SUMMARY OF REQUEST:

John Lorenz, Trustee of Revocable Trust to Fred Wolter, is requesting to vacate a portion of street right-of-way generally located at 3005 West Chestnut Expressway and along Hillcrest Avenue to correct inconsistencies with the location of Hillcrest Street. The deed description and right-of-way documents unintentionally leave a gap of land between the two descriptions. The applicant will be correcting this discrepancy by vacating the “right-of-way” strip and quit claiming the property to the City for the correct Hillcrest right-of-way line.

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested vacation meets the approval criteria listed on Attachment 3.

SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>SOUTH</td>
<td>EAST</td>
<td>WEST</td>
</tr>
<tr>
<td>R-SF</td>
<td>HC</td>
<td>CS</td>
<td>GM</td>
</tr>
<tr>
<td>LAND USE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family Residential</td>
<td>Retail Sales</td>
<td>Warehouse/Distribution</td>
<td>Single-Family Residential/Warehouse</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
PROPERTY HISTORY:

This segment of Hillcrest Avenue was annexed into the City in 1955. Inconsistences in the deed and right-of-way have existed since its annexation.

STAFF COMMENTS:

1. This is a request to vacate a portion of street right-of-way generally located at the 3005 West Chestnut Expressway and Hillcrest Avenue.

2. The applicant wishes to clean up the inconsistences with the property deed and right-of-way which have created a gap in descriptions along the west right-of-way line of Hillcrest Avenue and the eastern property boundary. This gap acts as right-of-way but has been determined to be of no public benefit.

3. Along with the vacation, the property owner has agreed to quit claim property, intended to be the extent of the Hillcrest right-of-way line, to the City. This will further make it clear the location of the right-of-way and property boundary.

4. The existing building currently sits partially in the land gap. Vacating the strip will correct this issue.

5. A sewer easement for existing infrastructure was requested by Environmental Services. The applicant has provided this easement for review and it has been approved.

6. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant’s representative conducted a neighborhood meeting on May 9, 2019. There were 79 notices sent out. The neighborhood meeting summary is contained in Attachment 2.

PUBLIC NOTIFICATION:

The public notice was advertised in the News-Leader at least 30 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 300 feet.

| Notices sent to property owners within 300 feet: | Mailed: 16 | Returned: 0 |
ATTACHMENT 1: DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:
No issues.

CITY UTILITIES COMMENTS:
No objections to proposed ROW vacation.

ENVIRONMENTAL SERVICES - CLEAN WATER SERVICES COMMENTS:
Need to reserve a sewer easement across the proposed relinquishment for the existing sewer main. This has been addressed can approve

PUBLIC WORKS - TRAFFIC DIVISION COMMENTS:
Defer to Survey, ROW, and ES for final approval.

PUBLIC WORKS - STORMWATER COMMENTS:
Stormwater has no issue with vacation as shown.

PUBLIC WORKS – RIGHT OF WAY COMMENTS:
Approved
1. Request to vacate: Excess right-of-way, Hillcrest Avenue
   (subject address)

2. Meeting Date & Time: May 9, 2019 - 4:00 to 6:30 PM

3. Meeting Location: 3005 W. Chestnut Expressway, Springfield, MO 65803

4. Number of invitations that were sent: 107

5. How was the mailing list generated: City of Springfield

6. Number of neighbors in attendance (attach a sign-in sheet): 1

7. List the verbal comments and how you plan to address any issues:

   The one person that attended had no concerns/issues.

8. List or attach the written comments and how you plan to address any issues:

   There were no written comments.
Neighborhood Meeting
Thursday, May 8, 2019
Re: ROW Vacation
   Hillcrest Ave.
   Springfield, Missouri

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyler C. Allen</td>
<td>3011 W. Water St</td>
<td>417-340-3429</td>
</tr>
</tbody>
</table>
ATTACHMENT 3: REQUIREMENTS FOR APPROVAL

In order to approve the vacation of a public street or alley, 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. All property owners adjacent to the street, alley or public way have access</td>
<td>All adjacent properties have access to other public streets.</td>
</tr>
<tr>
<td>to another street, alley or public way.</td>
<td></td>
</tr>
<tr>
<td>2. The owners of two-thirds of the property adjacent to the street, alley or</td>
<td>Owners of two-thirds of the property adjacent to the public right-of-way petitioned for the vacation.</td>
</tr>
<tr>
<td>public way to be vacated have given their consent to the vacation.</td>
<td></td>
</tr>
<tr>
<td>3. That the retention of the street, alley, public way or subdivision serves no</td>
<td>The requested portion to be vacated is no longer a benefit to the city street system and the traveling public.</td>
</tr>
<tr>
<td>useful purpose.</td>
<td></td>
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<tr>
<td>4. That the vacation will not affect the ability to use utilities, public or</td>
<td>The applicant will be dedicating an easement to accommodate an existing sanitary sewer line.</td>
</tr>
<tr>
<td>private.</td>
<td></td>
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</tbody>
</table>
ATTACHMENT 4: LEGAL DESCRIPTION

All that part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 29 North, Range 22 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, being further described as follows: Commencing at the Southeast corner of the West Half of the Southwest Quarter of the Southeast Quarter of said Section 16; thence, North 50.00 feet to the current North right-of-way line of Chestnut Expressway; thence West 25.00 feet along and with said North line, to the POINT OF BEGINNING; thence, North 01°47’35” East a distance of 676.78 feet to the existing South right-of-way line of the Burlington Northern railway; thence, South 77°48’53” East, along and with said south line, a distance of 16.61 feet to the West right-of-way line of Hillcrest Avenue as established by the City of Springfield; thence, South 02°02’18” West, along and with said West line, a distance of 673.73 feet to the North right-of-way line of Chestnut Expressway; thence, North 88°27’58” West, along and with said North line, a distance of 13.46 feet to the POINT OF BEGINNING.