The applicant, South Campbell Investments, LLC, is requesting to relinquish sanitary sewer easements to facilitate the development of the property. A replacement easement has been dedicated. The relinquishment of the easements is contingent upon the construction of public improvements.
STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish sanitary sewer easements in order to facilitate the development of the property.
2. The Planning and Zoning Commission does not have the authority to approve this request due to conditions being set forth by the applicant. The relinquishment of the easements is contingent upon public improvements being constructed. This request must be forwarded to City Council for approval.
3. No one has objected to this request to date.

CONDITIONS:

A. If approved, the relinquishment of the sanitary sewer easement is not effective until:

   1. The applicant completes the public improvements to the proposed sanitary sewer easement area and the construction of those improvements is accepted by the City.

   If these conditions are not completed within one (1) year from City Council’s approval, then that approval is null and void and the sanitary sewer easement requested to be relinquished will remain.

ENVIRONMENTAL SERVICES – CLEAN WATER SERVICES:

1. No objection to vacating easement on lot 1 since there is no existing sewer within it.
2. The easement across lot 2 cannot be vacated until the sewer relocation plans have been filed, constructed and accepted.
3. The easement cannot be vacated until the sewer has been relocated. The Planning and Zoning Commission does not have the authority to approve this request due to conditions being set forth by the applicant. The relinquishment of the easements is contingent upon public improvements being constructed. This request must be forwarded to City Council for approval.
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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<tbody>
<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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<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, with the conditions</td>
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<td>Department a statement that the easements are no longer needed to provide</td>
<td>set forth, do not object to the relinquishment of the subject easement. The</td>
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<td>service.</td>
<td>applicant has dedicated a replacement easement.</td>
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<td>3. That the retention of the easements no longer serves any useful public</td>
<td>Once construction of public improvements has been completed, the retention of</td>
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<td>purpose.</td>
<td>the easements will no longer serve a public purpose. The applicant has</td>
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<td></td>
<td>dedicated a replacement easement through a separate instrument.</td>
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LEGAL DESCRIPTION:

A partial relinquishment of a 15.00-foot-wide Sanitary Sewer Easement, recorded in Deed Book 1756 at Page 1178, in the Greene County Recorder’s Office, Greene County, Missouri and being a part of Lot 1 of The Final Plat of South Campbell Addition, a subdivision in the City of Springfield and recorded in the Greene County Recorder’s Office, Greene County, Missouri and being more particularly described as follows:

COMMENCING at the Northwest Corner of Lot 1, of South Campbell Addition; Thence S 88°42'39" E, along the North line of said Lot 1, a distance of 295.06 feet to the Northwest Corner of said Sanitary Sewer Easement for a Point of Beginning; Thence S 88°42'39" E, continuing along said North line, a distance of 15.01 feet, to the Northeast corner of said easement; thence S 02°49'47" W, along the East line of said easement, a distance of 228.07 feet to a point on the South line of a 25.00 foot-wide Utility Easement as recorded in Deed Book 1739, at Page 1015, in the Greene County Recorder’s Office, Green County, Missouri; Thence N 87°47'02" W, along said South line, a distance of 15.00 feet; Thence N 02°49'47" E, along the West line of said Sanitary Sewer Easement, a distance of 227.83 feet to the Point of Beginning.

Containing 3,419 square feet, more or less, and subject to any rights-of-way, easements, and restrictions of record.

And

A partial relinquishment of a platted 15.00-foot-wide Sanitary Sewer Easement, being a part of Lot 2 of the Final Plat of South Campbell Addition, a subdivision in the City of Springfield and recorded in the Greene County Recorder’s Office, Greene County, Missouri and being more particularly described as follows:

COMMENCING at the Southwest Corner of Lot 2, of South Campbell Addition; Thence S 88°48'40" E, along the South line of said Lot 2, a distance of 7.50 feet, to a point on the East line of an existing 15.00 foot-wide Sanitary Sewer Easement recorded in Deed Book 1756 at Page 1178, recorded in the Greene County Recorder’s Office, Greene County, Missouri; said point also being the Southwest corner of a platted 15.00 foot-wide Sanitary Sewer Easement as shown on the Final Plat of South Campbell Addition, for a Point of Beginning; Thence N 02°04'53" E, along the West line of said platted easement, a distance of 15.00 feet to the North line of said platted easement; Thence S 88°48'40" E, along the North line of said platted easement, a distance of 181.53 feet; Thence N 01°35'30" E, along the West line of said platted easement, a distance of 70.42 feet; Thence S 88°24'30" E, a distance of 15.00 feet to the East line of said platted easement; Thence S 01°35'30" W, along the East line of said platted easement, a distance of 85.31 feet to a point on the South line of said platted easement and the South line of Lot 2; Thence N 88°48'40" W, along said South line, a distance of 196.66 feet to the Point of Beginning.

Containing 4,004 square feet, more or less, and subject to any rights-of-way, easements, and restrictions of record.
This sketch is not a boundary survey. It is intended to show the configuration of Easement Relinquishment. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.

EASEMENT RELINQUISHMENT

Project no: 018-2880
Drawn by: KMK
Date: 08/29/19

Olsson Associates, Inc. Survey MO
Certificate of Authority #LC366
550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8862 FAX 417.890.8805
This sketch is not a boundary survey. It is intended to show the configuration of Easement Relinquishment. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.