

AN ORDINANCE AMENDING THE ZONING CODE
AND OFFICIAL MAP
BY CHANGING THE CLASSIFICATION
OF APPROXIMATELY
5.7 ACRES OWNED BY EARL RICHARDS,
LOCATED AT 1193 OAKWOOD.
FROM AG TO C-2

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

WHEREAS, an application for amendment of the Zoning Code to rezone real estate located at 1193 Oakwood in the City of Republic, Missouri, by changing the zoning classification from AG to C-2 was submitted to the Planning and Development Staff by Earl Richards, (hereinafter "Applicants"); and

WHEREAS, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 19th day of November 2007, as the date a Public Hearing would be held on such application and proposed amendment; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on Wednesday October 31st, 2007, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on the 19th of November, 2007, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the City Council; and

WHEREAS, the Planning and Zoning Commission, by a vote of 6 to 0, did recommend to approve such application for rezoning; and

WHEREAS, notice of the time and date of the Public Hearing at which the application for rezoning and to amend the Zoning Code would be submitted to the City Council was given by publication on Wednesday October 31st, 2007, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic; such notice being at least 15 days before the date set for Public Hearing; and

WHEREAS, a Public Hearing was conducted, and the application for rezoning and to amend the Zoning Code was submitted to the City Council at its regular meeting held on the 26th day of November 2007, after which the Council did proceed to vote to rezone such property and amend the zoning code accordingly; and

WHEREAS, the City gave notice of such Public Hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned by certified mailings

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC AS DESCRIBED, AS FOLLOWS:

SECTION 1: That the Zoning Code and Official Zoning Map are hereby amended insofar as the same relate to a certain tract of realty located at 1193 Oakwood from AG to C-2, such tract being more fully described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¹/₄) OF THE NORTHWEST QUARTER (NW¹/₄), OF SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST; THENCE NORTH 01°02'25" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE¹/₄) OF THE NORTHWEST QUARTER (NW¹/₄) EIGHTEEN (18) FEET; THENCE SOUTH 88°29'46" WEST TWENTY (20) FEET TO THE WEST RIGHT OF WAY LINE OF FARM ROAD 93 FOR A POINT OF BEGINNING; THENCE NORTH 01°02'25" WEST FIVE HUNDRED AND NINETY-NINE HUNDREDTHS (500.99) FEET; THENCE SOUTH 88°24'44" WEST THREE HUNDRED SIXTY-THREE AND TWENTY-TWO HUNDREDTHS (363.22) FEET; THENCE SOUTH 40°37'59" WEST SIX HUNDRED SEVENTY-FOUR AND EIGHTY-TWO HUNDREDTHS (674.82) FEET TO AN EXISTING FENCE EIGHT HUNDRED TWELVE AND NINETEEN HUNDREDTHS (812.19) FEET TO THE POINT OF BEGINNING. ALL IN GREENE COUNTY, MISSOURI. SUBJECT TO ANY EXISTING EASEMENTS FOR COUNTY ROAD PURPOSES;

EXCEPT A TRACT OF LAND BEGINNING 338.0 (DEED) 338.81 (ACTUAL) NORTH AND 20' WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¹/₄) OF THE NORTHWEST QUARTER (NW¹/₄) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, IN GREENE COUNTY, MISSOURI; THENCE WEST 150.0 FEET; THENCE NORTH 90.0 FEET; THENCE EAST 150.0 FEET; THENCE SOUTH 90.0 FEET TO THE POINT OF BEGINNING. AND EXCEPT ALL BEGINNING TWO (2) RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¹/₄) OR THE NORTHWEST QUARTER (NW¹/₄) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23); THENCE WEST 320 FEET; THENCE NORTH 100 FEET; THENCE EAST 320.00 FEET; THENCE SOUTH TO THE POINT OF BEGINNING, SUBJECT TO EXISTING EASEMENTS FOR COUNTY ROAD PURPOSES, ALSO THAT PART LYING BETWEEN THE SOUTH LINE OF THE LAST DESCRIBED TRACT AND THE EXISTING FENCE.

SECTION 2: In all other respects other than those herein amended, modified or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

SECTION 3: This ordinance shall be in full force and effect from and after its date of passage.

Passed and approved at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2007.

ATTEST:

James H. Collins, Mayor

Brenda Jackson, City Clerk

Approved for Council Action: _____, City Administrator

Approved as to Form: _____, City Attorney