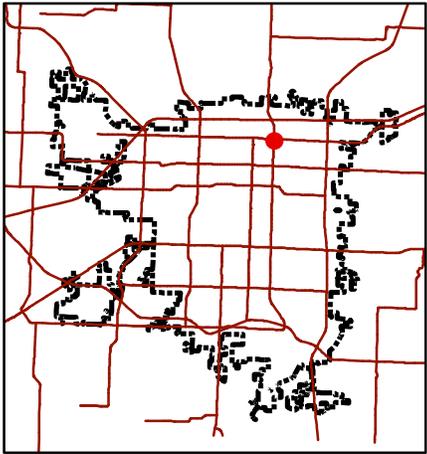


Development Review Staff Report

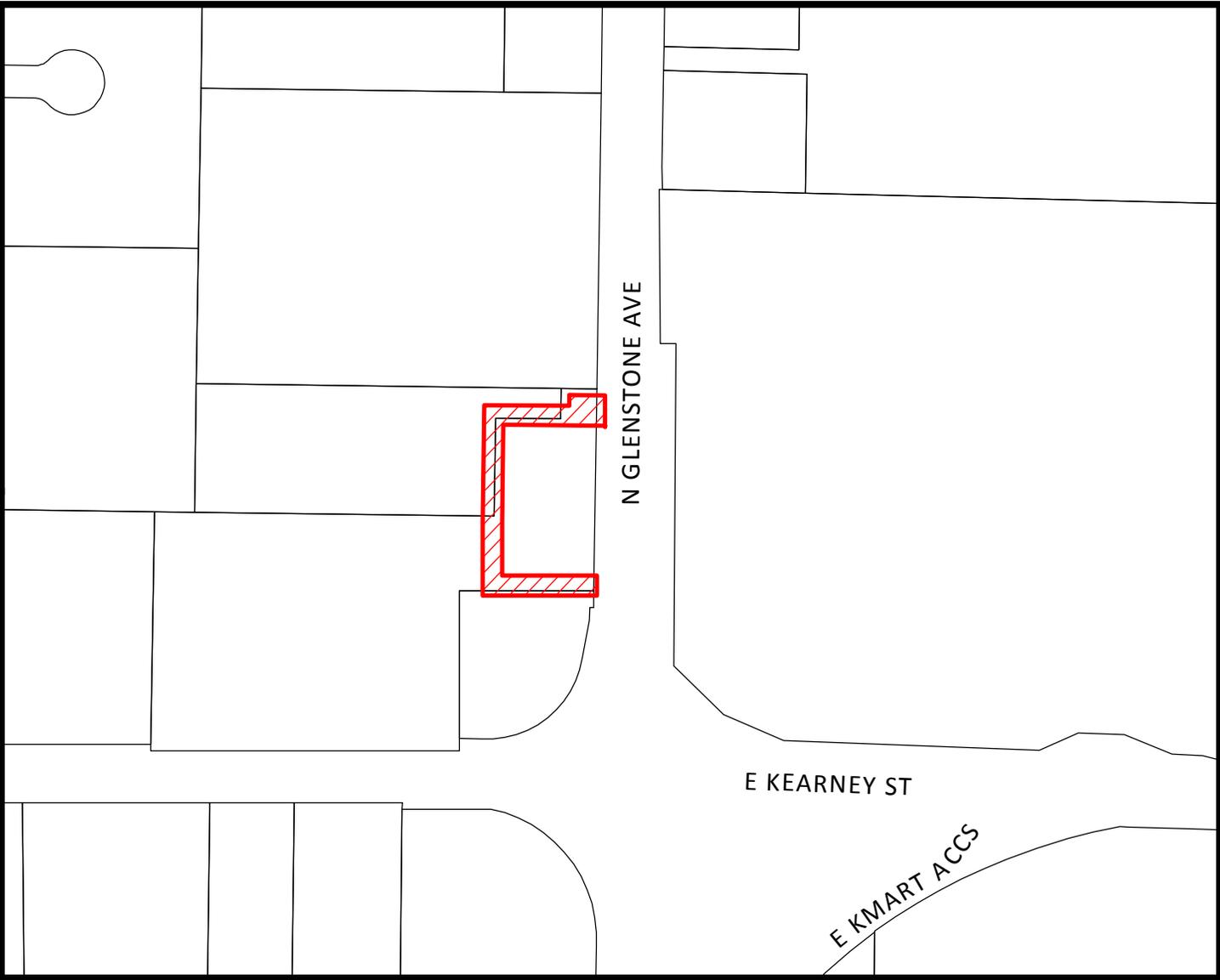
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



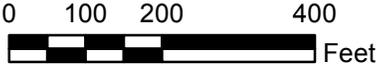
Relinquish Easement 835

LOCATION: 2455 N. Glenstone

LOCATION SKETCH



- Area of Proposal



1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 835

PURPOSE: To relinquish an access easement

REPORT DATE: May 20, 2016

LOCATION: 2455 North Glenstone Avenue

APPLICANT: O'Reilly Hospitality, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alyssa S. Ahner
Planning Technician

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Drawing

ATTACHMENT A
RELINQUISH EASEMENT NO. 835
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an access easement in order to facilitate development of the property. A replacement easement is being provided.

TRAFFIC COMMENTS:

Traffic has no objections to the relinquishment of the access easement.

STAFF COMMENTS:

1. The applicant is requesting to relinquish an access easement in order to facilitate development of the property. The existing and proposed parking lot configuration and the proposed building placement in the lot no longer align with the existing access easement. A replacement easement is being provided that adequately addresses access for the new parking lot configuration and building placement.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 835
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of this easement.

STAFF RESPONSE:

No one has objected to relinquishing the subject easement to date.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide service.

STAFF RESPONSE:

All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement.

3. That the retention of the easements no longer serves any useful public purpose.

STAFF RESPONSE:

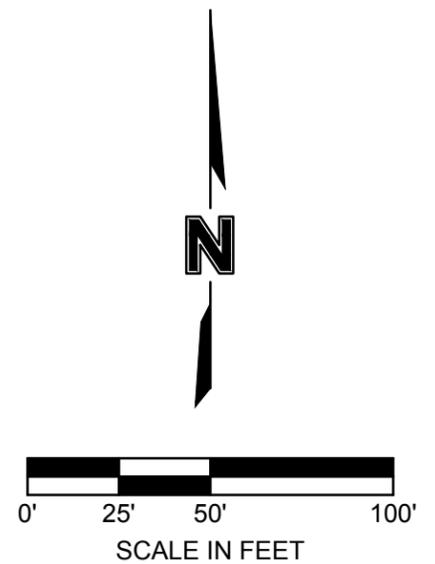
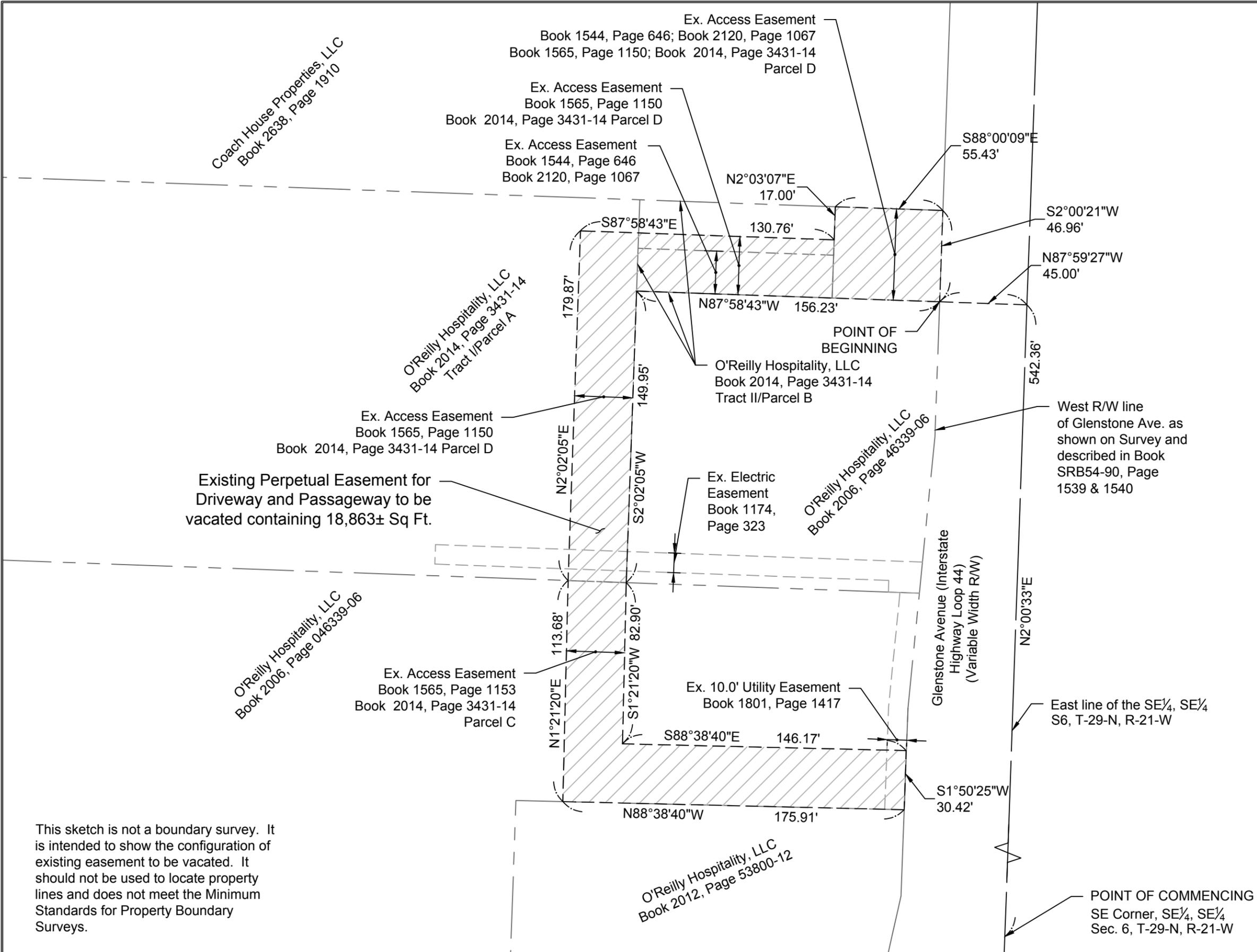
The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 835
EXHIBIT 1

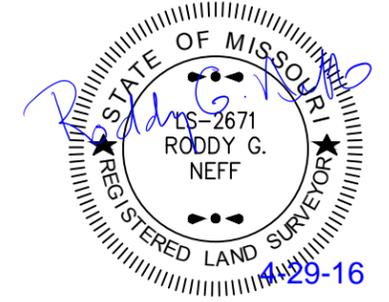
All that part of the Southeast Quarter of the Southeast Quarter of Section 6, Township 29 North, Range 21 West, being an existing perpetual easement for driveway and passageway duly recorded in the following deeds: Deed Book 1544, at Page 646; Deed Book 1565, at Page 1150; Deed Book 1565, at Page 1153; Deed Book 2120, at Page 1067; Deed Book 2014, at Page 003431-14 as Parcel C and D, all in City of Springfield, Greene County, Missouri, and being more particularly described as follows:

COMMENCING at the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 6, Township 29 North, Range 21 West, Greene County, Missouri; thence North 02 Degrees 00 Minutes 33 Seconds East along the East line of said Quarter Quarter, a distance of 542.36 feet; thence departing said East line North 87 Degrees 59 Minutes 27 Seconds West, a distance of 45.00 feet to a point in the West Right-of-Way line of Glenstone Avenue (Interstate Highway Loop 44), as now established, said point being the Southeast corner of the tract of land described as Tract II/Parcel B in the General Warranty Deed duly recorded in the Greene County Recorder's Office in Deed Book 2014, at Page 003431-14, said point being the POINT OF BEGINNING; thence North 87 Degrees 58 Minutes 43 Seconds West along the South line of said tract of land, a distance of 156.23 feet to a point in the East line of the tract of land described as Tract I/Parcel A in the General Warranty Deed duly recorded in the Greene County Recorder's Office in Deed Book 2014, at Page 003431-14; thence South 02 Degrees 02 Minutes 05 Seconds West, a distance of 149.95 feet to the South line thereof; thence South 01 Degrees 21 Minutes 20 Seconds West, a distance of 82.90 feet; thence South 88 Degrees 38 Minutes 40 Seconds East, a distance of 146.17 feet to a point in said West Right-of-Way line; thence South 01 Degrees 50 Minutes 25 Seconds West along said West Right-of-Way line, a distance of 30.42 feet to the Northeast corner of the tract of land described in the Warranty Deed by Limited Liability Company duly recorded in the Greene County Recorder's Office in Deed Book 2012, at Page 053800-12; thence departing said West Right-of-Way line North 88 Degrees 38 Minutes 40 Seconds West along the North line of said tract of land, a distance of 175.91 feet; thence departing said North line North 01 Degrees 21 Minutes 20 Seconds East, a distance of 113.68 feet; thence North 02 Degrees 02 Minutes 05 Seconds East, a distance of 179.87 feet; thence South 87 Degrees 58 Minutes 43 Seconds East, a distance of 130.76; thence North 02 Degrees 03 Minutes 07 Seconds East, a distance of 17.00 feet to a point in the North line of said tract of land described as Tract II/Parcel B; thence South 88 Degrees 00 Minutes 09 Seconds East along said North line, a distance of 55.43 feet to a point in said West Right-of-Way line; thence South 02 Degrees 00 Minutes 21 Seconds West along said West Right-of-Way line, a distance of 46.96 feet to the POINT OF BEGINNING, and containing 18,863 square feet, more or less.

DWG: F:\PROJECTS\015-3209\40-Design\Survey\SRVY\Sheets\XESM_53209-Vacation-AE.dwg
 DATE: Apr 29, 2016 12:47pm
 USER: rgneff
 XREFS: V_XBOU_53209



This sketch is not a boundary survey. It is intended to show the configuration of existing easement to be vacated. It should not be used to locate property lines and does not meet the Minimum Standards for Property Boundary Surveys.



PROJECT: 15-3209
DRAWN BY: DRC
DATE: 04.25.16

VACATION OF PERPETUAL EASEMENT FOR DRIVEWAY AND PASSAGEWAY



EXHIBIT
B