

BILL NO. _____

ORDINANCE NO. 701

AN ORDINANCE VACATING SECOND STREET FROM THE SOUTH RIGHT-OF-WAY LINE OF BOWMAN STREET TO THE SOUTH END OF SECOND STREET IN THE CITY OF KING CITY, GENTRY COUNTY, MISSOURI

WHEREAS, the City has been petitioned by certain landowners to vacate Second Street from the South Right-of-way line of Bowman Street to the South End of Second Street, which lies within Taylor Park Addition to the City of King City, Gentry County, Missouri, being legally described as follows:

Beginning at the northwest corner of Lot Six (6), Block E, Taylor Park Addition to the City of King City, thence South along the West boundary of said Lot a distance of One Hundred Twenty feet, Thirty inches (120' 30') to the Southwest corner of said Lot Six (6), thence West a distance of Sixty (60) feet to the Southeast corner of Lot One (1), Block D, Taylor Park Addition, thence North along the East boundary of Lot One (1), Block D of Taylor Park Addition a distance of One Hundred Twenty feet Thirty inches (120' 30') to the Northeast corner of Lot One (1) Block D of Taylor Park Addition, thence East along the south right-of-way of Bowman Street, a distance of Sixty (60) feet to the place of beginning, all in Gentry County Missouri.

WHEREAS, upon due investigation, it is apparent that Petitioners constitute all of the adjoining landowners to said street; and

WHEREAS, said Petitioners have waived all notice of public hearing, claim for damages and procedure for assessment of damages, all as provided by Section 88.673, RSMo; and

WHEREAS, Petitioners have agreed to execute an easement for utility purposes in favor of the City of King City, Missouri, if same is desired by the City, over and across those portions of Second Street to be vacated; and

NOW, THEREFORE, UPON DUE CONSIDERATION, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KING CITY, MISSOURI, AS FOLLOWS:

Section 1: That it is deemed necessary and expedient to vacate those portions of Second Street as described above.

Section 2: That the land shall revert proportionately to the adjacent land owners as provided by statute.

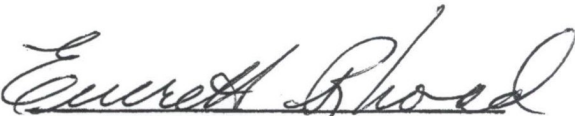
Section 3: That the portion of Second Street as described above is hereby vacated, and the Mayor and City Clerk are hereby authorized to execute such deeds and instruments as may be necessary to effect the vacation of the same, with proportionate reversion to adjacent land owners. In the event there are public utilities situated in or under those portions of Second Street to be vacated, the City hereby retains an easement therefore.

Section 4: The petition filed by the private landowners in Taylor Park Addition to the City of King City, Gentry County, Missouri is ordered attached to the original of this Ordinance, to be kept on file in City Hall.


Section 5: A certified copy of this Ordinance with attachments, is ordered recorded in the real estate records of Gentry County, Missouri.

Section 6: This Ordinance shall be in full force and effect from and after its passage and approval.

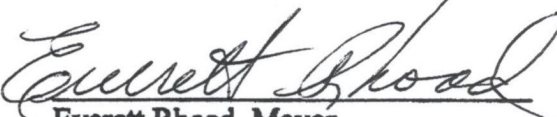
This Ordinance was passed by the Board of Aldermen of the City of King City, Missouri, this 11th day of August, 2014.


Everett Rhoad, Mayor

ATTEST:


Janet Smith, City Clerk

This Ordinance was approved on the 11th day of August, 2014.


Everett Rhoad, Mayor

PETITION TO VACATE PORTION OF STREET

We, the undersigned, do hereby state that we are the owners of all real estate adjoining that portion of Second Street south of Bowman Street in the Taylor Park Addition to the City of King City, Gentry County, Missouri, and described in the alternative as follows:

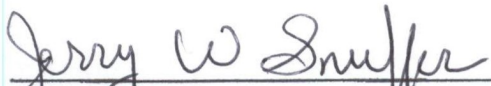
Beginning at the northwest corner of Lot Six (6), Block E, Taylor Park Addition to the City of King City, thence South along the West boundary of said Lot a distance of One Hundred Twenty feet, Thirty inches (120' 30') to the Southwest corner of said Lot Six (6), thence West a distance of Sixty (60) feet to the Southeast corner of Lot One (1), Block D, Taylor Park Addition, thence North along the East boundary of Lot One (1), Block D of Taylor Park Addition a distance of One Hundred Twenty feet Thirty inches (120' 30') to the Northeast corner of Lot One (1) Block D of Taylor Park Addition, thence East along the south right-of-way of Bowman Street, a distance of Sixty (60) feet to the place of beginning, all in Gentry County Missouri.

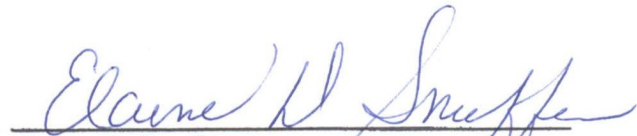
The undersigned request that the above described portion of Second Street be vacated by the Board of Aldermen.

The undersigned waive notice of any public hearing in regard to vacation of this portion of the street, waive claim for any damages as a result of the vacating of this portion of the street, and further, waive the carrying out of any procedure for the assessment of damages as may be provided by Missouri Statute.

The undersigned understand that if said street is vacated, it will cease to be a public right-of-way; it may never be open for public access and the City of King City will be released from any requirement now or in the future to open the same and bring the same to grade for use as a public right-of-way. Upon the vacating of the same, the ownership of said street will revert to the adjoining landowners to the center of said right-of-way.

The undersigned further agree that in the event the Board of Aldermen require the execution of a Public Utility Easement as a condition of vacating said street, that they will execute a Public Utility Easement in favor of the City of King City, Missouri. Even if not required, all existing sewers, waterlines, utility poles, gas lines and the like shall remain in place subject to whatever rights may exist in the City or in any private individual for the use and maintenance thereof.


Jerry W. Snuffer


Elaine D. Snuffer

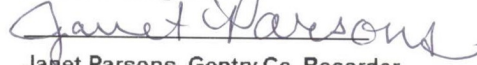
State of Missouri, County of Gentry

Instrument #: 16263

This Instrument was filed on: 8/14/2014

At: 2:15:36 PM

Book: 482 Page: 274



Janet Parsons, Gentry Co. Recorder

No. of pages: 5 Fees: \$36

TITLE OF DOCUMENT: City of King City Ordinance #701

DATE OF DOCUMENT: August 11, 2014

GRANTOR(S): City of King City, Gentry County, Missouri

GRANTEE(S): Jerry W. Snuffer and Elaine D. Snuffer

MAILING ADDRESS(S): 303 Bowman Street, King City, MO 64463

LEGAL DESCRIPTION:

Beginning at the northwest corner of Lot Six (6), Block E, Taylor Park Addition to the City of King City, thence South along the West boundary of said Lot a distance of One Hundred Twenty feet, Thirty inches (120' 30') to the Southwest corner of said Lot Six (6), thence West a distance of Sixty (60) feet to the Southeast corner of Lot One (1), Block D, Taylor Park Addition, thence North along the East boundary of Lot One (1), Block D of Taylor Park Addition a distance of One Hundred Twenty feet Thirty inches (120' 30') to the Northeast corner of Lot One (1) Block D of Taylor Park Addition, thence East along the south right-of-way of Bowman Street, a distance of Sixty (60) feet to the place of beginning, all in Gentry County Missouri.

REFERENCE BOOKS(S) AND PAGE(S): NA