

**AN ORDINANCE OF THE CITY COUNCIL VACATING APPROXIMATELY THREE THOUSAND FIVE HUNDRED EIGHTY SIX (3,586) SQUARE FEET OF RIGHT-OF-WAY ALONG EAST GREENTREE STREET (VACA 24-003)**

**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 three thousand five hundred eighty six (3,586) 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 three thousand five hundred eighty-six (3,586) 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.

A part of the public right-of-way of Greentree Street, being a part of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 11, Township 28 North, Range 23 West, in the City of Republic, Greene County, Missouri, recorded in Book 2024 at Page 001686-24 in the Greene County Recorder’s Office, more particularly described as follows:

COMMENCING at the Southeast corner of said NW¼ of the SW¼; thence S89°06'52"E, along the South line of said NW¼ of the SW¼, a distance of 847.23 feet; thence N00°53'08"E, leaving said South line, a distance of 10.95 feet to the South line of said Greentree Street for a POINT OF BEGINNING; thence N10°43'35"W, leaving said South right-of-way line, a distance of 22.62 feet; thence N75°21'27"E, a distance of 261.19 feet to a point on said South right-of-way line; thence along said South right-of-way line, and a non-tangent curve to the left, having a radius of 465.00 feet, an arc length of 76.12 feet, central angle of 9°22'45", and a chord distance of 76.04 feet, which bears S70°40'04"W; thence S65°58'42"W, continuing along said South line, a distance of 64.09 feet; thence continuing along said South line, and a tangent curve to the right, having a radius of 535.00 feet, an arc length of 124.15 feet, a central angle of 13°17'43", and a chord distance of 123.87 feet, which bears S72°37'33"W to the POINT OF BEGINNING.

Containing 3,586 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:**