SUMMARY OF APPLICANTS REQUEST:

Weller Development LLC is requesting to relinquish a drainage easement to facilitate the development of the property. The existing drainage easement is wider than required and the relinquishment will reduce the extent of the boundaries. A replacement easement has already been dedicated.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish a drainage easement in order to facilitate the development. A replacement easement has been dedicated (Book 2018, Page 042381-18).
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 – STORM WATER DIVISION:

Stormwater Division has no concerns with the relinquishment of the existing drainage easement because it will be replaced by a new drainage easement already approved in July 2018.
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>
</tr>
</thead>
<tbody>
<tr>
<td>1. No one has objecteded to the relinquishment of the easement.</td>
<td>No one has objected to the relinquishment of the easement.</td>
</tr>
<tr>
<td>2. The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.</td>
<td>All interested City agencies have filed a statement and do not object to the relinquishment of the subject easements. The applicant is not required to dedicate a replacement easement.</td>
</tr>
<tr>
<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 has dedicated a replacement easement through a separate instrument.</td>
</tr>
</tbody>
</table>
LEGAL DESCRIPTION:

DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:

RELINQUISHMENT DESCRIPTION COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH
HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 28, RANGE 21; THENCE S
00°14’31” E WITH THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 865.35 FEET;
THENCE N 89°45’29” E, A DISTANCE OF 45.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF
FREMONT AVENUE; THENCE S 00°14’31” W WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE
OF 309.67 FEET; THENCE S 11°37’50” E WITH SAID EAST RIGHT-OF-WAY LINE, A DISTANCE
OF 278.49 FEET FOR THE POINT OF BEGINNING; THENCE N 83°45’05” E, A DISTANCE OF 254.81 FEET;
THENCE N 77°35’54” E, A DISTANCE OF 313.01 FEET; THENCE N 89°05’33” E, A DISTANCE
OF 88.06 FEET; THENCE N 70°55’25” E, A DISTANCE OF 119.73 FEET; THENCE N 80°49’03” E, A
DISTANCE OF 183.49 FEET; THENCE N 88°56’58” E, A DISTANCE OF 233.55 FEET TO THE
EAST LINE OF GRANTOR'S PROPERTY; THENCE S 00°36’07” W WITH SAID EAST LINE, A DISTANCE
OF 62.57 FEET; THENCE S 70°30’38” W, A DISTANCE OF 245.93 FEET; THENCE S 63°28’59” W, A
DISTANCE OF 354.74 FEET TO THE SOUTH LINE OF GRANTOR'S PROPERTY; THENCE N
88°07’38” W WITH SAID SOUTH LINE, A DISTANCE OF 610.86 FEET TO THE AFOREMENTIONED
EAST RIGHT-OF-WAY LINE OF FREMONT AVENUE; THENCE N 00°07’26” W WITH SAID EAST RIGHT-
OF-WAY LINE, A DISTANCE OF 38.86 FEET; THENCE N 10°47’11” W WITH SAID EAST RIGHT-OF-
WAY LINE, A DISTANCE OF 76.48 FEET TO THE POINT OF BEGINNING. ALL LYING IN
SPRINGFIELD, GREENE COUNTY, MISSOURI AND CONTAINING 4.32 ACRES.
NW CORNER OF THE
S 1/2 OF THE NE 1/4 OF
SEC. 7, T28N, R21W

188,320± SQ. FT.
4.32± ACRES

P.O.B.

DETENTION AREA

DETENTION AREA

POND

STATE OF MISSOURI
PROFESSIONAL LAND SURVEYOR

KEVIN L.
LAMBETH
NUMBER
LS-2695

4-10-2019

CORYELL
DRAINAGE EASEMENT RELINQUISHMENT SKETCH
WELLER AVENUE, SPRINGFIELD, MO

PLANNING & ZONING COMMISSION PAGE 5 OF 5