



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-57 An Ordinance of the City Council of the City of Republic, Missouri, Vacating a General Utility Easement Located on Property Owned by MM Highway, LLC, Also Known As Heart of America Park, in the City of Republic, Missouri.

Submitted By: Laura Burbridge, City Clerk
Karen Haynes, BUILDS Assistant Administrator

Date: August 17, 2021

Issue Statement

To vacate a property previously approved by Council with a vote of 8 Aye to 0 Nay on January 17, 2017. This ordinance was never signed by the Mayor or City Clerk and cannot be recorded without valid signatures.

Discussion and/or Analysis

The public hearing was published in the Springfield News Leader on December 16, 2016 and held at Planning and Zoning on January 9th, 2017. The vacation was then voted on by a count of 7 Aye to 0 Nay at said meeting. This bill was originally presented as Bill No. 17-07 and passed by a vote of 8-0 on January 17, 2017.

The Heart of America Park development proposed to relocate existing water and sanitary sewer infrastructure to clear land area for the location of a proposed new building. The design for the relocation of the pertinent infrastructure has already been approved by the city's Public Works Department and work will begin shortly on the decommissioning of the lines being replaced.

Once those existing lines are properly decommissioned and abandoned, the City will no longer have need for the general utility easement that contained them and which presents an encumbrance to the use of the land to the property owner. By approving this Bill, the City will authorize the vacation of that general utility easement in order to remove that encumbrance and allow the building project to proceed.

Additionally, this ordinance will, in part, serve as a contract between the City and the developer to secure the construction of the new infrastructure that will replace what is being decommissioned.

The vacation will be conditioned upon certification by the Public Works Director that the new infrastructure is complete and functioning properly.

Recommended Action

Staff recommends approval.