SUMMARY OF APPLICANTS REQUEST:

Benson PMC Properties – Fremont LLC is requesting to relinquish a cross access easement to facilitate development of the property. A replacement easement is to be dedicated via administrative re-plat.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish a cross access easement in order to facilitate development.
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.

PUBLIC WORKS – TRAFFIC DIVISION:

Traffic has no issues with the relinquishment of this easement, since this easement is being replaced with the appropriate easement with the replatting of the property.
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
**FINDINGS FOR STAFF RECOMMENDATION:**

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

<table>
<thead>
<tr>
<th>APPROVAL CRITERIA</th>
<th>STAFF RESPONSE</th>
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<tr>
<td>1. No one has objected to the relinquishment of the easement.</td>
<td>No one has objected to the relinquishment of the easement.</td>
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<tr>
<td>2. The appropriate City agency has filed with the Planning and Development</td>
<td>All interested City agencies have filed a statement and do not object to the relinquishment of the</td>
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<td>Department a statement that the easements are no longer needed to provide service.</td>
<td>subject easements. The applicant is not required to dedicate a replacement easement.</td>
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<td>3. That the retention of the easements no longer serves any useful public purpose.</td>
<td>The retention of the subject easement no longer serves a public purpose. The applicant is deducing</td>
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<td>a replacement easement through a separate instrument.</td>
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LEGAL DESCRIPTION:

CROSS ACCESS EASEMENT DESCRIBED AS FOLLOWS:

A 26.00 foot wide cross access easement being a part of Grantor’s tract of land as lying in Lot 3 of the Final Plat of St. John’s Lark and also described in the Greene County, Missouri, Recorder’s Office in Book 2013 at Page 042719-13, being more particularly described as follows:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3 OF THE FINAL PLAT OF ST. JOHN’S LARK, THENCE ALONG THE NORTH LINE OF SAID LOT 3, NORTH 87°20’01” WEST, 19.81 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE, SOUTH 01°59’57” WEST, 124.87 FEET; THENCE SOUTH 87°56’52” EAST, 20.62 FEET TO THE WEST RIGHT-OF-WAY OF FREMONT AVENUE; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 01°37’33” WEST, 26.00 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY, NORTH 87°56’52” WEST, 46.79 FEET; THENCE NORTH 01°59’57” EAST, 151.15 FEET TO THE AFOREMENTIONED NORTH LINE OF LOT 3 OF THE FINAL PLAT OF ST. JOHN’S LARK; THENCE ALONG SAID NORTH LINE, SOUTH 87°20’01” EAST, 26.00 FEET TO THE POINT OF BEGINNING.
CROSS ACCESS EASEMENT
4,465± SQ. FT.
0.102± ACRES

SCALE: 1" = 20'

HAIK PROPERTIES, LLC
BOOK 2013
PAGE 042719-13

LOT 3
FINAL PLAT OF ST.
JOHN'S LARK PLAT
BOOK WW, PAGE 91

KEVIN L.
LAMBERT
NUMBER
LS-2695

110263.DWG

ANDERSON
ENGINEERING, INC
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2945 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 860-2741

HAIK PROPERTIES
CROSS ACCESS EASEMENT
LOT 3
FINAL PLAT OF ST. JOHN'S LARK
Planning & Zoning Commission Page 5 of 5

DRAWN BY:
RAP
DATE:
1-16-15
CLIENT NO.
30004-15