The City of Springfield proposes to acquire property located along 2136 East Turner Street in order to acquire an adequate right-of-way width of Barnes street. The acquisition will also address discrepancies with the current right-of-way deeds. Turner and Barnes existed before being annexed into the city. The City acquired the east 20' of Barnes and east 30' of Turner in 2002; however, the remaining right-of-way was never officially acquired. The City will dedicate right-of-way it was meant to acquire and at the same time acquire property from the property owners of 2136 East Turner Street.

The request is consistent with the Planning and Zoning Commission’s land acquisition policy.

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<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
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<tr>
<td>ZONING</td>
<td>HC</td>
<td>GM</td>
<td>HM</td>
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<tr>
<td>LAND USE</td>
<td>Bank/Car Wash</td>
<td>Distribution/Manufacturing Uses</td>
<td>Car Wash</td>
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</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
PLANNING AND ZONING COMMISSION REVIEW:

The Springfield City Charter requires the Planning and Zoning Commission to review all proposals to acquire real property by the City for public use. Commission’s function in this matter is to determine whether the proposal is generally consistent with the Comprehensive Plan.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the Comprehensive Plan designates this area appropriate for Medium-Intensity Retail, Office or Housing. The Plan encourages the maintaining of the city’s streets in order provide adequate capacity, access, and safety for the traveling public.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT

1. Approval of this request is consistent with the Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. The current zoning is General Manufacturing; however, the acquisition of property for right-of-way is appropriate in all zoning districts.

2. The property is zoned General Manufacturing.

3. Approval will provide adequate right-of-way width for Barnes Street that could be used for future improvements. Discrepancies in right-of-way deeds will also be addressed.

4. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission’s function regarding the acquisition of property and the process for appeal of such decision:

“In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission’s disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership.”

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to City Council.
LAND ACQUISITION POLICY:

The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant’s response to that section. Responses below were provided by the Public Works Department who made this request to acquire.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.

   **RESPONSE:**
   
   *It is Public Works understanding the subject property is being used for a public street and is consistent with the adopted Plan and Policies of the City of Springfield.*

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.

   **RESPONSE:**
   
   *This acquisition is to give the City of Springfield right-of-way along existing streets. No adverse effects anticipated. This acquisition would allow existing use of street to continue and provide ROW for future improvements.*

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.

   **RESPONSE:**
   
   *This acquisition is to give the City of Springfield right-of-way along existing streets. No structures to remove.*

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

   **RESPONSE:**
   
   *This acquisition is to give the City of Springfield right-of-way along existing streets. Nothing to preserve, this is an existing street.*

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be
made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:
This acquisition is to give the City of Springfield right-of-way along existing streets. Nothing to preserve, this is an existing street.
Quit Claim Descriptions

BARNES AVENUE
All that part of the Northeast Quarter of the Northwest Quarter of Section 8, Township 29 North, Range 21 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, being more particularly described as follows: All of the East Forty feet of the North Half of the Northeast Quarter of the Northwest Quarter of said Section 8, ALONG AND WITH the following: Commencing at the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 8; thence, South 01°38'02" West, along and with the East line of said Quarter-Quarter Section, a distance of 660.67 feet, to the intersection of said East line with the South line of the North Half of the Northeast Quarter of the Northwest Quarter of said Section 8; thence, continue South 01°38'02" West, along and with said East line, a distance of 75.55 feet to the intersection of said East line with the accepted North right-of-way line of Turner Street; thence, North 86°49'03" West, along and with said North line, a distance of 40.01 feet; thence, North 01°38'02" East, parallel to and 40 feet West of the East line of the Northeast Quarter of the Northwest Quarter of said Section 8, a distance of 75.37 feet to the South line of the North Half of the Northeast Quarter of the Northwest Quarter of said Section 8; thence South 87°04'02" East, along and with said South line, a distance of 40.01 feet to the POINT OF BEGINNING, containing 0.63 acres.

TURNER STREET
All that part of the Northeast Quarter of the Northwest Quarter of Section 8, Township 29 North, Range 21 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, being more particularly described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Northwest Quarter of said Section 8; thence, South 01°38'02" West, along and with the East line of said Quarter-Quarter Section, a distance of 736.27 to the accepted North right-of-way line of Turner Street and the POINT OF BEGINNING; thence, North 86°49'03" West, along and with said North line, a distance of 574.45 feet; thence, North 80°54'42" West, along and with said North line, a distance of 81.74 feet to an existing iron pin at the Southeast corner of Lot 12 of Mercantile Plaza, a subdivision in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof; thence, South 00°00'00" East, leaving said North line, a distance of 60.76 feet to the accepted South line of said Turner Street; thence, South 80°54'42" East, along and with said South line, a distance of 75.24 feet; thence, South 86°49'03" East, along and with said South line, a distance of 579.17 feet to the East line of the Northeast Quarter of the Northwest Quarter of said Section 8; thence, North 01°38'02" East, along and with said East line, a distance of 60.02 feet to the POINT OF BEGINNING, containing 0.90 acres.
QUIT-CLAIM EXHIBIT
BARNES AVENUE
TURNER STREET
CITY OF SPRINGFIELD,
GREENE COUNTY, MO

Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050

NOTE:
THIS DRAWING HAS BEEN PREPARED ONLY AS AN EXHIBIT TO ILLUSTRATE NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS NOT TO BE CONSIDERED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

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Springfield, Missouri 65807
417-886-9100 (phone) 417-886-9336 (fax)
dee@leeengineering.com

"Engineering with Integrity"

This page contains a legal and technical diagram related to property easements. The diagram illustrates the boundaries and conditions of easements for properties along Barnes Avenue and Turner Street in Springfield, Greene County, Missouri. The legal description of the easements is included, detailing specific coordinates and dimensions. The diagram is intended to provide a visual representation of the easement properties as described in the recorded instruments.