

AN ORDINANCE OF THE CITY COUNCIL VACATING APPROXIMATELY ONE HUNDRED (100) SQUARE FEET OF UNOCCUPIED DRAINAGE EASEMENT ALONG WEST FARM ROAD 182 (VACA 25-006)

WHEREAS, the City of Republic, Missouri, ("City" 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, the City is requesting the vacation of one hundred (100) square feet of drainage easement located along West Farm Road 182 ("Proposed Vacated Area"); and

WHEREAS, the City submitted an application to vacate the Proposed Vacated Area ("Application") to the Planning and Zoning Commission ("P&Z Commission"), which then set a public hearing on the Application for June 9, 2025; and

WHEREAS, on May 21, 2025, at least fifteen (15) days before the public hearing, the City published notice of the time and date of the public hearing in the *Greene County Commonwealth*, a newspaper of general circulation in the City; and

WHEREAS, the City gave notice of the public hearing to the record owners of all properties within 185 feet of the Proposed Vacated Area, including all properties adjacent to the Proposed Vacated Area; and

WHEREAS, the P&Z Commission conducted the public hearing on June 9, 2025, at which all interested parties were afforded the opportunity to present evidence or statement(s); and

WHEREAS, the P&Z Commission, by a vote of 7 Ayes to 0 Nays, recommended approval of the Application, and provided such recommendation along with its rendered written findings of fact to the Council; and

WHEREAS, having now reviewed the Application and all other materials/information presented by staff, upon first and second read at its regular meeting on June 17, 2025 in accord with the provisions of City Charter Section 3.10(f), the Council finds all requirements for the Application are met and approves vacation of the Proposed Vacated Area, as requested in the Application.

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

Section 1: The approximately one hundred (100) square feet of drainage easement located along West Farm Road 182, more fully described in the Legal Description contained herein below, is hereby vacated, and the same shall revert to the affected owner(s) in the same proportion(s) as it was originally taken.

ALL THAT PART OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 22, TOWNSHIP 28 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI, BEING A PART OF THE TRACT OF LAND RECORDED IN THE GREENE COUNTY RECORDER'S OFFICE IN BOOK 2021 AT PAGE 64260-21, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING RAILROAD SPIKE AT THE NORTHWEST COMER OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 22; THENCE S88°04'25"E, ALONG THE NORTH LINE OF SAID NE¼ OF THE SE¼, A DISTANCE OF 669.03 FEET, TO A 5/8" IRON BAR WITH ILLEGIBLE CAP; THENCE S02°03'38"W, LEAVING SAID NORTH LINE. A DISTANCE OF 32.65 FEET TO A ½" IRON BAR MARKED "WLS LCS 370"; THENCE N88°33'07"W, A DISTANCE OF 445.77 FEET, TO THE POINT OF BEGINNING; THENCE S01°26'53"W, A DISTANCE OF 10.00 FEET; THENCE N88°33'07"W, A DISTANCE OF 10.00 FEET; THENCE N01°26'53"E, A DISTANCE OF 10.00 FEET; THENCE S88°33'07"E. A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 100 SQUARE FEET OR 0.002 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIONS OF RECORD.

Section 2: The City Clerk is hereby directed to record a certified copy of this Ordinance with the Recorder of Deeds for Greene County, Missouri.

Section 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: The provisions of this Ordinance are severable, and if any provision hereof is 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 _____, 2025.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: