

INTRODUCED BY MAYOR HEILIGER

BILL NO. 02-24

ORDINANCE NO. 1054

AN ORDINANCE VACATING PART OF A PERMANENT UTILITY EASEMENT DEDICATED TO THE CITY OF WRIGHT CITY ON LOT 180 OF AUBURN MEADOWS PLAT 5

WHEREAS, LK Properties II, LLLP, developer of Auburn Meadows Plat 5 subdivision, has requested vacation of a portion of a certain eight-foot-wide permanent utility easement dedicated to the City of Wright City for "constructing, maintaining, and repairing of public utilities and sewer and drainage facilities", the area of which partial vacation is legally described in Exhibit 1 (the "Easement Vacation Area") and depicted on the Permanent Utility Easement Vacation Plat, Exhibit 2 (the "Easement Vacation Plat"), attached hereto and incorporated by reference; and,

WHEREAS, it appears to the Board of Aldermen of the City of Wright City that the Easement Vacation Area is in excess and surplus of the City's needs because it will no longer be in use by the City nor reasonably contemplated for the City's future use; and,

WHEREAS, vacating a portion of the easement will not be prejudicial or detrimental to the City of Wright City or to any property owner affected by the easement.

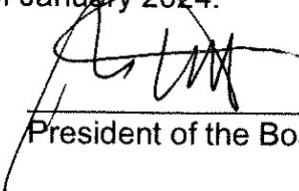
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF WRIGHT CITY, MISSOURI, AS FOLLOWS:

Section I. The Board of Aldermen finds and determines that the fifty-six square foot (56 s.f.) area of the permanent utility easement dedicated to the City on Lot 180 legally described as the Easement Vacation Area and depicted on the Easement Vacation Plat (**Exhibit 1 and 2**, respectively, incorporated herein by reference), is in excess and surplus to the needs of the City and is hereby vacated and that the City of Wright City's interest therein is hereby vacated, released, abandoned, and extinguished. Nothing herein is intended to vacate, release, or otherwise affect the interests of any other beneficiary or lawful user of said easement, other than the City.

Section II. Upon the City's execution of this Ordinance, the developer, LK Properties II, LLLP, is hereby directed to record the Easement Vacation Plat with the Recorder of Deeds of Warren County, Missouri.

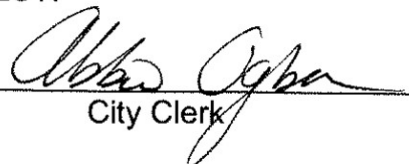
Section III. This ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES BY TITLE AND PASSED by the Board of Aldermen of the City of Wright City, Missouri, this 25th day of January 2024.



President of the Board of Aldermen

ATTEST:



City Clerk

APPROVED BY THE MAYOR of the City of Wright City, Missouri, this 25th day of January 2024.



Mayor

ATTEST:



City Clerk

Exhibit 1

Easement Vacation Area



ENGINEERING

PLANNING

SURVEYING

VACATION DESCRIPTION
56 SQUARE FEET
AUGUST 26, 2022
BAX PROJECT NO. 19-17928
GAW

PERMANENT UTILITY EASEMENT VACATION

A TRACT OF LAND BEING PART OF AN EXISTING 8.00-FOOT-WIDE UTILITY EASEMENT WITHIN LOT 180 OF "AUBURN MEADOWS PLAT FIVE", A SUBDIVISION ACCORDING TO THE INSTRUMENT RECORDED IN SLIDE D PAGES 45-46 OF THE WARREN COUNTY RECORDS, TOWNSHIP 47 NORTH, RANGE 1 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WRIGHT CITY, WARREN COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 180, SAID POINT ALSO BEING IN THE EAST RIGHT-OF-WAY LINE OF PLYMOUTH DRIVE (50 FEET WIDE); THENCE ALONG THE SOUTH LINE OF SAID LOT 180, NORTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 37.50 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE OF LOT 180, NORTH 02 DEGREES 30 MINUTES 17 SECONDS EAST 6.50 FEET TO THE ACTUAL POINT OF BEGINNING OF THE DESCRIPTION HEREIN; THENCE THE FOLLOWING COURSES AND DISTANCES, NORTH 02 DEGREES 30 MINUTES 17 SECONDS EAST 1.50 FEET; THENCE SOUTH 87 DEGREES 29 MINUTES 43 SECONDS EAST 37.33 FEET; THENCE SOUTH 02 DEGREES 30 MINUTES 17 SECONDS WEST 1.50 FEET; AND NORTH 87 DEGREES 29 MINUTES 43 SECONDS WEST 37.33 FEET TO THE POINT OF BEGINNING, CONTAINING 56 SQUARE FEET ACCORDING TO CALCULATIONS BY BAX ENGINEERING COMPANY DURING AUGUST, 2022.

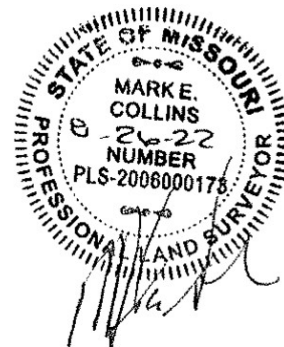
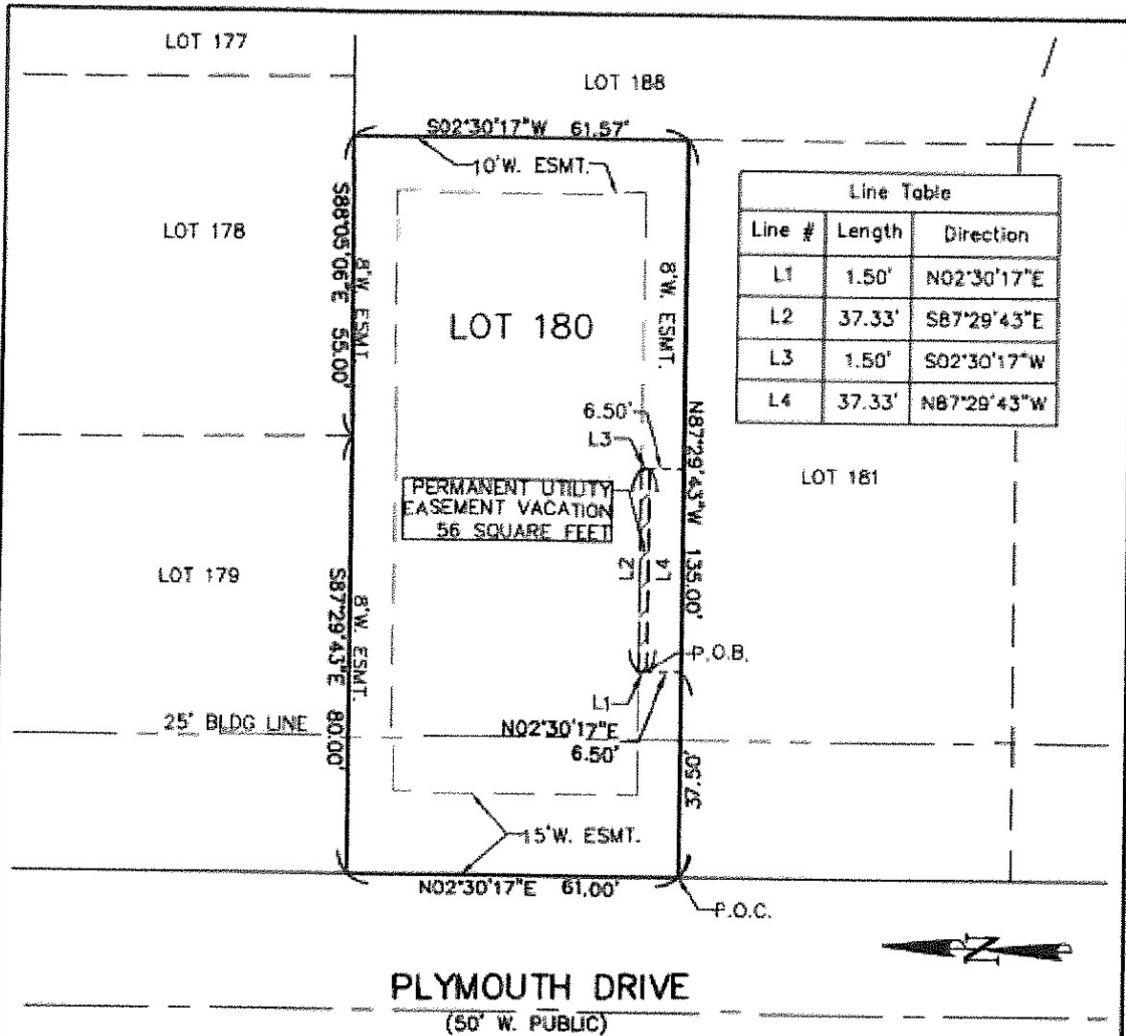


Exhibit 2
Easement Vacation Plat



BAX ENGINEERING CO.
221 POINT WEST BLVD.
ST. CHARLES, MO 63301
636-928-5552

GENERAL NOTES:
1. BASIS OF BEARINGS IS THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE (GRID NORTH).
2. THIS EXHIBIT DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY PURSUANT TO MISSOURI STANDARDS.

EXHIBIT A	PERMANENT UTILITY EASEMENT VACATION
DATE: 08/25/22	<p>A TRACT OF LAND BEING PART OF LOT 180 OF "AUBURN MEADOWS PLAT 5" SLIDE D, PAGES 45-46, TOWNSHIP 47 NORTH, RANGE 1 EAST CITY OF WRIGHT CITY, WARREN COUNTY, MISSOURI</p>
DRAWN: GAW	
SCALE: 1"=30'	
PROJECT: 19-17928	
FILE: 17928VACT80	
SHEET: 1 OF 1	
MISSOURI STATE CERTIFICATE OF AUTHORITY SURVEYING: #000144	

MARK E. COLLINS
PROFESSIONAL LAND SURVEYOR
PLS NO 2006000173