Z&P Meeting: June 13, 2016
City Council Meeting: July 5, 2016

STAFF PLANNING REPORT

Vacation

CASE 019-16 A request for the vacation of a 20' utility easement

APPLICANT Redwood Development, Inc.

REPRESENTATIVE Anderson Engineering

LOCATION 2030 Connecticut Avenue

EXISTING CONDITIONS

Easement Type(s)	Easement Size
Utility	20x350 ft

REASON FOR VACATION

Currently no utilities exist in this easement. The sewer line was relocated following the tornado.

UTILITIES CURRENTLY LOCATED IN THE EASEMENT? No.

UTILITIES PLANNED TO LOCATE IN THE EASEMENT? No.

DISCUSSION

This is the first of two utility easement vacation requests for the property located at 2030 Connecticut Avenue. Prior to the tornado, these easements were for sewer lines servicing the apartments at this location. After the apartments were destroyed by a tornado, this property was acquired by a new developer and the sewer lines were relocated. The property was then sold to a new developer without vacating the old easements and dedicating a new easement for the new sewer line.

These two easements are city easements and are not publicly platted utility easements. A new easement that matches the new sewer line will be dedicated to the City of Joplin.

Staff recommends approval of Case 019-16.

ENCLOSURES

Application

Vacation Sketch

RECEIVED
5-16-16

CITY OF JOPLIN
APPLICATION FOR VACATION OF STREET OR RESERVATION

Please return form to:
Joplin City Hall
Planning Division, 4th Floor
602 South Main Street
Joplin Missouri, 64801
Phone: 417-624-0820, ext. 511
Fax: 417-625-4738

For office use only

Case Number	019-16
Filing Fee	$450.00
Date Advertised	
Date Notices Sent	5-31-16
P&Z Date	6-13-16
City Council Date	7-5-16

I. Applicant Name: Redwood Development, Inc. Phone: 417-624-4144

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

Address: 3609 E. 20th Street Joplin, MO Zip: 64804

Email: bbrand@red-wood.com

II. Type of vacation requested (check all that apply):

Street Vacation____

Alley Vacation_____

Utility vacation__x___

Other (Please specify)_____

III. Legal Description of area requested to be vacated: See Attachments

IV. 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. No

2. The vacation will not cause the public to suffer a loss or inconvenience. No

3. In justice to the applicant(s) the vacation should be granted. Redwood Development, Inc.

V. Required Attachments:

1. 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.

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.

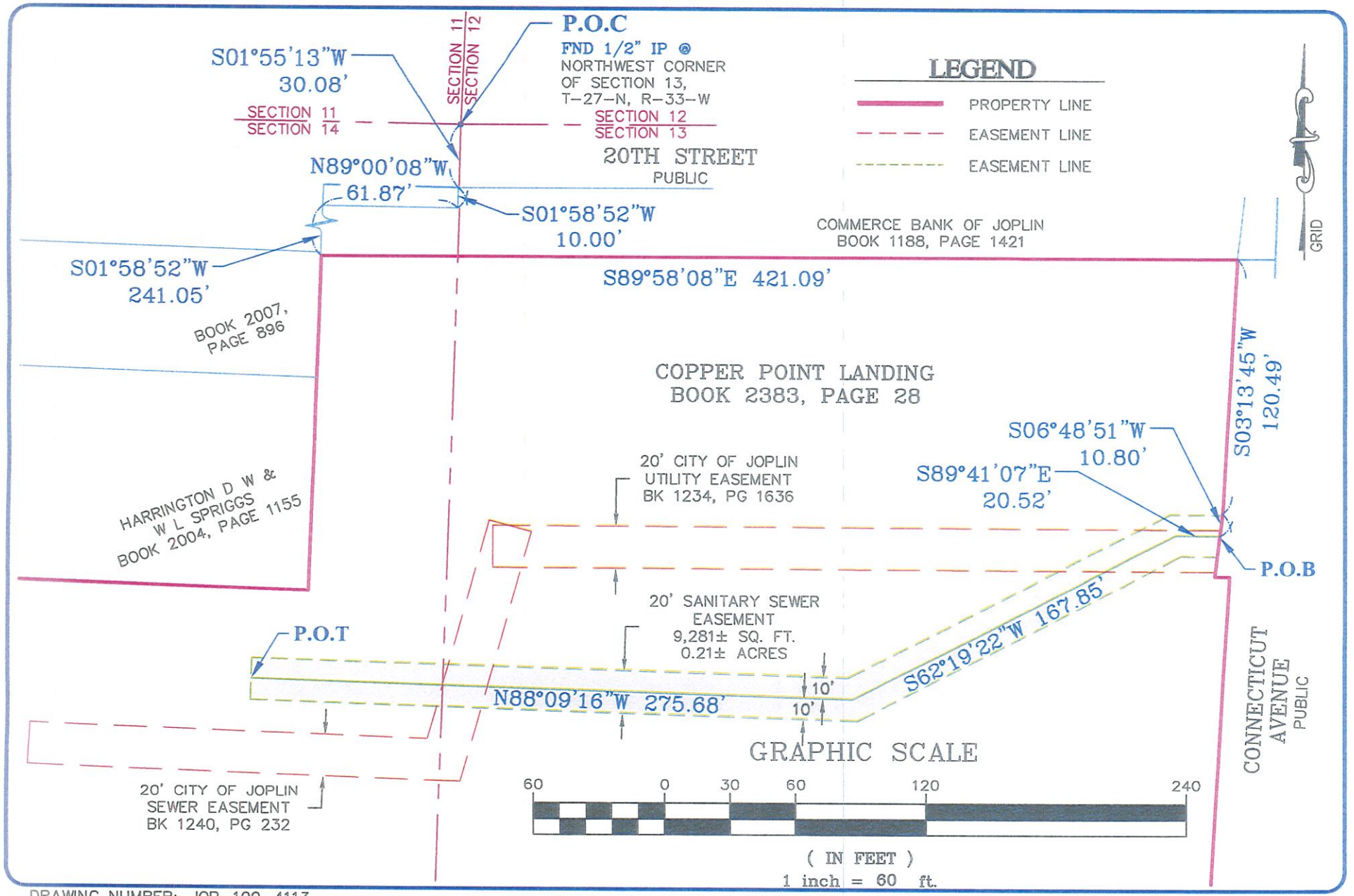
3. Affidavit(s) from the following private utility companies indicating their consent to vacate the easement(s). The following private companies must be contacted and consent to the vacation before the request can be advertised for public hearing.

a.) MGE Missouri Gas Energy	(800) 582-1234
b.) Empire District Electric Company	(417) 624-0300
c.) Cable One	(417) 624-6340
d.) MO American Water Company	(800) 256-6426
e.) AT&T	(800) 464-7928
f.) Republic Services (Trash)	(800) 431-1507

SIGNATURE: _____ DATE: 5-6-16

BY: Ralph F. (Rick) Schroeder

TITLE: President



DRAWING NUMBER: JOP-100-4113

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS · SURVEYORS · LABORATORIES · DRILLING
D STREET · JOPLIN, MO 64801 · PHONE (417) 782-7399

REDWOOD DEVELOPMENT

20' SANITARY SEWER EASEMENT SKETCH

CONNECTICUT AVENUE
JOPLIN, JASPER COUNTY, MISSOURI

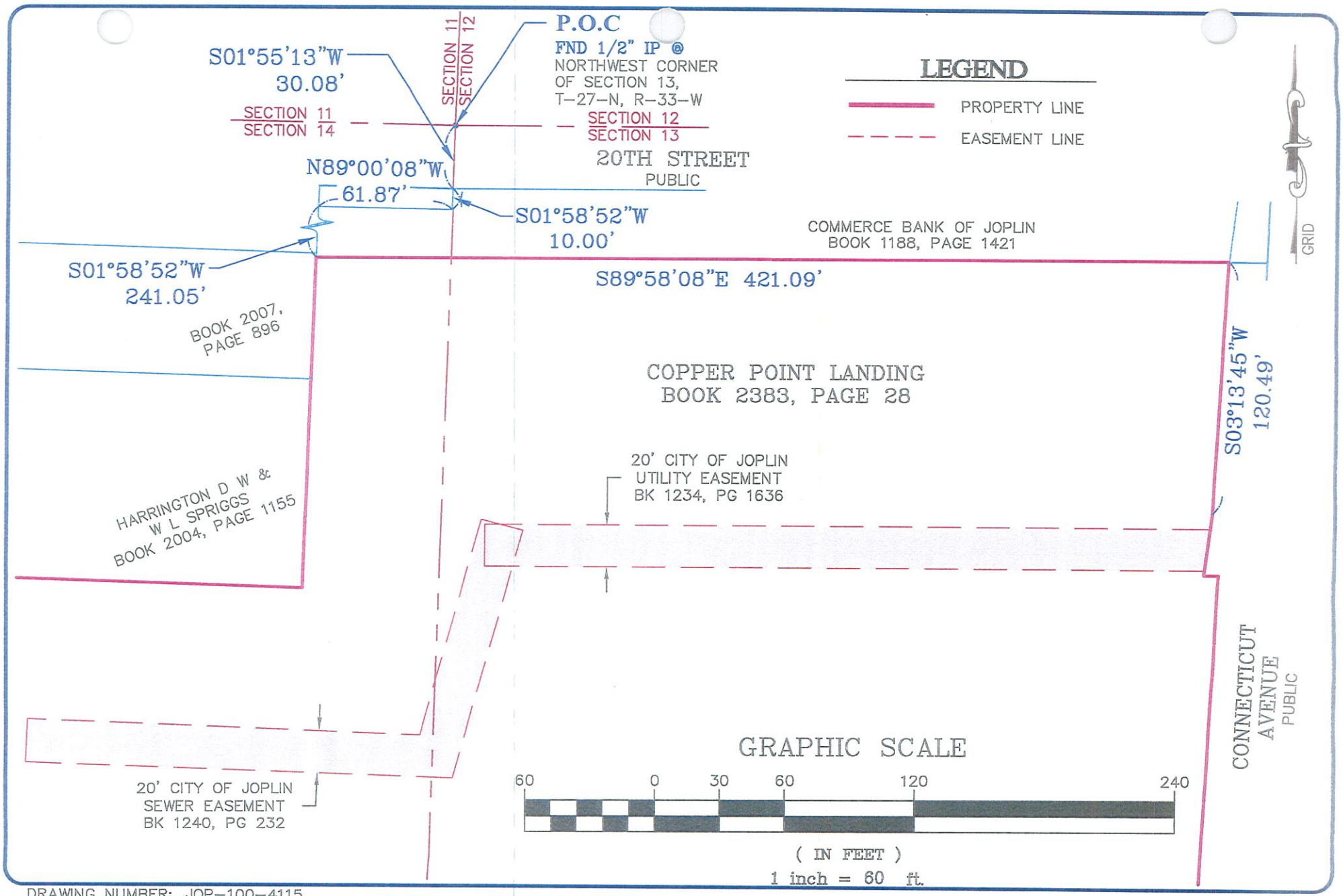
DRAWN BY: SLM	FIELD BY:
DATE: 5-4-16	FIELD BK:
CLIENT NO: 80002-16	SHEET NUMBER:

