

**AN ORDINANCE OF THE CITY COUNCIL VACATING A 385 FOOT PORTION OF NORTH  
BROOKLINE AVENUE LOCATED EAST OF STATE HIGHWAY MM**

**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 that Council vacate a portion of approximately (385) feet of North Brookline Avenue, a dead-end City street, the legal description for which is as follows:

ALL THAT PART OF SECTIONS 34 AND 35, TOWNSHIP 28 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE, NORTH 88°11'38" WEST, ALONG AND WITH THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION, A DISTANCE OF 619.73 FEET TO THE WEST RIGHT-OF-WAY LINE OF JAMES RIVER FREEWAY (U.S. 360); THENCE, NORTH 88°12'54" WEST, CONTINUING ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 673.95 FEET TO AN EXISTING IRON PIN AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF BROOKLINE ROAD (OLD ROUTE "MM") AS DESCRIBED IN BOOK 2012 AT PAGE 37510-12 OF THE GREENE COUNTY DEED RECORDS, AND THE POINT OF BEGINNING; THENCE, NORTH 88°17'03" WEST, A DISTANCE OF 70.02 FEET TO AN EXISTING IRON PIN ON THE WEST RIGHT-OF-WAY LINE OF SAID BROOKLINE ROAD; THENCE, NORTH 02°03'14" EAST, ALONG AND WITH SAID WEST LINE, A DISTANCE OF 385.65 FEET TO AN EXISTING IRON PIN ON THE SOUTH RIGHT-OF-WAY LINE OF JAMES RIVER FREEWAY; THENCE, SOUTH 68°54'11" EAST, ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 74.07 FEET TO THE INTERSECTION OF SAID SOUTH LINE WITH THE EAST RIGHT-OF-WAY LINE OF BROOKLINE ROAD; THENCE, SOUTH 02°03'14" WEST, ALONG AND WITH SAID EAST LINE, A DISTANCE OF 361.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.60 ACRES, MORE OR LESS.

the same being public property located within the city limits of Republic, Missouri; and

**WHEREAS**, the City submitted the application to vacate to the Planning and Zoning Commission, which set a public hearing on the application for February 7, 2022; and

**WHEREAS**, a notice of the time and date of the public hearing was given by publication on January 12, 2022, in the *Greene County Commonwealth*, a newspaper of general circulation in the City, at least fifteen (15) days in advance of the public hearing; and

**WHEREAS**, the City gave notice of the public hearing to the record owners of all properties within the area of the proposed vacation and within 185 feet of the property proposed to be vacated; and

**WHEREAS**, the public hearing on the application was conducted by the Planning and Zoning Commission on February 7, 2022, after which the Commission rendered written findings and submitted the same, together with its recommendations, to the City Council; and

**WHEREAS**, the Planning and Zoning Commission, by a vote of five (5) Ayes to zero (0) Nays, recommended the approval of the application to vacate; and

**WHEREAS**, the request to vacate was presented to the City Council for action and vote at a public hearing on February 22, 2022, at which time the Council approved the vacation of the portion of Brookline

Road, as requested in the initial application and recommended for approval by the Planning and Zoning Commission.

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

- Section 1:** The portion of Brookline roadway, fully described in the Legal Description herein above, is hereby vacated, and the same shall revert to the owner(s) of the adjacent lots in the same proportion as it was originally taken.
- 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 \_\_\_\_\_, 2022.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

*Megan E. McCullough*  
\_\_\_\_\_  
Megan McCullough, City Attorney

**Final Passage and Vote:**