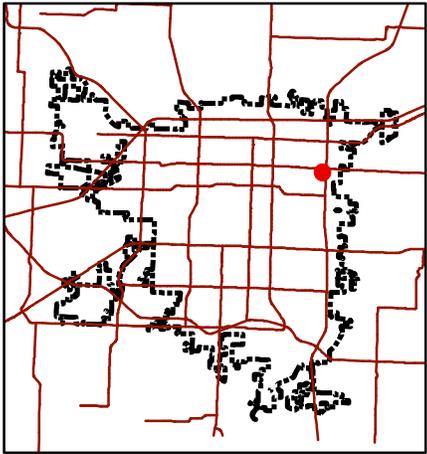


# Development Review Staff Report

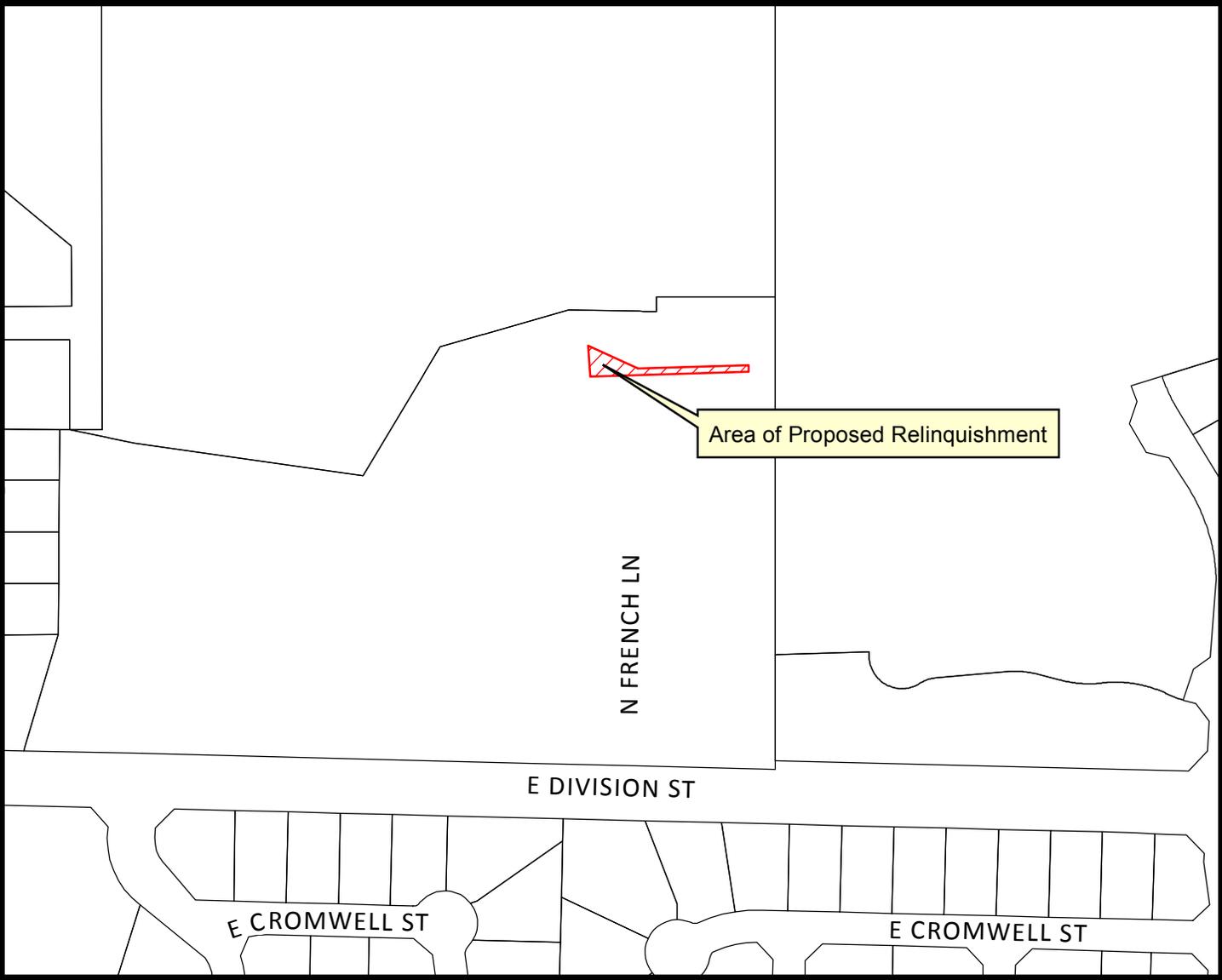
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



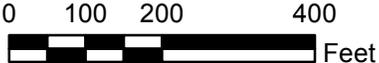
## **Relinquish Easement 836**

LOCATION: 4200 E. Division

### LOCATION SKETCH



- Area of Proposal



1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT  
REQUEST TO RELINQUISH EASEMENT NUMBER 836

PURPOSE: To relinquish a utility easement

REPORT DATE: May 20, 2016

LOCATION: 4200 East Division Street

APPLICANT: Hickory Valley, 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. 836  
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement in order to facilitate development of the property.

CITY UTILITY COMMENTS:

No objection to relinquishment of the easement. A replacement easement will be provided in the developed subdivision.

CLEAN WATER SERVICES COMMENTS:

No objection to relinquishment of the easement. There is no public sewer within the easement area.

AT&T COMMENTS:

No objection to relinquishment of the easement. AT&T has no facilities within the utility easement area.

STAFF COMMENTS:

1. The applicant is requesting to relinquish a utility easement in order to facilitate development of the property. The utility easement will be in conflict with the proposed structures on the property. The subject easement is located outside city limits. Any necessary replacement easements will be provided in accordance with the Greene County's platting process.
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. 836  
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. 836  
EXHIBIT 1

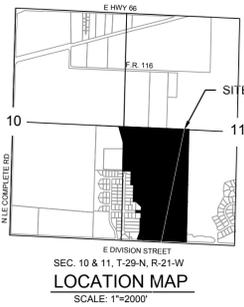
A part of the tract of land in the Warranty Deed by Limited Liability Company duly recorded in the Greene County Recorder's Office in Book 2015, at Page 044838-15 and the Trustee's Warranty Deed duly recorded in the Greene County Recorder's Office in Book 2011, at Page 050271-11, being all of the tract of land described in the Utility Easement duly recorded in the Greene County Recorder's Office in Deed Book 2225, at Page 685, being more particularly described as follows:

THAT CERTAIN PARCEL OR TRACT OF LAND LOCATED IN THE SOUTHEAST (SE1/4) OF THE SOUTHWEST QUARTER (SE1/4) OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 21 WEST, AND OWNED BY GRANTOR AS DESCRIBED IN THE GREENE COUNTY RECORDER'S OFFICE, BOOK 2009, PAGE 407.

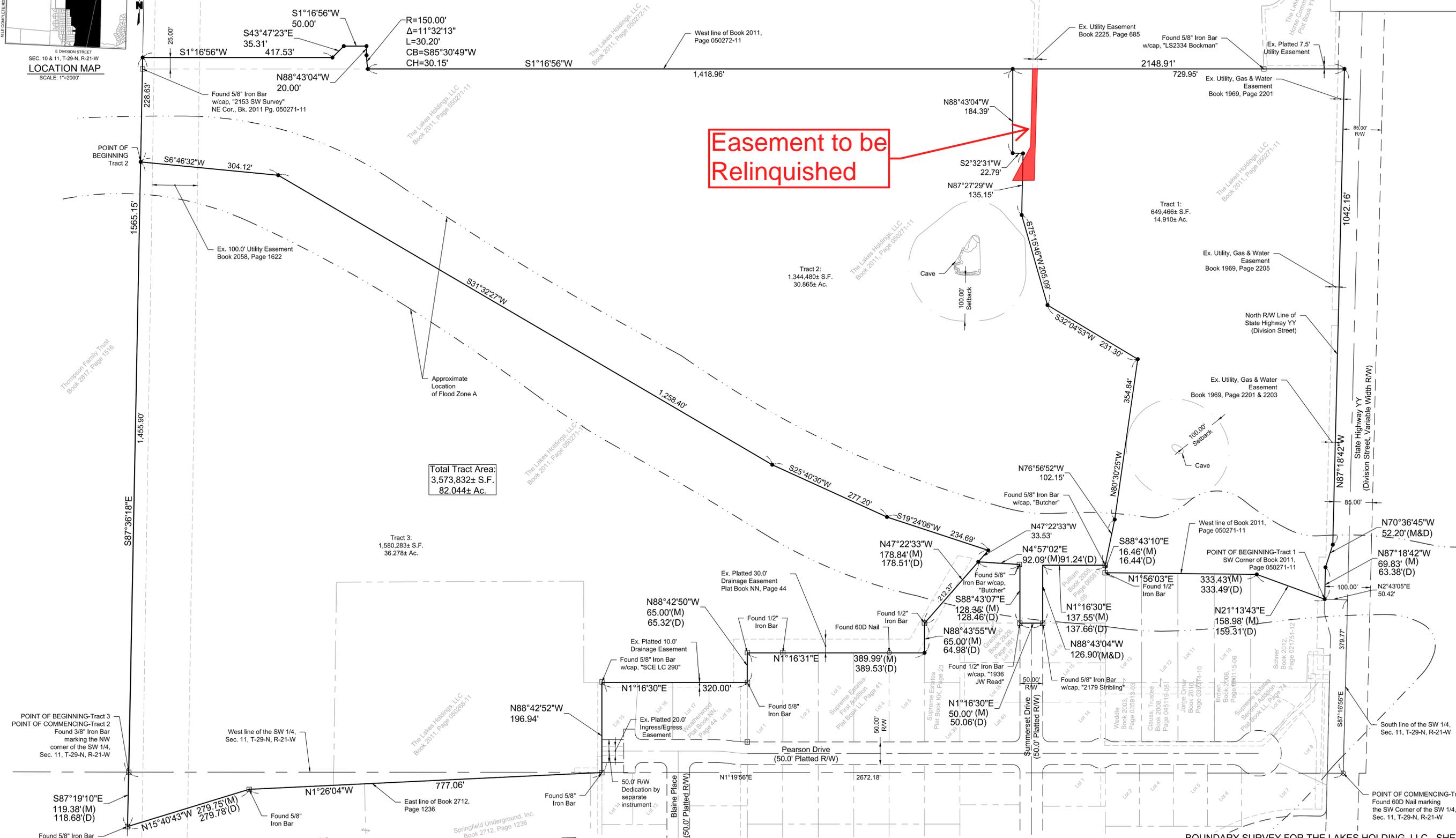
A PERPETUAL UTILITY EASEMENT, BEING A PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN GREENE COUNTY, MISSOURI, THE PERIMETER BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 21 WEST, THENCE S 89°29'29" W ALONG THE SOUTH LINE OF THE SAID SE1/4 OF THE SW1/4, A DISTANCE OF 1369.45 FEET TO THE SOUTHWEST CORNER OF THE SAID SE1/4 OF THE SW1/4 AND THE SOUTHWEST CORNER OF SAID TRACT AS DESCRIBED IN BOOK 2009, AT PAGE 407; THENCE N 2°46'27" W, ALONG THE WEST LINE OF SAID TRACT, A DISTANCE OF 712.74 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING N 2°46'27" W ALONG THE WEST LINE OF SAID TRACT, A DISTANCE OF 47.63 FEET; THENCE S 63°48'00" E, A DISTANCE OF 84.00 FEET; THENCE N 89°37'10" E, A DISTANCE OF 170.20 FEET; THENCE S 1°56'27" E, A DISTANCE OF 10.00 FEET; THENCE S 89°37'10" W, A DISTANCE OF 243.60 FEET TO THE POINT OF BEGINNING, SAID EASEMENT CONTAINS 3,818.93 SQUARE FEET (0.09 ACRES), ALL IN GREENE COUNTY, MISSOURI. BEARINGS ARE BASED ON THE SOUTH LINE OF THE SE1/4 OF THE SW1/4 AS BEING S 89°29'29" W.

**BOUNDARY SURVEY  
HICKORY VALLEY**  
ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 10 AND THE  
SOUTHWEST QUARTER OF SECTION 11, ALL IN  
TOWNSHIP 29 NORTH, RANGE 21 WEST  
GREENE COUNTY, MISSOURI



**Easement to be  
Relinquished**

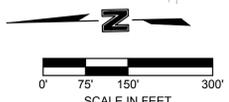


**Total Tract Area:**  
3,573,832± S.F.  
82.044± Ac.

POINT OF BEGINNING-TRACT 3  
POINT OF COMMENCING-TRACT 2  
Found 3/8" Iron Bar  
marking the NW  
corner of the SW 1/4,  
Sec. 11, T-29-N, R-21-W

POINT OF BEGINNING-TRACT 1  
SW Corner of Book 2011,  
Page 050271-11

POINT OF COMMENCING-TRACT 1  
Found 60D Nail marking  
the SW Corner of the SW 1/4,  
Sec. 11, T-29-N, R-21-W



BASIS OF BEARINGS  
NORTH BASED ON MISSOURI STATE  
PLANE COORDINATE SYSTEM 1983  
CENTRAL ZONE

- LEGEND**
- Found Iron Monument
  - Set 1/2" Rebar w/Plastic Cap, "LC 366"

drawn by:	DATE	REVISION	BY
DRC	08.27.15	ORIGINAL PREPARATION	DRC
surveyed by:			
checked by:			
approved by:			
project no.:	13-0688		
file name:	130688_BS		

**OWNER/DEVELOPER** THE LAKES HOLDINGS, LLC  
5051 S. NATIONAL AVE  
BLDG 5-100  
SPRINGFIELD, MO 65810

**PREPARED BY** OLSSON ASSOCIATES  
550 ST. LOUIS STREET  
SPRINGFIELD, MO 65806



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