ANDERSON ENGINEERING
EMPLOYEE OWNED

NEW SANITARY SEWER EASEMENT:

A 20.00 WIDE SANITARY SEWER EASEMENT BEING A PART OF THE GRANTOR'S TRACT OF LAND, AS DESCRIBED IN THE JASPER COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2383, AT PAGE 28, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 33 WEST, JASPER COUNTY, MISSOURI; THENCE ALONG SAID WEST SECTION LINE, SOUTH 01°55'13" WEST, 30.08 FEET, TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY OF 20TH STREET; THENCE LEAVING SAID WEST RIGHT-OF-WAY, SOUTH 01°58'52" WEST, 10.00 FEET; THENCE NORTH 89°00'08" WEST, 61.87 FEET; THENCE SOUTH 01°58'52" WEST, 241.05 FEET, TO A POINT LYING ON THE NORTH LINE OF SAID GRANTOR'S TRACT; THENCE ALONG SAID NORTH LINE, SOUTH 89°58'08" EAST, 421.09 FEET, TO THE NORTHEAST CORNER OF SAID GRANTOR'S TRACT; THENCE ALONG SAID EAST LINE THE FOLLOWING TWO COURSES, SOUTH 03°13'45" WEST, 120.49 FEET; THENCE SOUTH 06°48'51" WEST, 10.80 FEET, TO THE POINT OF BEGINNING; THENCE ALONG A 20.00 WIDE SANITARY SEWER EASEMENT LYING 10.00 FEET ON BOTH SIDES OF THE FOLLOWING CENTERLINE DESCRIPTION, NORTH 89°41'07" WEST, 20.52 FEET; THENCE SOUTH 62°19'22" WEST, 167.85 FEET; THENCE SOUTH 88°09'16" WEST, 275.68 FEET, TO THE POINT OF TERMINATION. SIDELINES ARE TO BE LENGTHEN OT SHORTEN TO CREATE A CONTIGUOUS BOUNDARY. ALL LYING IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 33 WEST, AND IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 33 WEST, JASPER COUNTY, MISSOURI; CONTAINING 0.21 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.



DRAWING NUMBER: JOP-100-4115

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

REDWOOD DEVELOPMENT
SANITARY SEWER EASEMENT VACATE SKETCH
CONNECTICUT AVENUE
JOPLIN, JASPER COUNTY, MISSOURI

DRAWN BY: SLM	FIELD BY:
DATE: 5-4-16	FIELD BK:
CLIENT NO: 80002-16	SHEET NUMBER: 1



Case 019-16: 2030 Connecticut Avenue – A request for the vacation of a twenty (20) foot wide utility easement – Redwood Development, LLC.

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Case 019-16: 2030 Connecticut Avenue – A request for the vacation of a twenty (20) foot wide utility easement – Redwood Development, Inc.

Mr. Smith opened the public hearing for Case 019-16.

Mr. Greg Bowers, Anderson Engineering, appeared representing Redwood Development and stated this property contains the apartments just south of Commerce Bank at 20th Street and Connecticut Avenue. The easement to be vacated does not contain a sewer line at this time, with the sewer being realigned and a new easement being submitted for the existing sewer. Redwood Development would like to have the two sewer easements vacated.

Ms. Cunningham reminded the commissioners that these vacations are two separate requests since two separate easements are involved.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 019-16.

MR. DERMOTT MOVED, SECONDED BY MR. BROWN, THAT CASE 019-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, AND MR. SMITH VOTING "AYE"; AND WITH MR. RAMSOUR BEING ABSENT (6 IN FAVOR, 1 ABSENT).