

BILL NO. 1147

RESOLUTION NO. 1147

A RESOLUTION TO REPEAL AND REPLACE RESOLUTION 1130. THIS RESOLUTION IS TO APPROVE A PERPETUAL EASEMENT FOR THE USE OF APPROXIMATELY SIX (6) ACRES ON THE WEST END OF THE CITY OF WEST PLAINS SOLAR FARM FOR SHADE FOR LIVESTOCK AND OTHER AGRICULTURAL USES BY THE ADJOINING PROPERTY OWNER.

WHEREAS, the City of West Plains agrees to approve the perpetual use of approximately six (6) acres on the west end of the City of West Plains Solar Farm to be used for shade for livestock and other agricultural uses by the adjoining property owner (EXHIBIT A) as partial consideration for obtaining utility easements from the current adjoining property owner, and

WHEREAS, it is in the best interest of the general public and residents of the City of West Plains to obtain the utility easements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI AS FOLLOWS:

— Section 1: That the City of West Plains, Missouri approves a perpetual easement for the use of approximately six (6) acres on the west end of the City of West Plains Solar Farm for shade for livestock and other agricultural uses for the benefit of the adjoining property owner and his heirs, successors and assigns.

Section 2: That this Resolution shall be in full force and effect from and after its date of passage and approval.

PASSED AND APPROVED THIS 18th DAY OF OCTOBER 2021.

CITY OF WEST PLAINS, MISSOURI

BY: Michael Topliff
MAYOR MICHAEL TOPLIFF

ATTEST:

Allison Skinner
CITY CLERK ALLISON SKINNER



October 7, 2021

To: Sam Anselm, City Administrator

From: Michael McMahon, Project/Grant Specialist

Re: Resolution for Shade Agreement at the Old Landfill

Executive Summary

A resolution to amend and replace Resolution 1130 passed on Feb. 22, 2021. This resolution is to approve a perpetual easement for the use of approximately six (6) acres on the west end of the City of West Plains Solar Farm for the shade for livestock and other agricultural uses by the adjoining property owner.

Discussion

This resolution was passed previously and has been brought up again in regards to the electric line easement the City needs. Rick Hoover has requested to update this easement to indicate "adjacent property owner" so it can remain in perpetuity. We will do the same for the electric easement from Sunset Terrace to the Solar Farm.

Fiscal Impact

For the resolution itself there is no direct fiscal impact. There is work that needs to be done to install the power line to the solar field but that was a planned expense. This agreement allows the City to move forward with permission to do so.