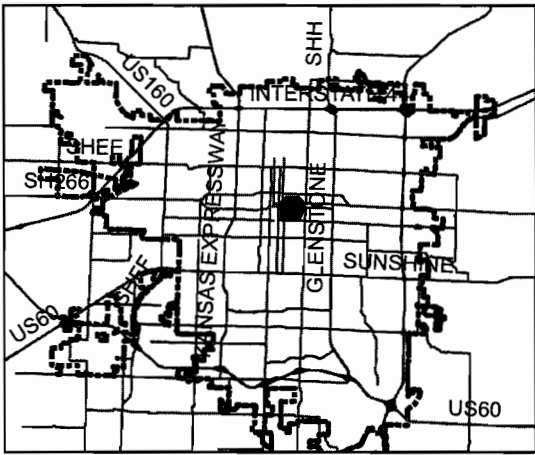


Zoning & Subdivision Report

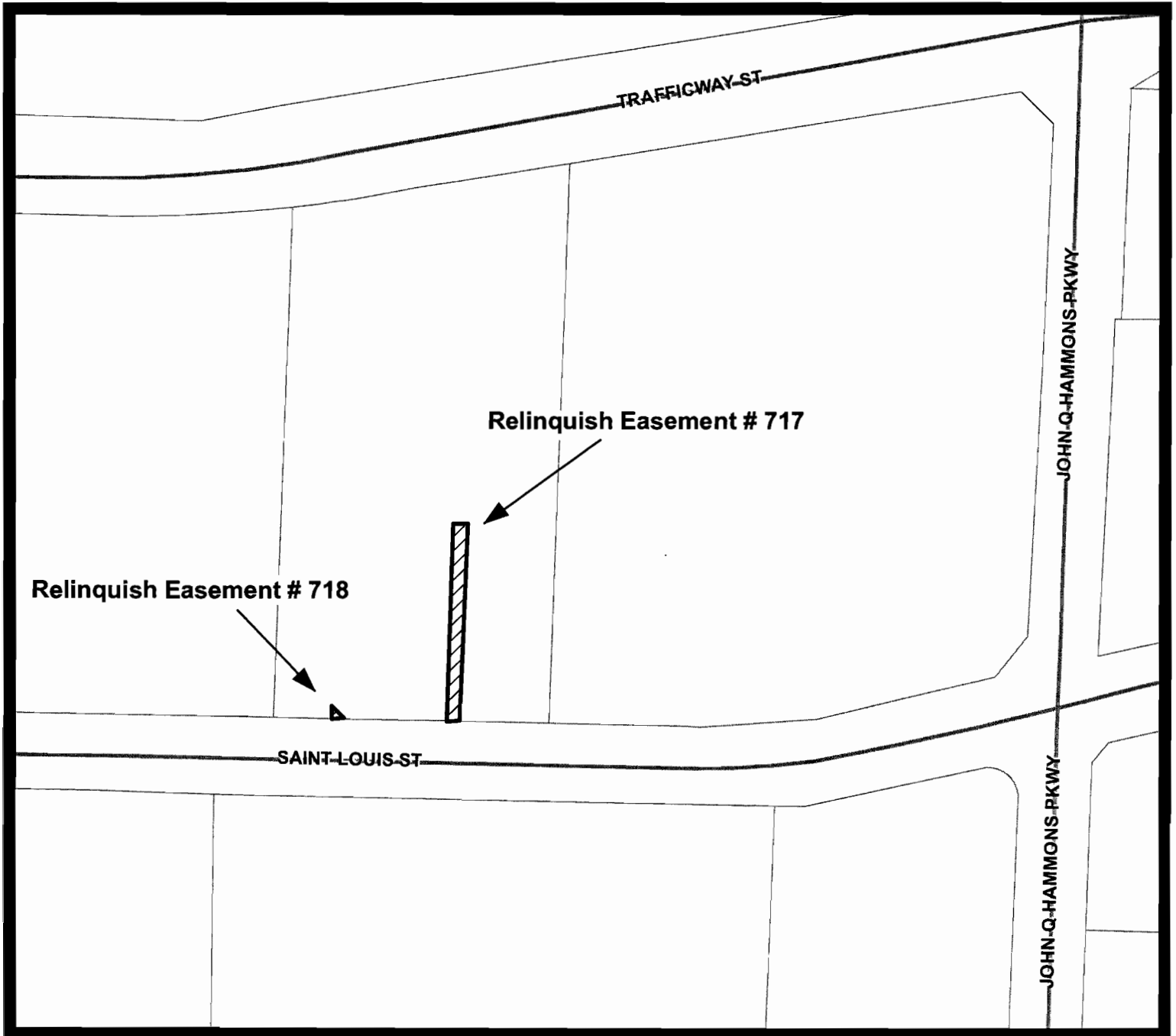
Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

Relinquish Easement Nos. 717 & 718

Location: 815 St. Louis Street



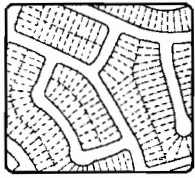
LOCATION SKETCH



- Area of Proposal



1 inch equals 120 feet



Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801

RELINQUISH EASEMENT Nos. 717 & 718

DATE: September 3, 2008

PURPOSE: To relinquish two electric line easements.

BACKGROUND:

LOCATION: 815 St. Louis Street

APPLICANT: City of Springfield

RECOMMENDATION:

Approval of the proposed relinquishment

FINDINGS FOR STAFF RECOMMENDATION:

The proposed relinquishment meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Matt D. Schaefer
Senior Planner
864-1100

ATTACHMENTS:

Attachment A - Background report
Attachment B - Approval Criteria
Exhibit I - Legal Description for Relinquish Easement #717
Exhibit II - Legal Description for Relinquish Easement #718
Exhibit III - Survey of the Subject Property

ATTACHMENT A
BACKGROUND REPORT
RELINQUISH EASEMENT Nos. 717 & 718

APPLICANT'S PROPOSAL:

The applicant has requested the relinquishment of two electric line easements that are no longer being used. Relinquish Easement #717 involves a 10 ft wide electric line easement that extends approximately 160 ft north from St. Louis Street. Relinquish Easement #718 involves a triangular-shaped electric line easement that is located adjacent to St. Louis Street, approximately 55 ft east of the southwest corner of the subject property.

CITY UTILITIES COMMENTS:

City Utilities has no facilities in the electric line easements recorded in book 1590, page 1017 (Relinquish Easement #717), and book 1600, page 761 (Relinquish Easement #718). City Utilities does not object to the relinquishment of these easements.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect utilities or restrict access to properties.
2. The two electric line easements served the subject property prior to the development of the Jordan Valley Car Park. Any preexisting utilities located within these easements were likely removed upon construction of the Car Park. However, they were never relinquished.
3. Relinquishment of these easements will facilitate the sale of the Jordan Valley Car Park and the adjoining lot to the west (also known as the former arena site) to John Q. Hammons. Sale of this property is part of a development agreement the City of Springfield has entered into with the John Q. Hammons Revocable Trust and Opus Northwest, LLC, which will result in the construction of a new office building at the southwest corner of St. Louis Street and John Q. Hammons Parkway, as well as new hotel on the former arena site.

ATTACHMENT B
APPROVAL CRITERIA
RELINQUISH EASEMENT Nos. 717 & 718

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

1. No one has objected to the relinquishment of these easements;

STAFF RESPONSE:

No one has objected to the relinquishment of these easements.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide utility service, and;

STAFF RESPONSE:

City Utilities has indicated to Staff that the two electric line easements are vacant. They have no objections to the proposed relinquishments.

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

STAFF RESPONSE:

The two easements are no longer needed to provide electrical service, and therefore no longer serve any useful public purpose.

EXHIBIT I
LEGAL DESCRIPTION
RELINQUISH EASEMENT #717

AN ELECTRIC LINE EASEMENT, AS DESCRIBED IN BOOK 1590 AT PAGE 1017 OF THE GREENE COUNTY RECORDER'S OFFICE AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF ST. LOUIS STREET 262.6 FEET WEST OF THE NORTHWEST CORNER OF ST. LOUIS AND DOLLISON STREETS AS NOW EXISTS, THENCE NORTH 160 FEET, THENCE WEST 10 FEET, THENCE SOUTH 160 FEET TO A POINT ON THE NORTH LINE OF ST. LOUIS STREET AND 10 FEET WEST OF THE POINT OF BEGINNING, THENCE EAST 10 FEET TO POINT OF BEGINNING;

ALL IN THE NORTHEAST QUARTER (NE¼) OF SECTION 24, TOWNSHIP 29, RANGE 22, GREENE COUNTY MISSOURI;

EXHIBIT II
LEGAL DESCRIPTION
RELINQUISH EASEMENT #718

AN ELECTRIC LINE EASEMENT, AS DESCRIBED IN BOOK 1600 AT PAGE 761 OF THE GREENE COUNTY RECORDER'S OFFICE AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF ST. LOUIS STREET 366.6 FEET WEST OF THE NORTHWEST CORNER OF ST. LOUIS AND DOLLISON STREETS AS NOW EXIST IN THE NORTHEAST QUARTER (NE ¼) OF SECTION 24, TOWNSHIP 29, RANGE 22, THENCE NORTH 10 FEET, THENCE SOUTHEASTERLY TO A POINT ON THE NORTH LINE OF ST. LOUIS STREET AND 10 FEET EAST OF THE POINT OF BEGINNING, THENCE WEST 10 FEET TO POINT OF BEGINNING.

