

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING ORDINANCE 20-58 TO CORRECT A SCRIVENER'S ERROR**

WHEREAS, the City of Republic, Missouri, (herein called the "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, on December 8th, 2020, Ordinance 20-58 was adopted to annex approximately 40.9 acres of land located at 7576 West Farm Road 186 and adjacent right-of-way; and

WHEREAS, in addition to the legal description in Ordinance 20-58, the City also provided with the Ordinance a location and detailed vicinity maps showing the exact location of the land subject to the annexation, posted on the land a public notification of the annexation, and provided the Greene County PIN; and

WHEREAS, as required by City Code, the owner of the land provided the legal description to the City for the land subject to this annexation; and

WHEREAS, after the land was annexed by the City, the owner of the land discovered a scrivener's error in the legal description and recorded that scrivener's error with the Greene County Recorder of Deeds in Book 2021, Page 008793-21; and

WHEREAS, the City has received notification from the owner of the land that the legal description provided to the City and included in Ordinance 20-58 for the annexation of the land contained a scrivener's error; and

WHEREAS, the City Council intended to annex the correct parcel of land owned by the landowner and shown in detail on the vicinity maps and address despite the scrivener's error in the legal description.

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

- Section 1. Ordinance 20-58 is hereby amended to reflect the record of the proceedings accurately before the City Council in that the legal description set forth below reflects the accurate description of the portion of land to be annexed, and this description should be incorporated into and be a part of the documentation for Ordinance 20-58 as the correct description of the property annexed.
- Section 2. Ordinance 20-58 is hereby amended by deleting the incorrect legal description in Section 1 of Ordinance 20-58, and adding the following corrected legal description:

TRACT 1

THAT CERTAIN PARCEL OR TRACT OF LAND BEING THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 28 NORTH, RANGE 23 WEST, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING RAILROAD SPIKE AT THE NORTHEAST CORNER OF SAID SECTION 28;
THENCE, N88°40'44 "W, ALONG THE NORTH LINE OF SAID SECTION 28, A DISTANCE OF 1340.03 FEET TO A SET COTTON SPINDLE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, AND THE POINT OF BEGINNING;
THENCE, S02°00'49"W, ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1329.08 FEET TO AN EXISTING 1/2" IRON PIN WITH A CAP STAMPED "WOLFE", SAID POINT BEING THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4;
THENCE, N88°40'21"W, ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1341.51 FEET TO AN EXISTING BENT 1/2" IRON PIN AT THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4;
THENCE, N02°04'39"E, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1328.94 FEET TO AN EXISTING BOAT SPIKE AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4;
THENCE, S88°40'44"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1340.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.9 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENT OR RESTRICTION OF RECORD, IF ANY, AND ANY PART USED FOR ROAD RIGHT-OF-WAY PURPOSE.

- Section 3. In all other respects, Ordinance 20-58 shall remain unchanged and in full force and effect.
- Section 4. The City Administrator or designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.
- Section 5. The whereas clauses are hereby specifically incorporated herein by reference.
- Section 6. 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 7. This Ordinance shall be in full force and effect from and after the date of 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 _____ 2021.


Matt Russell, Mayor

BILL NO. 21-28

ORDINANCE NO.

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.04.15 13:16:18
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____