

AN ORDINANCE OF THE CITY COUNCIL VACATING APPROXIMATELY ONE THOUSAND NINE HUNDRED TWENTY (1,920) SQUARE FEET OF RIGHT-OF-WAY ALONG EAST GREENTREE STREET (VACA 24-002)

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 received a request from property owner Stu Stenger (“Owner”) for the vacation of approximately one thousand nine hundred twenty (1,920) square feet of right-of-way along East Greentree Street (“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 October 7, 2024; and

WHEREAS, on September 18, 2024, 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 October 7, 2024, at which all interested parties were afforded the opportunity to present evidence or statement; and

WHEREAS, the P&Z Commission, by a vote of 4 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 upon first and second read at its regular meeting on July 16, 2024, 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 thousand nine hundred twenty (1,920) square feet of right-of-way, 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.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 44 IN SAID PLAT; THENCE S00°53’08”W, A DISTANCE OF 70.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID PLATTED GREENTREE STREET; THENCE S89°06’52”E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 54.38 FEET FOR A POINT OF BEGINNING; THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 535.00

FEET, AN ARC LENGTH OF 144.99 FEET, CENTRAL ANGLE OF 15°31'41", AND A CHORD DISTANCE OF 144.55 FEET, WHICH BEARS N83°07'17"E; THENCE N75°21'27"E, A DISTANCE OF 50.71 FEET TO A POINT ON THE EAST LINE OF SAID PLAT BOUNDARY; THENCE S10°43'35"E, ALONG SAID EAST LINE, A DISTANCE OF 22.62 FEET, TO THE SOUTHEAST CORNER OF SAID PLAT BOUNDARY, AND THE SOUTH LINE OF SAID PLATTED GREENTREE STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE, AND A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 535.00 FEET, AN ARC LENGTH OF 108.43 FEET, A CENTRAL ANGLE OF 11°36'43", AND A CHORD DISTANCE OF 108.24 FEET, WHICH BEARS N85°04'46"E; THENCE N89°06'52"E, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 88.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,920 SQUARE FEET, MORE OR LESS AND SUBJECT TO ANY 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 _____, 2024.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: