

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN EASEMENT BY THE CITY OF
WILLARD, MISSOURI.**

WHEREAS, the City of Willard, Missouri (the “City”), desires to accept the transfer of certain utility easements located at 418 West Jackson Street, Willard, Greene County, Missouri (“418 West Jackson”), more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, Section 79.010, RSMo, authorizes fourth-class cities to receive and hold real property within the city and purchase, hold, lease, sell or otherwise dispose of any real property it now owns or may hereafter acquire; and

WHEREAS, Section 79.110, RSMo, provides for the authority of the Mayor and Board of Aldermen to have the care, management and control of the city and its finances and shall have power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such as they shall deem expedient for the good government of the city, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify or repeal the same; and

WHEREAS, these statutory provisions collectively confer upon the City the legal authority to receive title to and hold real property; and

WHEREAS, Section 100.010 of the Municipal Code of the City of Willard, Missouri, provides the power of the City to receive and hold property, both real and personal, within the city and my purchase, receive, hold, lease, sell or otherwise dispose of any property, real or personal, it now owns or may own; and

WHEREAS, Emanuel Romanian Christian Church, a Missouri nonprofit corporation (the “Grantor”), has offered to convey to the City the property located at 418 West Jackson Street, Willard, Greene County, Missouri; and

WHEREAS, the legal description of the property easement located at 418 West Jackson is described in and incorporated herein by reference as Exhibit A; and

WHEREAS, the City has determined that the acquisition of the 418 West Jackson property serves a legitimate public purpose, including the preservation of property for municipal use, community benefit, or future public improvement; and

WHEREAS, the City acknowledges that the transfer will place the property under municipal ownership and control, relieving the Grantor of any further maintenance responsibility and ensuring the property’s use for lawful and beneficial municipal purposes; and

WHEREAS, the City has determined that the proposed transfer will not be detrimental to the public and will further a legitimate municipal interest; and

WHEREAS, the primary objective of this conveyance is to serve a recognized public purpose, and any incidental private benefit arising from the transaction does not render it unlawful; and

WHEREAS, the Board of Aldermen finds it necessary and appropriate to authorize execution of a real estate contract, in substantially the form attached hereto and incorporated herein by reference as Exhibit B, to facilitate the lawful conveyance and closing of the transaction contemplated herein; and

WHEREAS, the public purpose of this transaction includes land consolidation and responsible land use planning.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI, AS FOLLOWS:

SECTION 1. Authorization of Acceptance. The Mayor of the City, and/or such other officials as may be designated by the Mayor, are hereby authorized and directed to execute all affidavits, closing documents, and other instruments necessary to effectuate the acceptance and recording of the easement described in Exhibit A from Emanuel Romanian Christian Church.

SECTION 2. Recording of Deed. The City Clerk is hereby authorized and directed to ensure the proper recording of the deed and any associated documents in the office of the Recorder of Deeds of Greene County, Missouri, and to pay all fees and costs associated with such recording within ten days of execution.

SECTION 3: Legal Description. The easement to be accepted is more particularly described in Exhibit A attached and incorporated by reference.

SECTION 4: Authority to Execute Documents. The Mayor is authorized to execute all documents necessary to complete the acceptance and transfer of title of the above-described property, including but not limited to deeds, affidavits of title, and any other closing documents required to effectuate the conveyance.

SECTION 5: This Ordinance shall take effect and be in full force from and after its passage and approval.

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.

Read the first time this 10th day of November 2025.

Read the second time, passed by the Board of Aldermen, and approved by the Mayor of the City of Willard, Missouri, this 10th day of November 2025.

APPROVED:

Troy Smith, Mayor

ATTEST:

Rebecca Hansen, City Clerk

UTILITY AND RECREATION EASEMENT

THIS INDENTURE, made this ____ day of _____, 2025, by and between Emanuel Romanian Christian Church, ("Granter") and the **City of Willard, Missouri**, a municipal corporation ("Grantee"). The mailing address of Granter is PO Box 577, Willard, Missouri 65781. The mailing address of Grantee is City of Willard, 224 W. Jackson, PO Box 187, Willard, Missouri 65781.

WITNESSETH, that said Granter, in consideration of the sum of **Four Thousand Five Hundred dollars & No Cents (\$4,500.00)** and other valuable consideration, to said Granter in hand paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto the said Grantee, its successors and assigns, the following described real estate and interests in real estate in the County of Greene, State of Missouri, to-wit:

SEE EXHIBIT "A"

WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

TO HAVE AND TO HOLD the same for the purpose of constructing and maintaining A Utility and Recreation Easement or for such other purposes here in above set out, together with all and singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining, unto the said Grantee, and unto its successors and assigns, forever; the said Granter hereby covenanting on its part and on behalf of its successors and assigns that said Granter is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that said Granter has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by Granter or those under whom Granter claims; and that said Granter will warrant and defend the title to the said premises unto the said Grantee and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and none.

The easement shall also confer on the Grantee the right to trim and/or remove all trees, shrubs, bushes, plantings, and other vegetation located within the easement.

Exhibit "B" depicts the general location of the real estate and is for illustrative purposes only.

IN WITNESS WHEREOF, the said Granter has executed the above the day and year first above written.

GRANTOR

By: _____

Type Name & Title: _____

STATE OF MISSOURI

ACKNOWLEDGEMENT

COUNTY OF GREENE **SS.**

On this ____ day of _____, 2025, before me, a Notary Public in and for said state, personally appeared _____, of Emanuel Romanian Christian Church, known to me to be the person who executed the within document, on behalf of said church and acknowledged to me that he/she executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in _____ the day and year first above written.

"Notary Seal"

Notary Public: _____

Type Name: _____

EXHIBIT A

30 FOOT WIDE UTILITY & RECREATION EASEMENT DESCRIPTION:

BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4 SE1/4) OF SECTION 22 AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4 SW1/4) OF SECTION 23, ALL IN TOWNSHIP 30, RANGE 23, IN THE CITY OF WILLARD GREENE COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4 SW1/4) OF SECTION 23; THENCE NORTH $87^{\circ}39'57''$ WEST, A DISTANCE OF 20.73 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF US HIGHWAY 160; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE 31.76 FEET ALONG A 5859.58 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF NORTH $16^{\circ}50'48''$ WEST, 31.76 FEET; THENCE SOUTH $87^{\circ}39'57''$ EAST, LEAVING SAID RIGHT OF WAY LINE A DISTANCE OF 294.85 FEET; THENCE NORTH $02^{\circ}05'50''$ EAST, A DISTANCE OF 949.37 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF JACKSON STREET; THENCE SOUTH $50^{\circ}40'58''$ EAST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 37.67 FEET; THENCE SOUTH $02^{\circ}05'50''$ WEST, LEAVING SAID RIGHT OF WAY LINE AND ALONG THE WEST LINE OF OAK RIDGE ESTATES, A RECORDED SUBDIVISION IN THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, A DISTANCE OF 956.71 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23; THENCE NORTH $87^{\circ}39'57''$ WEST, LEAVING SAID WEST LINE AND ALONG SAID SOUTH LINE, A DISTANCE OF 293.80 FEET TO THE POINT OF BEGINNING. CONTAINING 37,731.47 SQUARE FEET.





LI=0° 18'38"
R=5859.58'
L=31.76'
C=31.76'
CB=N16° 50' 48"W

US HIGHWAY 160

EMANUEL ROMANIAN
CHRISTIAN CHURCH
BOOK 2022 PAGE 046329-22

UTILITY & RECREATION
EASEMENT
37,731.47 SQ.FT.

30'

N02° 05' 50"E 949.37'

S02° 05' 50"W 956.71'

S50° 40' 58"E
37.67'

JACKSON STREET

OAK RIDGE ESTATES

S87° 39' 57"E 294.85'

N87° 39' 57"W
20.73'

N87° 39' 57"W
293.80'

POINT OF BEGINNING
SW CORNER NW1/4 SW1/4
SEC. 23, TWP. 30N, RNG 23W

THIS SKETCH IS NOT A BOUNDARY
SURVEY. IT IS INTENDED TO SHOW THE
CONFIGURATION OF UTILITY &
RECREATION EASEMENT.

DATE 08/11 /25
CJW PROJECT No. 25090

Prepared by:

CJW.

CJW Transportation
Consultants, L.L.C. Engineering
MO CA #2007008003

5051 S. National
Suite 7A
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

SKETCH EXHIBIT "B"
EMANUEL ROMANIAN CHRISTIAN CHURCH
UTILITY & RECREATION EASEMENT

PART OF NE1/4 SE1/4 OF S22, T30 N, R23 W
PART OF NW1/4 SW1/4 OF S22, T30 N, R23 W
CITY OF WILLARD, GREEN COUNTY, MISSOURI