BILL 2018-3

****** Second & Final ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Tim Wymes, Community Development Director

DATE: Tuesday, January 16, 2018

RE: Earley Business Park Second Plat and Right-of-Way Dedication

Please find the attached Ordinance for your consideration. The proposed ordinance is for the Earley Business Park second plat and dedication of a portion of land located on Earley Road near State Hwy BB. The second plat and proportion to be dedicated is approximately 3.66 more or less acres in size. The proposed ordinance first reading has been amended to reflect a re-plat for the Earley Business park which was incorrectly referred to as a zoning map amendment.

A public hearing before the Planning and Zoning Commission was conducted on Monday, November 13, 2017 in regards to applicant Michael Metz Frazier. The purpose was to consider a lot split for proposed construction of a convenience store. The property is located in an area that is zoned (C-2) General Commercial District. The site location requires public infrastructure improvements at which, Mr. Frazier and Donna Earley has agreed to the Earley Business Park second plat and right-of-way dedication.

The City of Cameron is aware and willing to accept the portion of land to be dedicated, which would allow for the placement of maintenance infrastructure.

<u>Recommendation</u> Planning & Zoning as well as staff recommend approval of the attached Ordinance.

Bill 2018-3

AN ORDINANCE APPROVING THE RE-PLAT OF TWO TRACTS OF PLATTED LAND TOTALING 3.366 ACRES, MORE OR LESS, TO ENCOMPASS UNPLATTED LAND FOR AN ADDITION AND THE RIGHT-OF-WAY DEDICATION TO THE "EARLEY BUSINESS PARK SECOND PLAT, LOTS 1 AND 2", IN CAMERON, CLINTON, DeKALB AND CALDWELL COUNTIES, MISSOURI AND THE FILING OF THE PLAT THEREOF *(KUM & GO)*

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WHEREAS, A Request for a re-plat of two tracts of land was filed with the City of Cameron, Missouri , by applicant Michael Metz Frazier on November 6, 2017; and

WHEREAS, on November 13, 2017, the City of Cameron, Missouri, Planning and Zoning Commission reviewed and approved the application request for a lot reconfiguration; and

WHEREAS, The applicant requested that a second plat and right-of-way dedication be granted to the City of Cameron in the total of 3.66 acres more or less; and

WHEREAS, the Planning and Zoning Commission, having met and reviewed said request of the proposed reconfiguration "C-2" General Commercial District, approves said The Earley Business Park Second plat and right-of-way dedication to the City of Cameron, Missouri adoption by the City Council for the tract of land described herein; and

WHEREAS, the City of Cameron desires to accept the property, specifically described in Exhibit A and Exhibit B. The permanent public right-of-way will allow for placement and maintenance of public infrastructure.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON, DEKALB AND CALDWELL COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. The City Manager is hereby authorized to record the attached exhibits as permanent right-of-way.

Please see Exhibit A:

Please see Exhibit B:

Section 2. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 3. The City Clerk is directed to attest to the Mayor's signature.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved on first reading this 16th day of January 2018.
Passed and approved on second reading this 5th day of February 2018.
Passed and approved on third and final reading this 5th day of February 2018.

_____
Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk

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EXHIBIT A
Legal Description

Clinton County:

PROPERTY DESCRIPTION

A tract of land being all of Lot 1 and Lot 2, EARLEY BUSINESS PARK FIRST PLAT, a subdivision and part of the Southeast Quarter of Section 24, Township 57 North, Range 30 West, all in the City of Cameron, Clinton County, Missouri, being more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence North 88 degrees 13' 54'' West, along the South line of said Southeast Quarter, 689.52 feet; thence North 01 degrees 46'06'' East, 43.11 feet to the Southeast corner of said Lot 2, said point also being the Point of Beginning; thence North 83 degrees 49'44'' West, along the South line of said Lot 1 and Lot 2, 137.45 feet; thence North 88 degrees 09'53'' west, along the South line of said Lot 1, 249.53 feet; thence North 48 degrees 08'30'' West, continuing along said South line, 33.50 feet to the Southwest corner of said Lot 1; thence North 07 degrees 01' 29'' West, along the West line of said Lot 1 and the prolongation thereof, 302.53 feet; thence North 89 degrees 27'00'' East, 494.21 feet to a point on the West line of Lot 5, said EARLEY BUSINESS PARK FIRST PLAT; thence South 00 degrees 30'00'' East, along the West line of said Lot 5, 106.23 feet, to the Southwest corner of said Lot 5; thence South 89 degrees 30'10'' West, 50.0 feet to the Northeast corner of said Lot 2; thence along said East line the following four courses; thence South 00 degrees 30'00'' East, 95.05 feet; thence on a curve to the left, tangent to the last described course, having a radius of 1025.00 feet and an arc length of 48.39 feet; thence on a curve to the right, tangent to the last described course having a radius of 975.00 feet and an arc length of 91.33 feet; thence South 02 degrees 09'44'' West, 8.76 feet to the Point of Beginning. Contains 146,639 square feet or 3.366 acres more or less.

EARLEY ROAD R/W DESCRIPTION:

A tract of land being part of the Southeast Quarter of Section 24, Township 57 North, Range 30 West, in the City of Cameron, Clinton County, Missouri, being more particularly described as follows:

Beginning at the Northeast corner of Lot 2, EARLEY BUSINESS PARK – FIRST PLAT, a subdivision in said Cameron, Clinton County, Missouri; thence North 00 degrees 30'00'' West, 106.19 feet; thence North 89 degrees 27'00'' East, 50.00 feet to a point on the West line of Lot 5, of said EARLEY BUSINESS PARK – FIRST PLAT; thence South 00 degrees 30'00'' East, along said West line of Lot 5, 106.23 feet to the Southwest corner of said Lot 5; thence South 89 degrees 30'10'' West, 50.00 feet to the Point of Beginning. Contains 5,310 square feet or 0.122 acres more or less.

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DEDICATION:
Michael Metz Frazier, Revocable Trust and Donna J. Earley Trust, are the owners of the above described tract of land, declares that they are the sole owners of said land and have caused the same to be redivided into streets, lots of the sizes, dimensions and location as shown on this plat, which plat was drawn by said owner's authority and under its direction. Said plat shall hereinafter be known as: EARLEY BUSINESS PARK SECOND PLAT

The roads and lanes shown on this plat and not heretofore dedicated to a public use are hereby so dedicated. In consideration of the acceptance of said plat and dedication, the owner hereby waives all claims for damages to any of the property described in said plat by reason of future grading of any of the roads on this plat to such grades as may be established by the City Council of Cameron, Missouri at the time of approval of said plat, or at any time thereafter.

An easement or license is hereby granted to the City of Cameron, Missouri to locate, construct, and maintain or to authorize the location, construction, maintenance of conduits, water, gas and sewer pipes, poles, wires, and surface drainage, or any or all of them over, along, and through the strips marked "utility easement", and that the planting of any trees or shrubbery or the placing of other improvements on said easement will be done at the risk of subsequent damage thereto without compensation therefore.

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