**Case Number:** Request to Relinquish Easement No. 891  
**Location:** 1930 East Kearney Street  
**Acres:** N/A  
**Existing Land Use:** Vacant  
**Applicants:** Glen-Kearney Dev, LLC and Bevs Prop, LLC  
**Staff:** Andrew Menke, 864-1613  
**Staff Recommendation:** Approve  
**Proposed Motion:** Move to approve Relinquish Easement No. 891

**Summary of Applicants Request:**  
The applicants, Glen-Kearney Dev, LLC and Bevs Prop, LLC, are requesting to relinquish a utility easement, electric easement, and sanitary sewer easement to facilitate the development of the property. A replacement sanitary sewer easement has already been dedicated.

**Staff Comments:**  

**Planning and Development:**  
1. The applicant is requesting to relinquish a utility easement, electric easement, and sanitary sewer easement in order to facilitate the development of the property.  
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.

**City Utilities – Developer Services:**  
All CU facilities in indicated easement areas have been relocated or fees paid for construction for relocation. No issues with relinquishments.

**Mediacom:**  
Did not respond in the allotted review time.
ENVIRONMENTAL SERVICES – CLEAN WATER SERVICES:

Testing of the sanitary sewer improvements for 1930 E Kearney has been completed and approved and video has been completed and approved. Vacation is approvable.

AT&T:

AT&T has no issues with this vacation, however, AT&T has facilities within R/W and U/E feeding existing structures near this development that will continue to be maintained. Locates need to be conducted prior to construction to identify any utilities in the proposed development locations, and to identify if they conflict with this development plan. The site development may require existing AT&T facilities to be relocated at the developer’s expense. Contact engineer Steven Beier 417-836-2761 180 days prior to construction. Please note that if the development of this property will need additional AT&T facilities placed, contact engineer Steven Beier 417-836-2761 180 days prior to construction.
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
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 easements.</td>
<td>No one has objected to the relinquishment of the easement.</td>
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<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</td>
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<td>Department a statement that the easements are no longer needed to provide service.</td>
<td>relinquishment of the subject easement. The applicant has dedicated a replacement</td>
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<td>sanitary sewer 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</td>
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<td>applicant has dedicated a replacement sanitary sewer easement through a separate</td>
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<td>instrument.</td>
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</table>
LEGAL DESCRIPTION:

Sewer Easements

All that part of existing sanitary sewer easements contained in Book 1100 Pages 469, 472, 493, and 501 and in Plat Book EE Page 65, all in the City of Springfield, Greene County, Missouri, further described as:

Commencing from the Northeast corner of the Replat of Lot 1, Kearney-Glenstone Subdivision, a subdivision in the City of Springfield, Greene County, Missouri; thence, North 89° 13' 53" West along and with the North line of said subdivision, a distance of 109.96 feet to the POINT OF BEGINNING; thence, North 89° 13' 53" West continuing along and with said North line, a distance of 14.19 feet; thence, Northeasterly along and with a 658.37 foot radius curve to the right having a chord bearing of North 59° 04' 52" East, a chord length of 309.02 feet, an arc distance of 311.93 feet; thence, South 00° 47' 57" West, a distance of 10.53 feet; thence, Southwesterly along and with a 648.37 foot radius curve to the left having a chord bearing of South 59° 22' 39" West, a chord length 291.42 feet, an arc length of 293.93 feet to the POINT OF BEGINNING; containing 3029 feet, more or less.

Utility Easement – Book 1679 Page 957

Beginning at the southeast corner of lot 8, Kearney-Glenstone Subdivision, thence west 35 feet, thence north 115 feet, thence west 20 feet, thence north 20 feet, thence east 20 feet, thence north to the north line of said lot to a point 45 feet west of the northeast corner of said lot, thence east 45 feet, thence south to the point of beginning.

Electric Easement – Book 1540 Page 45

Beginning at a point on the south right of way line of Kearney Street, as now exists, and on the east line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 8, Township 29, Range 21, thence westerly along the south right of way line of Kearney Street, as now exists, a distance of 250' for a new point of beginning.

Commencing at the new point of beginning, thence south 267', thence east 15', thence north 267', thence west 15' to new point of beginning.