

BILL NO. 2023-28

RESOLUTION 2023-28

A RESOLUTION AUTHORIZING THE VACATION OF AN EXISTING UNUSED 20-FOOT WIDE SEWER EASEMENT (THE "EASEMENT") LOCATED IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 24 NORTH, RANGE 8 WEST TO ALLOW FOR THE EXPANSION OF THE EXISTING WALMART.

WHEREAS, the developer for an expansion of the existing Walmart has requested that an existing unused sewer easement owned by City of West Plains be vacated to allow such expansion; and

WHEREAS, City of West Plains does not have any need for the Easement; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to authorize the vacation of the Easement.

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

Section 1: That the City Council of the City of West Plains, Missouri does vacate the unused and existing Easement as described in the attached Survey and further authorizes the Mayor or City Administrator of the City of West Plains, Missouri to execute all additional documents, including a deed, that might be necessary to document the vacation of the unused Easement the City Clerk to attest their signatures on any such documents.

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 16TH DAY OF OCTOBER 2023.

CITY OF WEST PLAINS, MISSOURI


MIKE TOPLIFF, MAYOR

ATTEST:



ALLISON SKINNER, CITY CLERK

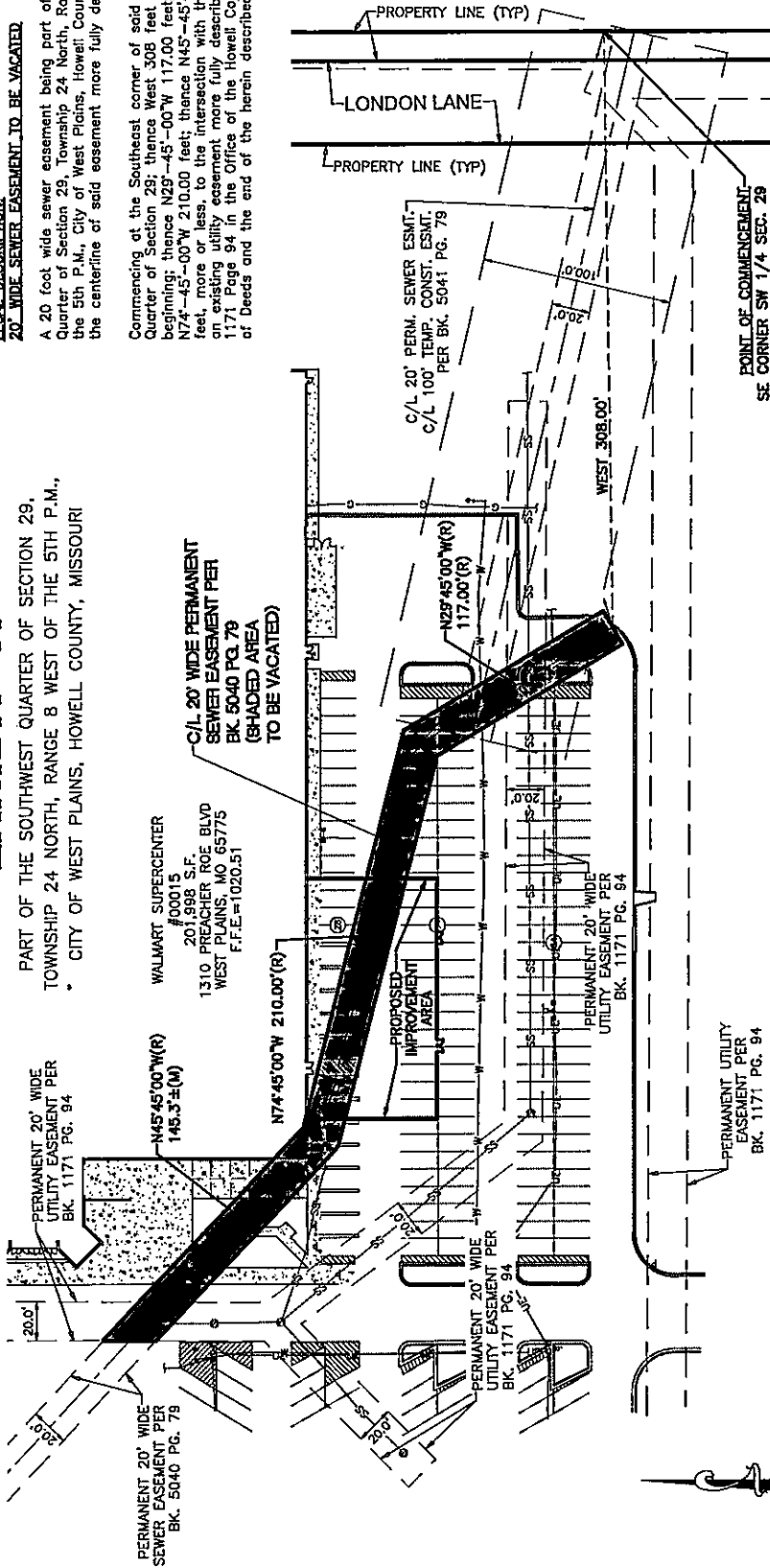
EXHIBIT "A"

PART OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 24 NORTH, RANGE 8 WEST OF THE 5TH P.M.,
CITY OF WEST PLAINS, HOWELL COUNTY, MISSOURI

LEGAL DESCRIPTION: 20' WIDE SEWER EASEMENT TO BE VACATED

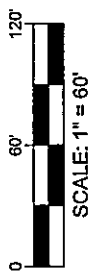
A 20 foot wide sewer easement being part of the Southwest Quarter of Section 29, Township 24 North, Range 8 West of the 5th P.M., City of West Plains, Howell County, Missouri, the centerline of said easement more fully described, to wit:

Commencing at the Southeast corner of said Southwest Quarter of Section 29; thence West 308 feet to the point of beginning; thence N29°45'00"W 210.00 feet; thence N45°45'00"W 145.3 feet, more or less, to the intersection with the West line of an existing utility easement more fully described in Book 117, Page 94 in the Office of the Howell County Recorder of Deeds and the end of the herein described easement.



NOTES:

- Bearings referenced to Grid North of the Missouri Coordinate System 1983, Central Zone per GPS observations utilizing the ModOT VRS RTK Network.
- M = Indicates measured outboundary information obtained by Buescher Frankenberg Associates, Inc.
- R = Record information as per easement described in Book 5040 Page 79 of the Howell County records.



DRAWN	M.S.R.
DATE	10/05/2023
JOB No.	7309A
SHEET NAME	EXHIBIT "A"
1 OF 1	

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State of Missouri
Registered Land Surveyor for
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Corporate #0096