

AN ORDINANCE OF THE CITY COUNCIL AMENDING ORDINANCE 24-58 VACATING APPROXIMATELY ONE THOUSAND NINE HUNDRED TWENTY (1,920) SQUARE FEET OF RIGHT-OF-WAY ALONG EAST GREENTREE STREET (VACA 24-002) TO CORRECT A SCRIVENER'S ERROR

WHEREAS, the City of Republic, Missouri, (herein, 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 or about October 15, 2024, the City Council approved the vacation of approximately one thousand nine hundred twenty (1,920) square feet of right-of-way along East Greentree Street ("the Vacated Area"); and

WHEREAS, as required by law, Ordinance 24-58 contained a legal description of the Vacated Area, as well as detailed vicinity maps showing the exact location of the Vacated Area; and

WHEREAS, after approval of Ordinance 24-58, City staff discovered a scrivener's error within the legal description of the Vacated Area contained in Ordinance 24-58; and

WHEREAS, in adopting Ordinance 24-58, the City Council intended to approve the vacation of that particular one thousand nine hundred twenty (1,920) square foot portion of right-of-way along East Greentree Street, as shown in detail on the vicinity maps, despite the scrivener's error in the legal description of the Vacated Area contained in Ordinance 24-58; and

WHEREAS, the City Council now desires to amend Ordinance 24-58 to accurately reflect the correct legal description of the one thousand nine hundred twenty (1,920) square foot portion of right-of-way along East Greentree Street, which it intended to authorize for vacation in Ordinance 24-58.

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

Section 1. Ordinance 24-58 is hereby amended to accurately reflect the record of the proceedings before the City Council in that the legal description set forth herein below reflects the correct description of the vacated land, and such correct legal description shall be incorporated into and be a part of the documentation for Ordinance 24-58 as the correct description of the vacated land.

Section 2. Ordinance 24-58 is hereby amended to effectively delete the incorrect legal description in Section 1 of Ordinance 24-58, and inserting in its place the following corrected legal description:

A part of the platted public right-of-way of Greentree Street in Wilson's Valley Phase 1, recorded in Plat Book AAA at Page 921 in the Greene County Recorder's Office, in the City of Republic, Greene County, Missouri, more particularly described as follows:

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 S85°04'46"W; thence N89°06'52"W, 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 3. In all other respects, Ordinance 24-58 shall remain unchanged and in full force and effect.

Section 4. The City Administrator, or their designee(s), 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 _____, 2025.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: