

**AN ORDINANCE OF THE CITY COUNCIL APPROVING EXECUTION OF A DEVELOPER AGREEMENT WITH WILSON'S VALLEY, LLC FOR THE DEFERMENT OF CERTAIN INFRASTRUCTURE OBLIGATIONS IN EXCHANGE FOR THE DEVELOPER'S DEDICATION OF RIGHT-OF-WAY TO THE CITY**

**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**, Wilson's Valley, LLC (herein called the "Developer") is the owner and Developer of approximately 91.55 acres of real property located at the 6500 block of West U.S. Highway 60 in Republic ("Property"); and

**WHEREAS**, on May 3, 2022, via Ordinance 22-24, Council approved of the Development Plan for the Wilson's Valley Planned Development District ("the Development") for the Property; and

**WHEREAS**, the Developer is currently working on Phase 1 of the Development and the City desires to enter into a Developer Agreement with Developer pursuant to which the City will agree to defer the design, permitting, and construction of the Primary Arterial, as shown on the Development Plan, in exchange for Developer's immediate dedication of the right-of-way for the Primary Arterial (Proposed MODOT Primary Arterial), as identified in the Development Plan ("Dedicated ROW"); and

**WHEREAS**, under the proposed Developer Agreement, the Developer will agree to construct a City street within the Dedicated ROW during the construction of Phase 3 of the Development, the infrastructure plans for which will be subject to the review and approval by the City's BUILDS Department; and

**WHEREAS**, based upon documentation and presentation(s) provided by City staff, the Council finds the proposed Developer Agreement is in the City's best interest as it will help to maximize efficiency and the timely construction of the Development, which will ultimately contribute to the continued economic growth and development in the City.

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

- Section 1:** The City Administrator or his/her designee, on behalf of the City, is authorized to enter into a Developer Agreement with Wilson's Valley, LLC to govern the terms under which the public improvements referenced herein will be made, to be in substantially the same form as that attached hereto and labeled, "Attachment 1".
- Section 2:** The City Administrator, or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.
- Section 3:** The WHEREAS clauses above are specifically incorporated herein by reference.
- Section 4:** The provisions of this Ordinance are severable, and if any provisions hereof are 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 \_\_\_\_\_, 2023.

**Attest:**

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

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Laura Burbridge, City Clerk

**Approved as to Form:**

  
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Megan McCullough, City Attorney