

INTRODUCED BY ALDERMAN STREETER

BILL NO. 24-2544

ORDINANCE NO. 24-2426

AN ORDINANCE VACATING A CERTAIN EASEMENT IN THE CITY OF MANCHESTER, MISSOURI, REFERRED TO FOR THESE PURPOSES AS THE ARBORS AT CELTIC MEADOWS TRAIL EASEMENT.

WHEREAS, Arbors at Celtic Meadows Plat One was approved by the Board of Aldermen of the City of Manchester by Ordinance 22-2346 on the 7th day of March 2022 ("Plat 1"); and,

WHEREAS, Plat 1 granted a non-exclusive Trail Easement to the City of Manchester for the right (but not the obligation) to construct, operate, maintain, repair and or replace a public pedestrian trail, stormwater drainage structures, retaining walls, fences and related appurtenances associated (the "Trail Easement"); and

WHEREAS, the Board of Aldermen of the City of Manchester, after due investigation and consideration, has determined that because the City has no intention of constructing trails in a private common ground, the public interest warrants the vacation of the Arbors at Celtic Meadows Trail Easement.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: The Board finds and determines that all part of the existing Trail Easement as depicted in hatch on Exhibit "A" and referenced in the Owner's Certificate of Arbors at Celtic Meadows Plat One, attached hereto and incorporated herein by reference, are no longer needed and that the City of Manchester's interest therein is hereby vacated, released, abandoned, and extinguished.

Section Two: The Mayor of the City of Manchester shall provide for the recording of a certified copy of this Ordinance so that the public records reflect the vacation of the easement described herein.

Section Three: This Ordinance, having been read in full or by title two times prior to passage, shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 16 TH DAY OF SEPTEMBER 2024.

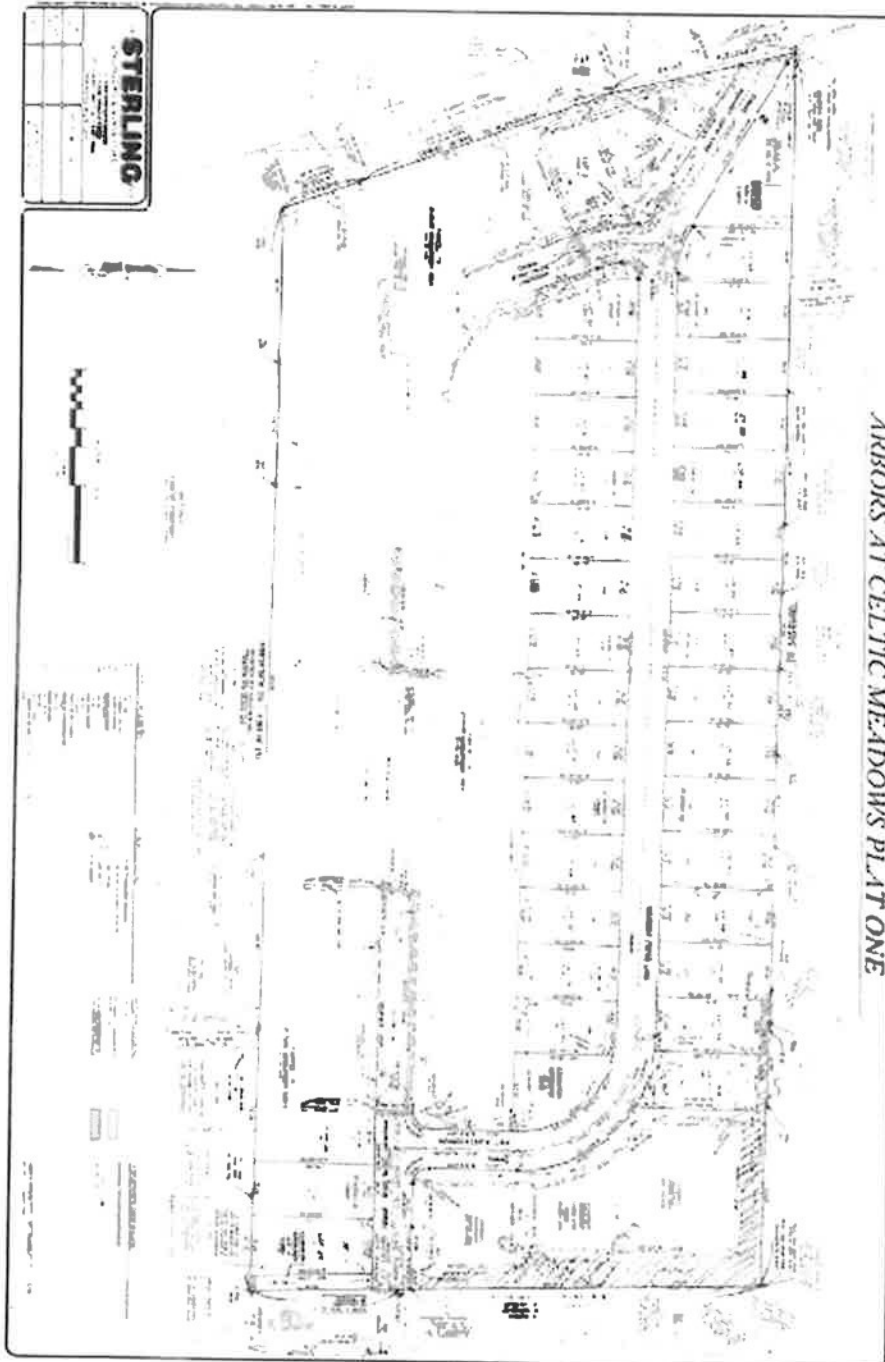
CITY OF MANCHESTER, MISSOURI

BY: 
Mayor

ATTEST:


City Clerk

Exhibit A





Board of Alderman Agenda Item Cover

Meeting Date: September 3, 2024

Agenda Item Title: An Ordinance Vacating a Certain Easement in the City of Manchester, Missouri, Referred to for these Purposes as the Arbors at Celtic Meadows Trail Easement

Agenda Section: New Legislation

On March 7, 2022, the Board of Aldermen approved Plat One of the Arbors at Celtic Meadows to allow the construction of the 68 single-family homes at the former Kennedy High School site. Plat One granted a non-exclusive trail easement to the City of Manchester for the right (not the obligation) to construct, operate, maintain, repair and or replace a public pedestrian trail and associated appurtenances.

After careful consideration, the City determined that it has no intent to construct trails in private common ground in the subdivision and is seeking to vacate the easement. In doing so, the area will be transferred to the Arbors at Celtic Meadows Homeowner's Association, who will have ownership and maintenance responsibility. This group approached the City in June 2024 and expressed interest in owning the property and developing same as a trail.

The vacation of the easement requires the passage of an ordinance by the Board of Aldermen.

This item has been reviewed by the City Attorney, and staff recommends approval.

PREPARED BY:

Andrea Riganti, AICP

Director of Planning, Zoning and Economic Development