

**AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION 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 Missouri Highways And Transportation Commission (“MHTC”) is currently planning for expansion of U.S. Highway 60 to six lanes near the location of the future Republic Intermediate School Property; 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**, 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 will then provide the necessary right-of-way to the Missouri Department of Transportation as needed for the improvements in or around 2027; and

**WHEREAS**, the City wishes to enter into an Intergovernmental Agreement (IGA) with Drury, the School District, and MHTC 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, the School District and MHTC, 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, Drury Properties, Inc., and the Missouri Highways and Transportation Commission 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: