the Property; and

WHEREAS, the School District has agreed to convey its interest in approximately 0.86 acres of its land to Drury in exchange for Drury’s agreement to grant the City right-of-way access to the affected portion of the Property; and

WHEREAS, the City wishes to enter into an Intergovernmental Agreement (IGA) with Drury and the School District in order to set forth the terms and conditions under which the parties will grant the necessary access, complete the applicable construction and improvements and subsequently dedicate the agreed upon right-of-way and public street infrastructure; and

WHEREAS, the Council finds it in the best interest of the City to approve of the IGA with Drury and the School District, as it will help to advance the priority of ensuring safe, adequate access to and from the new intermediate school at the impacted location.

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

Section 1: The Mayor, on behalf of the City, is authorized to enter into an Intergovernmental Agreement with Republic R-III School District and Drury Properties, Inc. setting forth the terms and conditions under which the parties will grant the necessary access, complete the applicable construction and improvements and subsequently dedicate the agreed upon right-of-way and public street infrastructure, to be in substantially the same form as that attached to this Ordinance as “Attachment 1.”

Section 2: The Mayor and/or the City Administrator, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.

Section 3: The WHEREAS clauses above are specifically incorporated herein by reference.

Section 4: The provisions of this Ordinance are severable, and if any provisions hereof are declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 5: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2024.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: