

**AN ORDINANCE OF THE CITY COUNCIL APPROVING EXECUTION OF A DEVELOPER AGREEMENT WITH
TURNER RESIDENTIAL HOLDING, LLC FOR THE CONTINUED DEVELOPMENT OF THE OAK HILLS PHASE
THREE RESIDENTIAL SUBDIVISION**

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, Turner Residential Holding, LLC ("Developer") is currently the owner of approximately 48.5 acres of real property located at/near 7012 West Farm Road 170 in Republic, Missouri ("Property"); and

WHEREAS, Developer is in the process of developing a residential subdivision on the Property; and

WHEREAS, on June 26, 2018, via Ordinance 18-31, the City Council approved of amendment to the Zoning Code and Official Zoning Map by re-zoning the Property from Agricultural (AG) to High Density Single Family Residential (RI-H); and

WHEREAS, on April 16, 2019, via Resolution 19-R-10, the City Council approved of Developer's Preliminary Plat for the residential subdivision on the Property, then known as the A'Vila Residential Subdivision ("A'Vila"), consisting of approximately 139 lots; and

WHEREAS, on January 19, 2022, via Ordinance 22-27, the City Council approved of Developer's Final Plat for Phase 1 of the residential subdivision on the Property, now known as the Oak Hills Residential Subdivision ("Oak Hills"), consisting of 27 lots; and

WHEREAS, Developer has indicated its desire to continue development of Oak Hills, and specifically, Phase 3, which consists of approximately 19 lots; and

WHEREAS, as required by the Preliminary Plat, applicable City Ordinances and the City's adopted Transportation Plan, certain public improvements must be completed upon the Property; and

WHEREAS, Developer has requested the City defer certain infrastructure required to be constructed by Developer during construction of Oak Hills Phase 3; and

WHEREAS, the City has agreed to defer the requested infrastructure during construction of Phase 3 of Oak Hills, subject to certain terms and conditions set forth in a Developer Agreement between the City and Developer; and

WHEREAS, the Council finds the Developer Agreement is in the City's best interest as it will benefit the community through the continued economic growth and development in the City while preserving and protecting the City's rights in connection with said development.

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 Turner Residential Holding, LLC for the

public improvements referenced herein, 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

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: