

AN ORDINANCE OF THE CITY COUNCIL VACATING APPROXIMATELY ONE THOUSAND ONE HUNDRED (1,100) SQUARE FEET OF UTILITY EASEMENT ON LOT 1 OF MASON RIDGE PHASE I (VACA 25-008)

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 has received a request for the vacation of approximately 1,100 square feet of utility easement located on Lot 1 of the Mason Ridge Phase I Subdivision (“Proposed Vacated Area”); and

WHEREAS, Mason Ridge LLC (“Applicant”) 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 July 14, 2025; and

WHEREAS, on June 25, 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 those adjacent to the Proposed Vacated Area; and

WHEREAS, the P&Z Commission conducted the public hearing on July 14, 2025, at which all interested parties were afforded the opportunity to present evidence or statement; and

WHEREAS, the P&Z Commission, by a vote of 6 Ayes to 0 Nays, recommended approval of the Application, and provided such recommendation along with its written findings of fact to the Council; and

WHEREAS, having now reviewed the Application upon first and second read at its regular meeting on July 15, 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 utility easement on Lot 1 of the Mason Ridge Phase 1 Subdivision, 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.

A PORTION OF THE 10.00 FEET WIDE PLATTED UTILITY EASEMENT LOCATED ON THE SOUTH SIDE OF LOT ONE (1), MASON RIDGE PHASE 1, A SUBDIVISION IN THE NORTHEAST QUARTER (NE¼) OF SECTION 28, TOWNSHIP 28 NORTH, RANGE 23 WEST OF THE 5TH P.M. IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, SAID PORTION OF THE UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 OF MASON RIDGE PHASE 1, THENCE N00°10'18"W, 10.72 FEET TO THE NORTH

LINE OF SAID UTILITY EASEMENT; THENCE S69°06'01"E, ALONG THE NORTH LINE OF SAID UTILITY EASEMENT, 102.36 FEET; THENCE ALONG SAID NORTH LINE ALONG A CURVE TO THE LEFT AN ARC LENGTH OF 7.87 FEET, WITH A RADIUS OF 15.00 FEET, AND A CHORD BEARING AND DISTANCE OF S84°07'43"E, 7.78 FEET; THENCE S00°04'27"E, 10.08 FEET TO THE PLATTED SOUTH LINE OF SAID LOT 1; THENCE ALONG SAID SOUTH LINE ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 11.52 FEET, WITH A RADIUS OF 25.00 FEET, AND A CHORD BEARING AND DISTANCE OF N82°18'18"W, 11.42 FEET; THENCE N69°06'01"W, ALONG SAID SOUTH LINE, 98.51 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. SAID DESCRIPTION IS SHOWN ON JOB No. 250513 BY O&M SURVEYING, LLC, LC-2022004477 AND IS INCORPORATED FULLY HEREIN BY REFERENCE.

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: