CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-259-Street Vacation

MEETING DATE:
March 1, 2021

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services-Troy Bolander, Director of Finance-Leslie Haase, City Attorney- Peter Edwards, City Manager- Nicholas Edwards.

SUMMARY REQUEST:
Case 008-21: Approximately 250' South and 350' East of the intersection of S. Murphy Blvd. and S. Connecticut Ave. - A request to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th St. – City of Joplin

BACKGROUND:
The existing location of Murphy Blvd. between Connecticut and 15th St. is not currently within the right-of-way that is the subject of this vacation, and the City has no plans to use this right-of-way for a realignment or any other project. Thus, the City is requesting to vacate this excess right-of-way.

PLANNING & ZONING COMMISSION TESTIMONY:
Keegan Stanton, 602 S Main Street, Joplin, MO. The City is requesting a vacation for this portion of what was Murphy Blvd. right-of-way. The city does not have any plan for this property in the future. There is a little notch on the west side and that is to keep the right-of-way, in the event the city would like to put a right-hand turn bay there. Staff does recommend approval of this case.

PUBLIC COMMENT;
None.

FUNDING SOURCE
These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATION:
Planning & Zoning Commission recommends approval, 5 in favor, 0 Nays, 2 Absent.

Staff recommends approval of Case 008-21.

ATTACHMENTS
CB 2021- 259, Staff Planning Report, P&Z Commission Minutes

CB 2021-259

Case 008-21: Approximately 250' South and 350' East of the intersection of S. Murphy Blvd. and S. Connecticut Ave. - A request to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th St. – City of Joplin

Keegan Stanton, 602 S Main Street, Joplin, MO. The City is requesting a vacation for this portion of what was Murphy Blvd. right-of-way. The city does not have any plan for this property in the future. There is a little notch on the west side and that is to keep the right-of-way, in the event the city would like to put a right-hand turn bay there. Staff does recommend approval of this case.

Mr. Ramsour asked if the commissioners had any questions for Mr. Stanton? They did not. Mr. Ramsour asked if there was anyone in the audience who would like to speak in favor of this case? There was not. Mr. Ramsour asked if there was anyone in the audience who would like to speak in opposition to this case? There was not.

MR. EASTMAN MOVED, SECONDED BY MS. PHILLIPS THAT CASE 008-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. STEELE (BY PHONE), MR. EASTMAN, MS. BRUCKNER-SEARS (BY PHONE), AND MS. PHILLIPS VOTING "AYE" (5 IN FAVOR, 2 ABSENT)

Z&P Meeting: February 8, 2021
City Council Meeting: March 1, 2021

STAFF PLANNING REPORT
Vacation

CASE 008-21 A request to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th St. – City of Joplin

APPLICANT City of Joplin

REPRESENTATIVE Keegan Stanton

LOCATION Approximately 250' South and 350' East of the intersection of S. Murphy Blvd. and S. Connecticut Ave.

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Street Right-of-Way	Approximately 670' x 75'

REASON FOR VACATION

The City of Joplin is applying for this vacation to remove excess right-of-way that is not in use by Murphy Blvd.

UTILITIES CURRENTLY LOCATED IN THE RIGHT-OF-WAY?

Utilities are not currently in the Right-of-Way. Rerouting of utilities is not required to maintain current services to adjoining properties. A savings clause will be provided in the ordinance.

UTILITIES PLANNED TO LOCATE IN THE RIGHT-OF-WAY?

No plans for new utilities to be located in the right-of-way.

DISCUSSION

The existing location of Murphy Blvd. between Connecticut and 15th St. is not currently within the right-of-way that is the subject of this vacation, and the City has no plans to use this right-of-way for a realignment or any other project. Thus, the City is requesting to vacate this excess right-of-way.

Staff recommends approval of Case 008-21 with a savings clause to allow for utilities to access and maintain their infrastructure.

ENCLOSURES

- Application
- Map

CITY OF JOPLIN

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return Form and Attachments to:
Planning / Community Development Specialist
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 008-21
Filing Fee: ~~$550.00~~
Date Advertised:
Date Notices Sent
Public Hearing Date: 2-8-21

I. Applicant Name: City of Joplin Phone: 417-624-0820 ext. 511

If more than one property applicant, please submit additional names, address and phone numbers on attached sheet(s)

Address: 602 S. Main St. Joplin, MO Zip: ~~64801~~ 64801

II. Type of vacation requested (check one):

Street Vacation X

Alley Vacation_____

Utility Vacation____

Other (Please specify)_____

III. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. Correct.

2. The vacation will not cause the public to suffer a loss or inconvenience. Correct.

3. In justice to the applicant(s) the vacation should be granted. Correct.

IV. Required Attachments:

1. Legal description of the street, alley, or utility easement to be vacated from a deed of record or certified survey. Digital copies are acceptable. Must be legible.

2. Survey or such other drawing acceptable to the Planning / Community Development Manager depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding said street, alley or public reservation.

3. Affidavit(s) from each owner of land adjoining said area that is proposed to be vacated, whom are not listed as an applicant, indicating their consent to the vacation.

4. Completed Utility Comments forms from the following utility companies indicating their consent to vacate the easement. The following companies must be contacted, and their consent received, before the Public Hearing can take place.

Utility	Contact	Email	Phone
AT&T	**Kenny Kenworthy**	**kk7429@att.com**	**417-625-8092**
Missouri American Water	Andrew Holderness	andrew.holderness@amwater.com	417-623-0676 x1009
Liberty Utilities (Power)	**Jeff Lebeda**	**jeff.lebeda@libertyutilities.com**	**417-625-6159**
Republic Services (Trash)			(800) 431-1507
Cable One/Sparklight	**Keri Bledsoe**	**keri.bledsoe@sparklight.biz**	
Spire Energy (Gas)*	Ken Stegall	ken.stegall@spireenergy.com	
Spire Energy (Gas)*	**Mandy Butkovich**	**mandy.butkovich@spireenergy.com**	**816-472-3767**
City Sanitary Sewer	Chris Parker	cparker@joplinmo.org	417-624-0820 x584
City Stormwater	**Steven Martinez**	**smartine@joplinmo.org**	**417-624-0820 x531**

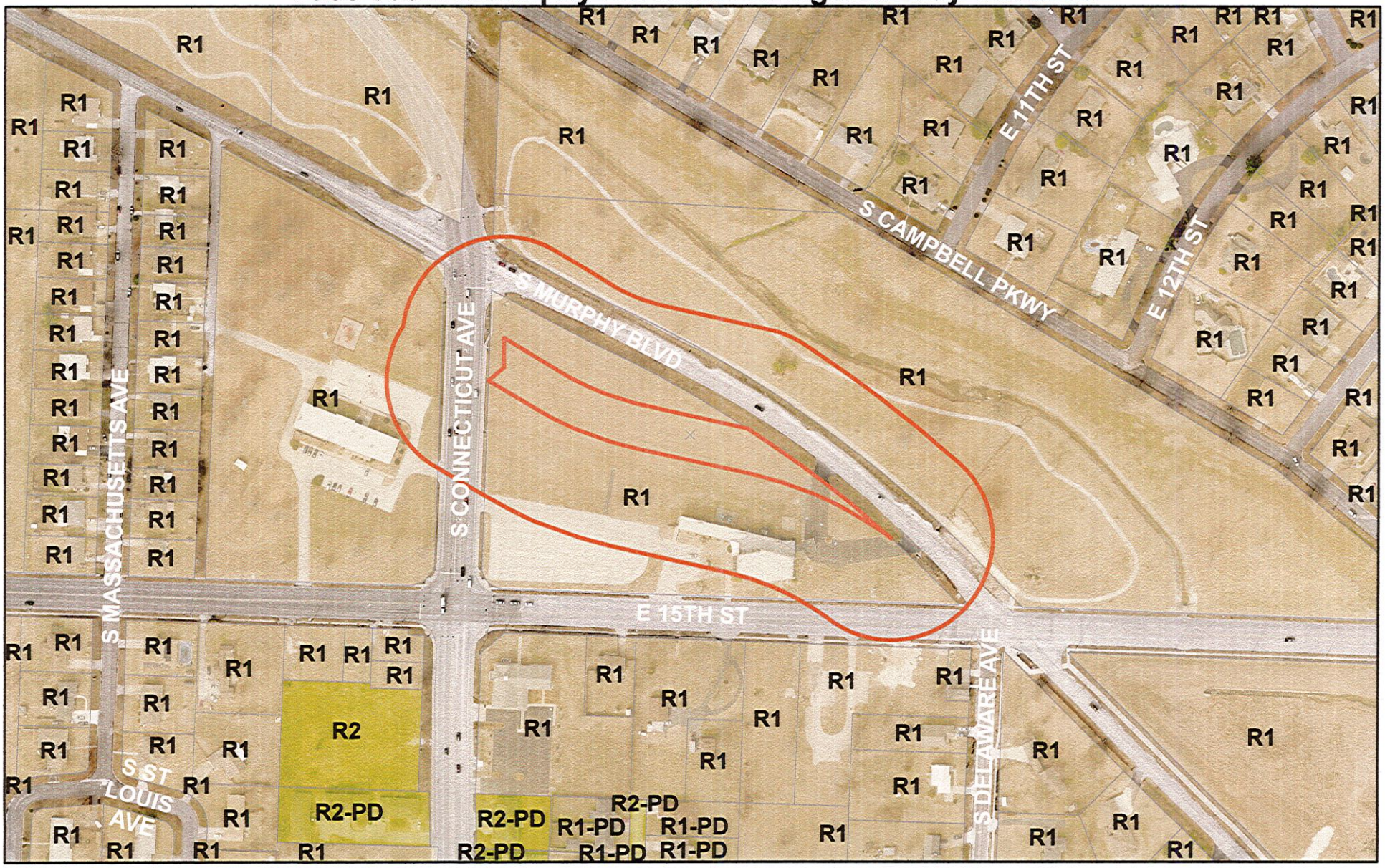
*Must contact BOTH contacts at Spire Energy.

Signature

2/3/21

Date

Case 008-21: Murphy Blvd. Street Right-of-way Vacation



Case 008-21: Approximately 250' South and 350' East of the intersection of S. Murphy Blvd. and S. Connecticut Ave. - A request to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th St. – City of Joplin

Joplin City Limits

0 125 250 500 750 1,000 Feet

N

DESCRIPTION - TRACT 1

PART OF A TRACT OF LAND THAT WAS CONVEYED FOR HIGHWAY PURPOSES IN BOOK 411, PAGE 210 IN THE RECORDER OF DEEDS OFFICE IN JASPER COUNTY, MISSOURI, BEING PART OF MISCELLANEOUS TRACT NO. 10, IN SECTION 12, TOWNSHIP 27 NORTH, RANGE 33 WEST, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET AND THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD; THENCE NORTH 44°52'38"WEST ALONG THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD, 108.44 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE 167.16 FEET ALONG THE RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD ON A CURVE TO THE LEFT HAVING A RADIUS OF 319.26 FEET AND A CHORD BEARING NORTH 59°52'38"WEST, 165.26 FEET; THENCE NORTH 74°52'38"WEST ALONG SAID DISCONTINUED RIGHT-OF-WAY LINE, 366.40 FEET; THENCE 215.64 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 613.68 FEET AND A CHORD BEARING NORTH 64°48'38"WEST, 214.54 FEET; THENCE NORTH 54°44'38"WEST, 100.33 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CONNECTICUT AVENUE; THENCE NORTH 2°04'00"EAST ALONG SAID RIGHT-OF-WAY LINE, 6.64 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 46°01'29"EAST, 28.81 FEET; THENCE NORTH 2°04'00"EAST, 55.13 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD; THENCE SOUTH 54°44'38"EAST, 128.76 FEET; THENCE 187.53 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 533.68 FEET AND A CHORD BEARING SOUTH 64°48'38"EAST, 186.57 FEET; THENCE SOUTH 74°52'38"EAST ALONG SAID RIGHT-OF-WAY LINE, 272.24 FEET; THENCE 256.61 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1596.98 FEET AND A CHORD BEARING SOUTH 49°28'50"EAST, 256.34 FEET; THENCE SOUTH 44°52'38"EAST ALONG SAID RIGHT-OF-WAY LINE, 25.67 FEET TO THE POINT OF BEGINNING. CONTAINS 1.25 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.

DESCRIPTION - TRACT 2

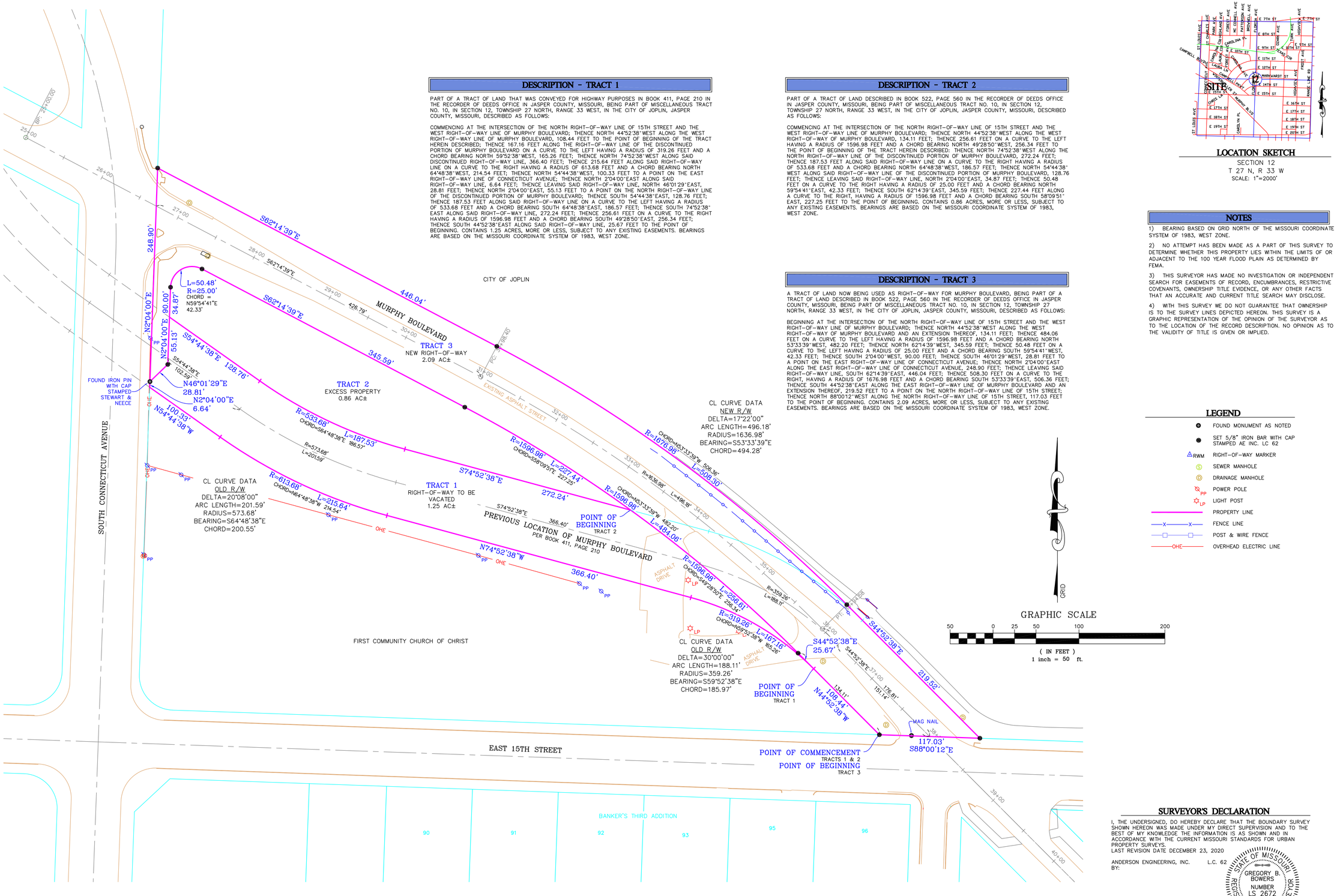
PART OF A TRACT OF LAND DESCRIBED IN BOOK 522, PAGE 560 IN THE RECORDER OF DEEDS OFFICE IN JASPER COUNTY, MISSOURI, BEING PART OF MISCELLANEOUS TRACT NO. 10, IN SECTION 12, TOWNSHIP 27 NORTH, RANGE 33 WEST, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET AND THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD; THENCE NORTH 44°52'38"WEST ALONG THE WEST RIGHT-OF-WAY OF MURPHY BOULEVARD, 134.11 FEET; THENCE 256.61 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 1596.98 FEET AND A CHORD BEARING NORTH 49°28'50"WEST, 256.34 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 74°52'38"WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD, 272.24 FEET; THENCE 187.53 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 533.68 FEET AND A CHORD BEARING NORTH 64°48'38"WEST, 186.57 FEET; THENCE NORTH 54°44'38" WEST ALONG SAID RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD, 128.76 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 2°04'00"EAST, 34.87 FEET; THENCE 50.48 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING NORTH 59°54'41"EAST, 42.33 FEET; THENCE SOUTH 62°14'39"EAST, 345.59 FEET; THENCE 227.44 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1596.98 FEET AND A CHORD BEARING SOUTH 58°09'51" EAST, 227.25 FEET TO THE POINT OF BEGINNING. CONTAINS 0.86 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.

DESCRIPTION - TRACT 3

A TRACT OF LAND NOW BEING USED AS RIGHT-OF-WAY FOR MURPHY BOULEVARD, BEING PART OF A TRACT OF LAND DESCRIBED IN BOOK 522, PAGE 560 IN THE RECORDER OF DEEDS OFFICE IN JASPER COUNTY, MISSOURI, BEING PART OF MISCELLANEOUS TRACT NO. 10, IN SECTION 12, TOWNSHIP 27 NORTH, RANGE 33 WEST, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET AND THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD; THENCE NORTH 44°52'38"WEST ALONG THE WEST RIGHT-OF-WAY OF MURPHY BOULEVARD AND AN EXTENSION THEREOF, 134.11 FEET; THENCE 484.06 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 1596.98 FEET AND A CHORD BEARING NORTH 53°33'39"WEST, 482.20 FEET; THENCE NORTH 62°14'39"WEST, 345.59 FEET; THENCE 50.48 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING SOUTH 59°54'41"WEST, 42.33 FEET; THENCE SOUTH 2°04'00"WEST, 90.00 FEET; THENCE SOUTH 46°01'29"WEST, 28.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CONNECTICUT AVENUE; THENCE NORTH 2°04'00"EAST ALONG THE EAST RIGHT-OF-WAY LINE OF CONNECTICUT AVENUE, 248.90 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, SOUTH 62°14'39"EAST, 446.04 FEET; THENCE 508.30 FEET ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1676.98 FEET AND A CHORD BEARING SOUTH 53°33'39"EAST, 506.36 FEET; THENCE SOUTH 44°52'38"EAST ALONG THE EAST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD AND AN EXTENSION THEREOF, 219.52 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET; THENCE NORTH 88°00'12"WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET, 117.03 FEET TO THE POINT OF BEGINNING. CONTAINS 2.09 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.



LOCATION SKETCH

SECTION 12
T 27 N, R 33 W
SCALE: 1"=2000'

NOTES

1) BEARING BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.

2) NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO DETERMINE WHETHER THIS PROPERTY LIES WITHIN THE LIMITS OF OR ADJACENT TO THE 100 YEAR FLOOD PLAIN AS DETERMINED BY FEMA.

3) THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

4) WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR IMPLIED.

LEGEND

- FOUND MONUMENT AS NOTED
- SET 5/8" IRON BAR WITH CAP STAMPED AE INC. LC 62
- RWM RIGHT-OF-WAY MARKER
- S SEWER MANHOLE
- D DRAINAGE MANHOLE
- PP POWER POLE
- LP LIGHT POST
- PROPERTY LINE
- FENCE LINE
- POST & WIRE FENCE
- OHE OVERHEAD ELECTRIC LINE

SURVEYOR'S DECLARATION

I, THE UNDERSIGNED, DO HEREBY DECLARE THAT THE BOUNDARY SURVEY SHOWN HEREON WAS MADE UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THE INFORMATION IS AS SHOWN AND IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR URBAN PROPERTY SURVEYS.
LAST REVISION DATE DECEMBER 23, 2020

ANDERSON ENGINEERING, INC. L.C. 62
BY:

Gregory B. Bowers
GREGORY B. BOWERS, P.L.S. 2672

STATE OF MISSOURI
GREGORY B. BOWERS
NUMBER LS 2672
REGISTERED LAND SURVEYOR

12-23-20
DATE

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS SURVEYORS LABORATORIES DRILLING GIS
811 E. 3RD STREET JOPLIN, MISSOURI 64801 PHONE (417) 782-7399

DRAWING INFO.
FIELD BY: KE/CF
DRAWN BY: GBB
CHECK BY: GBB
DATE: 12/23/20
FIELD BOOK: --
JOB NUMBER: 20JOJ20110

NO.	DESCRIPTION	BY	DATE
	REVISIONS		

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THE CITY OF JOPLIN

RIGHT-OF-WAY SURVEY

JOPLIN, JASPER COUNTY, MISSOURI

DRAWING NO.
JOP-100-5823

SHEET NUMBER
1
OF 1

P & Z Case 008-21
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-259 ORDINANCE NO.

AN ORDINANCE providing to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th St.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That all that part of approximately 250' South and 350' East of the intersection of S. Murphy Blvd. and S. Connecticut Ave. - A request to vacate approximately 670' of 75'-wide street right-of-way between S. Connecticut Ave. and E. 15th. in the City of Joplin, Jasper County, Missouri described as follows is hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

PART OF A TRACT OF LAND THAT WAS CONVEYED FOR HIGHWAY PURPOSES IN BOOK 411, PAGE 210 IN THE RECORDER OF DEEDS OFFICE IN JASPER COUNTY, MISSOURI, BEING PART OF MISCELLANEOUS TRACT NO. 10, IN SECTION 12, TOWNSHIP 27 NORTH, RANGE 33 WEST, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET AND THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD; THENCE NORTH 44°52'38" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF MURPHY BOULEVARD, 108.44 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE 167.16 FEET ALONG THE RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD ON A CURVE TO THE LEFT HAVING A RADIUS OF 319.26 FEET AND A CHORD BEARING NORTH 59°52'38" WEST, 165.26 FEET; THENCE NORTH 74°52'38" WEST ALONG SAID DISCONTINUED RIGHT-OF-WAY LINE, 366.40 FEET; THENCE 215.64 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 613.68 FEET AND A CHORD BEARING NORTH 64°48'38" WEST, 214.54 FEET; THENCE NORTH 54°44'38" WEST, 100.33 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CONNECTICUT AVENUE; THENCE NORTH 2°04'00" EAST ALONG SAID RIGHT-OF-WAY LINE, 6.64 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 46°01'29" EAST, 28.81 FEET; THENCE NORTH 2°04'00" EAST, 55.13 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE DISCONTINUED PORTION OF MURPHY BOULEVARD; THENCE SOUTH 54°44'38" EAST, 128.76 FEET; THENCE 187.53 FEET ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 533.68 FEET AND A CHORD BEARING SOUTH 64°46'38" EAST, 186.57 FEET; THENCE SOUTH 74°52'38" EAST ALONG SAID RIGHT-OF-WAY LINE, 272.24 FEET; THENCE 256.61 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1596.98 FEET AND A CHORD BEARING SOUTH 49°28'50" EAST, 256.34 FEET; THENCE SOUTH 44°52'38" EAST ALONG SAID RIGHT-OF-WAY LINE, 25.67 FEET TO THE POINT OF BEGINNING. CONTAINS 1.25 ACRES, MORE OR LESS. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 21, by a vote of _____.

_____

Ryan D. Stanley, Mayor

ATTEST:

_____

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney