



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
VIA ZOOM
FEBRUARY 22, 2022
6:00 PM**

HELD VIA ZOOM TO LIMIT COVID-19 EXPOSURE

NOTE: In an attempt to limit exposure to the COVID-19 virus, this meeting of the Harrisonville Board of Aldermen is being conducted through a remote, online service. To attend this meeting, please dial 1-312-626-6799. The meeting access code is: 890-5064-2117 or visit >>

<https://us02web.zoom.us/j/89050642117?pwd=VENEUmxaWVUzbEV6K0RGbTVmQkhnUT09>

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
 - A. National FFA Week Proclamation**
 - B. 20 Year Service Award - Jeremy Smith**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Feb 7, 2022 6:00 PM**
 - B. Board of Aldermen - Work Session - Feb 7, 2022 6:30 PM**
- 5. Agenda Items**
 - A. Council Bill 08: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE CITY ADMINISTRATOR PROVIDE NON-FEDERAL FUNDS TO BE USED TO MEET THE MINIMUM 25% MATCH REQUIREMENT FOR AN APPLICATION THROUGH THE MISSOURI STATE EMERGENCY MANAGEMENT AGENCY (SEMA) TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FUNDING FROM THE HAZARD MITIGATION GRANT PROGRAM.**

- B. Council Bill 09: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI ESTABLISHING SECTION 405.550(P) OF THE HARRISONVILLE MUNICIPAL CODE.
 - C. Council Bill 10: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING CHAPTER 405 OF THE CITY OF HARRISONVILLE MUNICIPAL CODE
 - D. Council Bill 11: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO APPROVE THE MINOR PLAT OF “BURRIS RIDGE 2ND PLAT”, BEING A SMALL PLAT OF LOTS 97, 11, 10, AND 3, BLOCKS 1, 2, 3 AND 4, RESPECTIVELY, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI
 - E. Public Hearing for Rezoning & Land Donation at NE Corner of South Edgevale Drive and Oakwood Street
 - F. Council Bill 12: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL ESTATE DONATION CONTRACT WITH LAURENCE SMITH, TRUSTEE OF THE HAROLD AND MILDRED SMITH TRUST REGARDING THE DONATION OF APPROXIMATELY 1.32 ACRES OF LAND BETWEEN S. EDGEVALE DR. AND S. HALSEY AVE. IN THE CITY OF HARRISONVILLE, MISSOURI
 - G. Council Bill 13: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, APPROVING AN APPLICATION TO REZONE .56 +/- ACRES FROM “A” AGRICULTURE ZONING DISTRICT TO “R-1” SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT WHICH CONSISTS OF .56 +/- ACRES AT N.E. CORNER OF SOUTH EDGEVALE DR. AND OAKWOOD ST., AND ESTABLISHING AN EFFECTIVE DATE THEREOF.
 - H. City Administrator’s State of the City Address
- 6. Aldermen and Committee Reports
 - 7. Report from the City Administrator
 - 8. Questions from the Media
 - 9. Adjourn from Regular Session

Posted on City Hall Bulletin Board this 18th day of February, 2022.

Daniel Barnett, City Clerk

Public participation during regular meetings of the Board of Aldermen shall be limited to those who have submitted a completed agenda request form. 2 Each person wishing to address the Board during regular

meetings of the Board of Aldermen on a topic not on the agenda shall submit a completed agenda request form five (5) business days prior to the meeting the person wishes to address the Board. If the agenda request concerns a complex issue requiring staff research time, the opportunity to address the Board may be moved to a future meeting instead of the meeting immediately following the submission of the agenda request form. 3. Those that have submitted a completed agenda request form shall be limited to three (3) minutes to address the Board, this time cannot be yielded to another person and this time may be extended in three (3) minutes increments only upon a majority vote of the members of the Board of Aldermen, with each additional three (3) minute increment requiring an additional majority vote of the members of the Board of Aldermen.



NATIONAL FFA WEEK PROCLAMATION

Whereas, FFA and agricultural education provide a strong foundation for the youth of America and the future of food, fiber and natural resources systems; and

Whereas, FFA promotes premier leadership, personal growth and career success among its members; and

Whereas, agricultural education and FFA ensure a steady supply of young professionals to meet the growing needs in the science, business and technology of agriculture; and

Whereas, the FFA motto —“Learning to Do, Doing to Learn, Earning to Live, Living to Serve” —gives direction and purpose to these students who take an active role in succeeding in agricultural education; and

Whereas, FFA promotes citizenship, volunteerism, patriotism and cooperation.

Therefore, I do hereby designate the week of Feb. 19-26, 2022, as National FFA Week.

Mayor Judy Bowman

2-7-2022

Presented by the Mayor and the Harrisonville Board of Aldermen to

Jeremy Smith

In Grateful Appreciation for

20 Years

Of Dedicated Service to



February 22, 2022

Judy Bowman, MAYOR

**DRAFT****MINUTES****CITY OF HARRISONVILLE****BOARD OF ALDERMEN****REGULAR MEETING****VIA ZOOM****FEBRUARY 7, 2022****6:00 PM****HELD VIA ZOOM IN ATTEMPT TO LIMIT EXPOSURE TO THE COVID-19 VIRUS.****1. Call to Order**

The meeting was called to order at 6:03 PM by Mayor Judy Bowman.

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Present	
Mike Zaring	Harrisonville	Board Member	Present	
Sandy Franklin	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Excused	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, Director of Administrative Services Jeremy Smith, City Attorney Alex Felzien, Public Works Director/City Engineer Carl Brooks, Electric Department Superintendent Andy Pollard, Police Chief John Hofer, Community and Economic Development Director Jim Clarke, Building Official Chris Arthur, Code Enforcement Official Katie Phelps, Harrisonville Cass-R-IX School District Superintendent Paul Mensching, Mr. Jason Winter and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters**A. National FFA Week Proclamation**

Mayor Bowman informed the Board that the National FFA Week proclamation had been moved to the February 22, 2022 Board of Aldermen meeting.

3. Approval of Minutes

Minutes Acceptance: Minutes of Feb 7, 2022 6:00 PM (Approval of Minutes)

A. Board of Aldermen - Regular Meeting - Jan 18, 2022 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dave Doerhoff, Board Member
SECONDER:	Sandy Franklin, Board Member
AYES:	Mills, Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Gary Davidson

B. Board of Aldermen - Work Session - Jan 18, 2022 6:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Mike Zaring, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Mills, Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Gary Davidson

4. Public Participation**A. Agenda Request - Paul Mensching**

Superintendent Paul Mensching thanked the Mayor and Board of Aldermen for hearing his request.

Mensching asked the Board to waive Building Permit fees, including Plan Review fees, for Phase 2 construction projects; similar to the fee waiver the Board approved for Phase 1 construction projects on January 19, 2021.

Mensching spoke to the Board about a variety of cost saving methods being pursued by the school district, in an effort to efficiently and thoughtfully oversee their ongoing improvement projects.

Mensching said the district greatly appreciates the support of the Board of Aldermen during the district's first construction phase.

RESULT:	DISCUSSION
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5. Agenda Items**A. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE CITY ADMINISTRATOR TO WAIVE INSPECTION AND PERMITTING FEES RELATED TO PROJECTS TO BE COMPLETED WITHIN THE HARRISONVILLE SCHOOL DISTRICT IN THE YEAR 2022.**

Staff report presented by Building Official Chris Arthur.

Arthur spoke to the Board about the request made by Superintendent Mensching and about the permits required for the projects. Arthur requested that if the Board did approve waiving the fees, that they require permitting and inspection of the commercial roofing portion of the projects.

Alderman Mills asked for clarification about charging a fee to the subcontractors of the projects.

Arthur said the current plan would be to charge permit and plan review fees to the four subcontractors who will be working on the project.

Alderman Mills motioned to approve a complete waiver of all Plan Review fees, requiring separate contractor permits for the MEP (mechanical, electrical, plumbing) work; and

require all structural work to be inspected through Special Inspections and that a portion of consulting and document management to be handled by the school's Construction Managers in concert with the Architects and Engineers of Record. The motion was seconded by Alderwoman Milner.

Upon passage, Mayor Bowman designated the resolution to be Resolution number 2022-04.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Mills, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Mills, Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Gary Davidson

B. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AUTHORIZING THE MAYOR TO PARTICIPATE AS A MEMBER OF THE CASS COUNTY CRIME COALITION.

Staff report presented by City Administrator Ratliff.

Ratliff spoke about the proposed efforts of the Cass County Crime Coalition and their goals for crime prevention throughout the county.

Ratliff informed the Board that the resolution in front of them simply states that the Mayor and City are willing to participate in the Cass County Crime Coalition.

Ratliff told the Board that the County has agreed to pay for all costs associated with the coalition.

Police Chief Hofer said he is in support of the Mayor and City's involvement in the Cass County Crime Coalition.

Upon passage, Mayor Bowman designated the resolution to be Resolution number 2022-05.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Zaring, Board Member
SECONDER:	Sandy Franklin, Board Member
AYES:	Mills, Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Gary Davidson

C. Public Hearing - R.V. Park 30 Day Stay to 180 Day Stay

Staff report presented by Community and Economic Development Director Clarke.

Clarke informed the Board that the Planning and Zoning Commission did unanimously approve Mr. Winter's request to extend the maximum stay for The Woods at Plaza Drive RV Park from 30 days to 180 days.

Mayor Bowman opened the Public Hearing at 6:25 p.m.

Mr. Winter asked if there are any questions from the Board of Aldermen regarding his request.

Alderwoman Reece asked Mr. Winter to speak to the history of the 30-day limit at his property.

Mr. Winter outlined the history of The Woods at Plaza Drive RV Park and spoke to their reasons for requesting an extension from 30 days to 180 days. Winter said, since the

application for the original Special Use Permit, he has seen the demand for long-term recreational vehicle stays increase by a large amount.

Alderswoman Milner asked if in the past there had been discussion about moving the property away from a Special Use Permit. Milner also said she appreciates that the property is always clean and well kept.

Building Official Arthur said the City's zoning code requires a Special Use Permit for the specific use itself.

Mayor Bowman closed the public hearing at 6:30 p.m.

RESULT:	PRESENTED
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D. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AMENDING A SPECIAL USE PERMIT FOR THE RECREATIONAL VEHICLE PARK AT 700 PLAZA DRIVE.

Mayor Bowman congratulated Mr. and Mrs. Winter on the approval of their Special Use Permit extension.

Upon passage, Mayor Bowman designated the ordinance to be Ordinance number 3575.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marcia Milner, Board Member
SECONDER:	Dave Doerhoff, Board Member
AYES:	Mills, Zaring, Franklin, Doerhoff, Milner, Reece, Turner
EXCUSED:	Gary Davidson

6. Aldermen and Committee Reports

Alderswoman Franklin commended Alderman Mills for his generous donation to Cass Regional Medical Center.

Alderswoman Milner thanked the members of City staff who worked diligently to serve the City during the recent winter storm.

Alderswoman Reece echoed the statement by Alderswoman Milner and further commended the staff members who worked hard during the recent winter storm.

Alderman Mills said he was thrilled to be able to assist Cass Regional Medical Center as they continue to provide quality services to the Harrisonville community. Mills commended the members of City staff who worked to keep the community safe during the recent winter storm. Mills said he was thrilled to see the progress being made on the dams and spillways at the lakes in City Park. Mills also extended his thoughts and sympathy to those involved in the tragic fatal accident on Interstate 49 today.

Alderman Zaring said he and his wife greatly enjoyed attending the Annual Employee Recognition Dinner and thanked those who put the event together.

Mayor Bowman thanked Executive Assistant to the City Administrator Theresa West and City Clerk Barnett and the other members of City staff who worked hard to ensure that all went smoothly during the Annual Employee Recognition Dinner. Bowman also thanked the vendors and corporate partners who donated money for the event.

Alderswoman Milner thanked Parks and Recreation Director Purkey for his flexibility and dependability during a recent closure of schools in Harrisonville, as several students moved from the school to the Community Center for the rest of the day.

7. Report from the City Administrator

City Administrator Ratliff spoke to the Board about upcoming events involving the ongoing City-Wide Comprehensive Plan.

Ratliff informed the Board that City staff plan to advertise the Muddy Creek Dry Detention Basin at Glen Eagle on February 10.

Ratliff said Parks and Recreation staff have recently made great strides to improve the visual appearance of the lakes in City Park by removing trees and brush.

Ratliff informed the Board that City staff are working with a contractor to sell lumber from trees in Lord's Park. Ratliff said the money made from the sale would be used to make a variety of improvements within Lord's Park.

Ratliff said the federal government has informed the City that the five-percent matching funds for the upcoming airport grant work will no longer be required. Ratliff also spoke about the need to remove trees on the airport property.

Ratliff said the Outdoor Pool project is currently on schedule and is about 66% complete.

Ratliff spoke to the Board about an ongoing, in-house study being conducted by the Missouri Department of Transportation for the Missouri 7-Highway and Interstate 49 interchange. Ratliff said MoDOT has determined there is need for traffic signals and a turn lane in the area, which would cost approximately \$1.25 million.

Ratliff informed the Board that Police Corporal Tim Mikelson has returned to the department, after working for about a year with a department in Minnesota.

Ratliff announced to the Board that the City has hired Christina Stanton to serve as the City's new Community Development Director. Ratliff spoke to Stanton's resume and experience in the area, including over a decade of service with the City of Lee's Summit.

A. December 2021 Municipal Court Report

8. Questions from the Media

None.

9. Adjourn From Regular Session

Mayor Bowman reminded the Board that the regularly scheduled meeting on February 21, will be moved to February 22, due to the Presidents Day holiday.

Bowman acknowledged Alderman Mills for his generous donation to Cass Regional Medical Center and applauded the new opportunities that will be brought to the health care options in the Harrisonville community.

Bowman thanked Public Works Director/City Engineer for his leadership during the recent winter storm.

Bowman extended thoughts and prayers to all those involved in the tragic fatal crash that occurred on Interstate 49 earlier in the afternoon.

A motion was made by Alderman Zaring to adjourn, with a second by Alderwoman Milner. Motion carried with all ayes. Meeting adjourned at 6:50 p.m.

Judy Bowman, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Feb 7, 2022 6:00 PM (Approval of Minutes)

**DRAFT****MINUTES****CITY OF HARRISONVILLE****BOARD OF ALDERMEN****WORK SESSION****VIA ZOOM****FEBRUARY 7, 2022****HELD VIA ZOOM IN ATTEMPT TO LIMIT EXPOSURE TO THE COVID-19 VIRUS.****1. Call to Order**

The meeting was called to order at 6:54 PM by Mayor Judy Bowman.

2. Present

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Present	
Mike Zaring	Harrisonville	Board Member	Present	
Sandy Franklin	Harrisonville	Board Member	Present	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Gary Davidson	Harrisonville	Board Member	Excused	
Matt Turner	Harrisonville	Board Member	Present	
Judy Bowman	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, City Attorney Alex Felzien, Director of Administrative Services Jeremy Smith, Public Works Director/City Engineer Carl Brooks, Electric Superintendent Andy Pollard, Police Chief John Hofer, Parks Director Grant Purkey, Community and Economic Development Director Jim Clarke, Building Official Chris Arthur, Code Enforcement Official Katie Phelps and City Clerk Daniel Barnett - recording.

3. Discussion Items**A. Discussion for parameters of Electric Vehicle Charging Stations**

Building Official Arthur spoke to the need to create a set of approved uses for electric vehicle charging stations.

Arthur spoke to the changes that staff are proposing to City Code, including definitions, approved zoning, etc.

Electric Superintendent Pollard spoke about the necessary changes to City Code, to allow for electric vehicle charging stations to exist without conflicting with the City's utility billing procedures.

Minutes Acceptance: Minutes of Feb 7, 2022 6:30 PM (Approval of Minutes)

Pollard said both he and Arthur have been approached by contractors and businesses who wish to put electric vehicle charging stations in and around Harrisonville.

Pollard said the key to the changes would be to ensure there is no room for misinterpreting the City's Code, as it would pertain to electric vehicle charging stations.

City Attorney Felzien spoke to the legal context of the matter and said, in essence, the changes would allow City Code to match current State Statute.

Mayor Bowman asked about payment when using one of the charging stations.

Pollard spoke to how payment for various portions of the service would operate.

Alderman Mills spoke to his experience and understanding of how an electric vehicle charging station operates and requires for operation.

Arthur spoke to the best practices for installing an electric vehicle charging station.

Alderman Zaring asked about the rate that a user would pay to charge a vehicle and how it would be monitored.

Mayor Bowman thanked Building Official Arthur, Electric Superintendent Pollard and City Attorney Felzien for their efforts and presentation about this matter.

RESULT:	DISCUSSION
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B. Modification of language within Section 405.550 Accessory Uses

Code Enforcement Official Phelps spoke to the need to rewrite existing City Code regarding zoning ordinances for Accessory Uses Section F - Storage of Equipment, Material or Recreational Vehicles.

Phelps spoke to the difficulties for the public to understand the current ordinances and for staff to enforce said ordinances.

Building Official Arthur provided context to the struggle staff have had in trying to enforce the ordinances.

Mayor Bowman thanked the Code Enforcement Department for their efforts to make City Code easier to understand and enforce.

Alderman Doerhoff asked if the changes would address on-street parking in residential areas.

Phelps said it would not.

Phelps said she plans to bring the proposed code changes before the February 22, 2022, Board meeting for approval.

RESULT:	PRESENTED
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C. Modification of Language within Section 405.525 Special Use Permits

Code Enforcement Official Phelps spoke to the need to modify existing City ordinances regarding Zoning ordinance 405.525 Special Use Permits #21, to include the definition of "Correctional Facility", to 405.030 Definitions and Rules of Construction, #23 to include storage of other vehicles, instead of only boats, and changing #26 from C-3 zoning to C-2.

A consensus was reached by the Board of Aldermen for staff to bring the proposed changes before the February 22, 2022, Board meeting for approval.

A motion to adjourn from the Work Session was made by Alderwoman Franklin, with a second from Alderwoman Reece. The motion carried with a unanimous vote.

The meeting was adjourned at 7:50 p.m.

RESULT: PRESENTED

Judy Bowman, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Feb 7, 2022 6:30 PM (Approval of Minutes)



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 16, 2022
SUBJECT: Matching Funds for FEMA Hazard Mitigation Program

Type of Item: *Approval*

A. Action Item (ID # 4115)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE CITY ADMINISTRATOR PROVIDE NON-FEDERAL FUNDS TO BE USED TO MEET THE MINIMUM 25% MATCH REQUIREMENT FOR AN APPLICATION THROUGH THE MISSOURI STATE EMERGENCY MANAGEMENT AGENCY (SEMA) TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FUNDING FROM THE HAZARD MITIGATION GRANT PROGRAM.

Attachments:

Hazard Mitigation Program match (DOCX)

Council Bill No.**Resolution No.**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE AUTHORIZING THE CITY ADMINISTRATOR PROVIDE NON-
FEDERAL FUNDS TO BE USED TO MEET THE MINIMUM 25% MATCH
REQUIREMENT FOR AN APPLICATION THROUGH THE MISSOURI STATE
EMERGENCY MANAGEMENT AGENCY (SEMA) TO THE FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA) FOR FUNDING FROM THE HAZARD
MITIGATION GRANT PROGRAM.**

WHEREAS, the City of Harrisonville (hereinafter called “the Subgrantee”), County of Cass, has made application through the Missouri State Emergency Management Agency (SEMA) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$1,039,588 for the total project cost; and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis, with the federal share not exceeding 75% and the non-federal share being a minimum of 25% of the total project cost. The minimum 25% non-federal share can be either cash or in-kind match.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISONVILLE BOARD OF ALDERMEN THAT:

Section 1. The Subgrantee agrees to provide and make available up to \$259,897 two hundred fifty-nine thousand, eight hundred and ninety-seven dollars) of non-federal funds to be used to meet the minimum 25% match requirement for through the Missouri State Emergency Management Agency (SEMA) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program.

Section 2. That this resolution shall become effective immediately upon its passage and approval.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE, MISSOURI ON THIS 22ND DAY OF FEBRUARY 2022.

VOTE TAKEN AS FOLLOWS:**AYES:****NAYS:****ABSENT:****ABSTAIN:****EXCUSED:**

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 22nd day of February 2022.

I submit this form from inclusion with the HMGP Project Application.

Print Name of Authorized Representative

Authorized Representative's Signature and Date

Attachment: Hazard Mitigation Program match (Matching Funds for FEMA Hazard Mitigation Program)



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 16, 2022
SUBJECT: Ordinance Electric Vehicle Charging Station

Type of Item: *Approval*

B. Action Item (ID # 4116)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI ESTABLISHING SECTION 405.550(P) OF THE HARRISONVILLE MUNICIPAL CODE.

Attachments:

Staff Report BOA Regular Session 2-22-22 (PDF)

Ordinance Electric Vehicle Charging Station(DOCX)



City of

Harrisonville^{est. 1836}

5.B.a

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Aldermen, Regular Session.

From: Chris Arthur, Building Official and Katie Phelps, Code Enforcement Officer.

Date: 2/22/22

Re: Changes to Chapter 400 of City Municipal Code.

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Approval of Ordinance.

Date of Application: N/A

PROPOSAL

Approval of Ordinance for addition of 405.550 P, Electric Vehicle Charging Uses.

Approval of Ordinance for 405.030 B, Definitions, Added definition of Correctional Facilities.

Approval of ordinance for 405.550 F, Accessory Uses, Storage of Equipment or Recreational Vehicle.

Approval of Ordinance for 405.525 C 21, C23, C26, Special Use Permits, Changes, Corrections.

PREVIOUS ACTIONS

BOA work session, 2/7/22. Unanimous consensus to changes to Municipal Code as presented.

KEY ISSUES

Part of our continuing work to modify, correct, and simplify Municipal Code to better serve the Citizens and Staff of the City of Harrisonville.

STAFF COMMENTS AND SUGGESTIONS

Staff thanks the BOA for the continuing assistance in our working to update the City's Municipal Code. Staff suggests approval based on BOA consensus from BOA WS 2/7/22.

STAFF RECOMMENDATION

Approval of changes and ordinance.

ATTACHMENTS

Ordinance(s).

STAFF CONTACT:

Chris Arthur

Katie Phelps

Attachment: Staff Report BOA Regular Session 2-22-22 (Ordinance Electric Vehicle Charging Station)

Council Bill No. _____

Ordinance No. _____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI ESTABLISHING SECTION 405.550(P) OF THE
HARRISONVILLE MUNICIPAL CODE**

WHEREAS, the Board of Aldermen wishes to establish Section 405.550(P) of the Harrisonville Municipal Code.

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

Section 1: Section 405.550(P) of the Harrisonville Municipal Code is hereby amended to read as follows:

“Section 405.550

P. Commercial Electric Vehicle Charging Stations, defined as an installation for the retail sales of Electric Vehicle Charging services, and pursuant with Missouri Revised Statue § 386.020(15)(c); shall be permitted in any R4 zoning district apartment complex, any C zoning district or any M zoning district.

Individual privately owned or leased Electric Vehicle Charging Stations, defined as an installation for the sole use of the Electric Vehicle owner or lessee, shall be permitted in any zoning district.

Commercial Electrical Vehicle Charging Stations shall be required, as any other Retail Sales business, to have a current City business license, pursuant to Chapter 605 “Licenses of the Municipal Code”; and shall apply for a City Commercial Occupancy permit upon changes in ownership.

Initial Electric Vehicle Charging Station installations, both Commercial Electric Vehicle Charging Stations and Individual Electric Vehicle Charging Stations, shall apply for a building permit for installation and construction, inspection, and final approval; and shall obtain approval for electric utility service from the City of Harrisonville Electric Department.”

Section 2. That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the _____ day of February 2022. Read for the second time by title only on the _____ day of February 2022.

Judy Bowman, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this _____ day of February, 2022.

Attachment: Ordinance Electric Vehicle Charging Station (Ordinance Electric Vehicle Charging Station)



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 16, 2022
SUBJECT: Ordinance Amend Zoning for Correctional Facilities

Type of Item: *Approval*

C. Action Item (ID # 4117)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING CHAPTER 405 OF THE CITY OF HARRISONVILLE MUNICIPAL CODE

Attachments:

Ordinance Amending Chapter 405 (DOCX)

Council Bill No. _____

Ordinance No. _____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI AMENDING CHAPTER 405 OF THE CITY OF
HARRISONVILLE MUNICIPAL CODE**

WHEREAS, the City of Harrisonville desires to amend its zoning regulations to define correctional facilities and establish new rules regarding the storage of vehicles within the City of Harrisonville.

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

Section 1: Section 405.030(B) is hereby amended to include the following definition, to be placed between definitions for “Condominium,” and “Court”:

“Correctional Facility Any jail, prison, detention center, or place where people are kept when they are waiting to be tried, have been arrested, and/or are being detained or punished for a crime.”

Section 2: Sections 405.525(21), 405.525(23), and 405.525(26) of the City of Harrisonville Municipal Code are hereby amended to read as follows:

- “21. Any Correctional Facility as defined in Section 405.030(B).
- 23. Boat, recreational vehicle, and/or any other vehicle storage, open or enclosed, of one (1) or more similar vehicles which are not the property of the landowner. Open storage must be screened by a view-reducing wall, fence or landscaping material from adjacent public roads and residentially zoned or used property.
- 26. Retail sales of concrete from small batch concrete dispensing plants. This use is permitted only in District “C-2” provided that no noise, smoke, heat, glare or dust is produced that is perceptible from abutting properties. In addition:
 - a. Mixing capacity to be less than one-fourth (1/4) cubic yard;
 - b. All cement materials must be stored within an enclosed building;
 - c. All aggregate materials must be stored in approved bins;
 - d. No more than one (1) dispensing unit may be installed;
 - e. No vehicle which is designed to hold more than two (2) cubic yards of concrete may be used to haul off the concrete; and
 - f. All concrete is to be hauled in a manner designed to prevent the spillage of materials.”

Section 3: Section 405.550(F) of the City of Harrisonville Municipal Code is hereby

amended to read as follows:

“F. *Storage Of Equipment, Vehicles, or Recreational Vehicle.*

- a. In any zoning district parking or storage of vehicles is permitted only:
 1. On a driveway; or
 2. Inside a completely enclosed structure; or
 3. On a paved or impervious surface; or
 4. In the rear of the building. The vehicle does not have to be upon a paved or impervious surface if it is shielded from public view.
- b. No vehicle may be parked or storage on the grass in the front yard area.
- c. No vehicle may be parked or stored in rights-of-way, unless parking is allowed, and rights-of-way areas are paved or approved gravel surfaces.
- d. No vehicle may be parked or stored in any public easement.
- e. Recreational vehicles may not be occupied within the City limits for living, sleeping, or cooking purposes for more than fourteen (14) days in a calendar year, unless approved by a Special Use Permit.
- f. Off-street parking areas must be used solely for the parking of operable motor vehicles for patrons, occupants, or employees of the use to which the parking area serves.
- g. Stored vehicles or equipment shall not protrude into public property or obstruct sidewalks.
- h. No vehicle shall be parked or stored on an undeveloped lot.
- i. Exceptions may be granted with prior approval from the Code Enforcement Officer or Building Official.

Section 4. That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the 22nd day of February 2022. Read for the second time by title only on the 22nd day of February 2022.

Judy Bowman, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 22nd day of February, 2022



TO: Board of Aldermen
FROM: Jim Clarke,
DATE: February 15, 2022
SUBJECT: Small Plat - Burris Ridge

Type of Item: *Approval*

D. Action Item (ID # 4112)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO APPROVE THE MINOR PLAT OF “BURRIS RIDGE 2ND PLAT”, BEING A SMALL PLAT OF LOTS 97, 11, 10, AND 3, BLOCKS 1, 2, 3 AND 4, RESPECTIVELY, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI

Attachments:

Staff Report - BOA - Burris Ridge - 2nd Plat - Small Plat - 2-22-22(DOC)

Burris Ridge - 2nd Plat - Small Plat - Lot Table - Not Dated(PDF)

Burris Ridge - Preliminary Plat (PDF)

Burris Ridge - Aerial - 2020 (PNG)

Ordinance - Small Plat - Burris Ridge - BOA - 2-22-22 (DOC)



300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Aldermen, Regular Session

From: Jim Clarke, Director Community Development Department
Chris Arthur, Building Official

Date: February 22, 2022

Re: Burris Ridge Subdivision, Small Plat, (Burris Ridge 2nd Plat)

GENERAL INFORMATION

Applicant: Corwood Homes, LLC.

Requested Actions: Approval of Small Plat.

Date of Application: January 13, 2022

PROPOSAL

The long dormant Burris Ridge Subdivision has had a resurgence of building during the last 6 to 8 months or so and the property has recently been acquired by Corwood Homes, LLC. They are currently building out lots that were previously final platted and wanting to maintain momentum and keep contractors working in the subdivision.

They are applying for a small plat to build on 4 more lots (4 lots is the maximum number of lots for a small plat, which is not subject to preliminary platting, per our Municipal Code) while they plan for continued build out of the whole originally preliminary platted subdivision.

A preliminary plat is being worked on now for a Burris Ridge 3rd plat. We have previously had a few lot combinations or lot line adjustments, 2 rezoning's from commercial to residential, and a small plat completed on one of the originally zoned commercial parcels.

So far, all new development has followed the basic layout of the original approved preliminary plat and the 1st approved final plat.

This small plat also follows the original, although expired, preliminary plat layout.

All infrastructure, except for street lights, is currently in place to accommodate this 4 lot small plat. Street light costs for the section of Burris Dr to MO 7 Hwy, 2 are needed, will be split between Burris Ridge 2nd plat (this plat), Burris Drive Estates small plat (previously platted) and Burris Ridge plat Lot 1 (original Burris Ridge SD plat); proportionately.

PREVIOUS ACTIONS

Preliminary Plat
Final Plat phase 1
Small Plat (3 lots) of rezoned parcel, Commercial to Residential

Attachment: Staff Report - BOA - Burris Ridge - 2nd Plat - Small Plat - 2-22-22 (Small Plat - Burris Ridge)

Rezoned 1 parcel, Commercial to Residential

Lot combinations and lot line adjustments

P and Z Commission recommendation to approve, Burris Ridge 2nd Plat (small plat)

KEY ISSUES

Facilitate continued build out and future development in the subdivision, while maintaining a general layout coinciding with the intent of the original preliminary plat, but accommodating some change, as referenced in the previously approved rezoning, lot combinations, lot line adjustments and small plat.

Partnering with subdivision developers for the success of both the City and them.

STAFF COMMENTS AND SUGGESTIONS

The importance of this subdivision and the Ranch subdivision to the prosperity and growth of the City cannot be overemphasized. Both languished previously and now both are moving towards build out. Staff suggests the City continue to do all it can to foster the feasibility of build out and possible expansion of subdivisions on our northeast side, along with all other subdivisions and viable areas. All in keeping with our Comprehensive Growth plans, market feasibility, and infrastructure capabilities.

STAFF RECOMMENDATION

Approval of the small plat Burris Ridge 2nd Plat.

ATTACHMENTS

Original Preliminary Plat

Burris Ridge 2nd Plat, Small Plat (4 lots)

Aerial view of current parcels

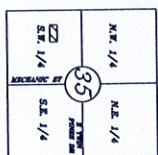
STAFF CONTACT:

Jim Clarke

Chris Arthur

LEGEND:

● FISH HABITAT INDEXES OF 1000
○ FISH HABITAT INDEXES OF 1000
● FISH HABITAT INDEXES OF 1000
○ FISH HABITAT INDEXES OF 1000
● FISH HABITAT INDEXES OF 1000
○ FISH HABITAT INDEXES OF 1000



Location Map

I declare that to the best of my professional knowledge and belief, this plot and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 20.50-16).

CASS COUNTY, MISSOURI

FINAL PLAT

186 Elm Street | Pawtucket, R.I. 02860 | 401.739.0157

An aerial photograph of a rural area with property lines overlaid. A road network includes Burris Dr. running horizontally, Norfolk Dr. running vertically, and Richmond Dr. running horizontally. A Burlington Northern RR line runs diagonally across the lower left. A pond is located in the lower left quadrant. A white curved line is visible on the right side of the map.

5.D.d

Attachment

Packet Pg. 31

Council Bill No. ?????

Ordinance No. ?????

**AN ORDINANCE TO APPROVE THE MINOR PLAT OF “BURRIS RIDGE 2ND PLAT”,
BEING A SMALL PLAT OF LOTS 97, 11, 10, AND 3, BLOCKS 1, 2, 3 AND 4,
RESPECTIVELY, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Corwood Homes, LLC for the approval of a 4-lot minor plat of Burris Ridge 2nd Plat, being a small plat of Lots 97, 11, 10, and 3, Blocks 1, 2, 3 and 4, respectively, in the city of Harrisonville, Cass County, Missouri; and

WHEREAS, the Burris Ridge Subdivision was previously final platted; and

WHEREAS, the small subdivision plat was considered by the Planning and Zoning Commission on February 17, 2022, and the Planning and Zoning Commission voted unanimously to recommend approval of the small subdivision plat to the Board of Aldermen; and

WHEREAS, in accordance with the provision of Chapter 89 RSMo, and Chapter 410 of the Code of Ordinance of the City of Harrisonville, Missouri, the Board of Aldermen, after careful and due deliberation, find that approval of the small subdivision plat is in the best interest of the City of Harrisonville and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Final Plan Approval. That the Board of Aldermen of Harrisonville, Missouri, hereby approves the 4-lot minor plat of Burris Ridge 2nd Plat, being a small plat of Lots 97, 11, 10, and 3, Blocks 1, 2, 3 and 4 respectively, in the city of Harrisonville, Cass County, Missouri.

Section 2: Legal Description. The plat comprises the following described real estate in the City of Harrisonville, Cass County, Missouri, to-wit:

LEGAL DESCRIPTION

Attachment: Ordinance - Small Plat - Burris Ridge - BOA - 2-22-22 (Small Plat - Burris Ridge)

LOT 1 BLOCK 1 DESCRIPTION:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED BY BRYAN F. HILL MO LOS 2008016658, AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 96 BURRIS RIDGE 1ST PLAT, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI; THENCE $80^{\circ}34'14"E$, A DISTANCE OF 75.00 FEET; THENCE $58^{\circ}21'46"E$, A DISTANCE OF 120.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NORFOLK DRIVE AS IT NOW EXISTS; THENCE $S82^{\circ}34'14"W$, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 75.00 FEET TO THE NORTHEAST CORNER SAID LOT 96 BURRIS RIDGE 1ST PLAT; THENCE $N87^{\circ}21'46"W$, ALONG SAID NORTH LINE, A DISTANCE OF 120.00 SQUARE FEET MORE OR LESS

LOT 1 BLOCK 2 DESCRIPTION:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED BY BRYAN F. HILL MO LOS 2008016658, AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 30 BURRIS RIDGE 1ST PLAT, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI; THENCE $S88^{\circ}21'24"E$, ALONG THE SOUTH RIGHT OF WAY LINE OF BURRIS DRIVE AS IT NOW EXISTS, A DISTANCE OF 38.09 FEET; THENCE $N87^{\circ}49'45"E$, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 75.17 FEET; THENCE $S88^{\circ}21'24"E$, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 26.14 FEET; THENCE $S01^{\circ}38'36"W$, A DISTANCE OF 100.00 FEET; THENCE $N88^{\circ}21'24"W$, A DISTANCE OF 129.61 FEET; THENCE $N01^{\circ}53'39"E$, A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13,415.18 SQUARE FEET MORE OR LESS

LOT 1 BLOCK 3 DESCRIPTION:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED BY BRYAN F. HILL MO LOS 2008016658, AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 29 BURRIS RIDGE 1ST PLAT, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI; THENCE $N01^{\circ}54'36"E$, ALONG THE EAST LINE OF SAID LOT 29, A DISTANCE OF 95.00 FEET; THENCE $S88^{\circ}21'24"E$, A DISTANCE OF 123.41 FEET; THENCE $S01^{\circ}38'36"W$, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BURRIS DRIVE AS IT NOW EXISTS; THENCE $N88^{\circ}21'24"W$, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 26.15 FEET; THENCE $N84^{\circ}32'34"W$, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 75.17 FEET; THENCE $N88^{\circ}21'24"W$, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 22.70 FEET TO THE POINT OF BEGINNING, CONTAINING 12,963.21 SQUARE FEET MORE OR LESS

LOT 1 BLOCK 4 DESCRIPTION:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED BY BRYAN F. HILL MO LOS 2008016658, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 BURRIS RIDGE 1ST PLAT, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI; THENCE $N88^{\circ}21'24"W$, ALONG THE NORTH RIGHT OF WAY LINE OF BURRIS DRIVE AS IT NOW EXISTS, A DISTANCE OF 136.13 FEET; THENCE $N01^{\circ}38'36"W$, A DISTANCE OF 99.77 FEET; THENCE $S88^{\circ}21'24"E$, A DISTANCE OF 136.60 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1 BURRIS RIDGE 1ST PLAT; THENCE $S01^{\circ}54'36"W$, ALONG SAID WEST LINE, A DISTANCE OF 99.77 FEET TO THE POINT OF BEGINNING, CONTAINING 13,605.42 SQUARE FEET MORE OR LESS

Section 3. Severability. The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 22ND OF FEBRUARY 2022 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 22ND DAY OF FEBRUARY 2022 AND PASSED BY THE BOARD OF ALDERMEN THIS 22ND DAY OF FEBRUARY 2022.

AYES:

NAYS:

AWAY:

ABSENT:

ABSTAIN:

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 22nd day of February 2022

Attachment I: Small Subdivision Plat of Burris Ridge 2nd Plat

Attachment: Ordinance - Small Plat - Burris Ridge - BOA - 2-22-22 (Small Plat - Burris Ridge)

Packet Pg. 35



TO: Board of Aldermen
FROM: Jim Clarke,
DATE: February 15, 2022
SUBJECT: Rezoning & Land Donation

Type of Item: *Public Hearing*

E. Action Item (ID # 4111)

Rezoning & Land Donation

Attachments:

Staff Report BOA RS 2_22_22 L Smith Land Donation_Rezoning (002) (DOC)

L Smith land donation map (PDF)

Smith donation zoning 185ft adjoining (PDF)

Final survey for plat (PDF)

R. Smith Land Donation - Resolution - 1-28-22 Email (PDF)

A. L. Smith Land Donation Agreement (Clean) - 1-31-22 Email (PDF)



City of

Harrisonville^{est. 1836}

5.E.a

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: BOA Regular Session

From: Jim Clarke, Director of Community Development
Chris Arthur, Building Official

Date: February 22, 2022

Re: Rezoning of property from Ag to R1;
NE Corner of South Edgevale Dr and Oakwood St
1707 S Edgevale Dr (proposed new address).

Acceptance of land donation to the City.

GENERAL INFORMATION

Applicant: Laurence Smith

Requested Actions: Rezoning of property from Ag to R1, after donation of portion to the City, to facilitate a conforming lot (zoning designation).

Acceptance of land donation to the City and approval of land donation agreement.

Date of Application: January 10, 2022

PROPOSAL

Smith Trust owns property at the intersection of S Edgevale Dr. and Oakwood St. Part of the property will be donated to the City, to facilitate a future Parks Dept trailhead and provide better access for City owned property, both currently owned and the donated portion, both of which will be combined into 1 parcel.

At the same time, a lot split will be processed to create a parcel being a conforming lot for R1 zoning designation, to construct a new S/F house on. Also, at the same time the proposed City property (current and donated) will all be combined into 1 parcel.

Please see the attached new survey, property donation / lot split / lot combination map, and adjoining properties/zoning map.

The surrounding properties are zoned R1 to the North, Northeast, Northwest, West, and Southwest. Property to the East is School District (G) property. Property to the South is a combination of City property and Ag property.

Public legal notice, public hearing notice, and property located rezoning notice have been completed.

PREVIOUS ACTIONS

Rezoning approval by the Planning and Zoning Commission, on 2/17/22.

Attachment: Staff Report BOA RS 2_22_22 L Smith Land Donation Rezoning (002) (Rezoning & Land Donation)

KEY ISSUES

Acceptance of land donation which will benefit the City.

The property, currently being under an Ag zoning designation, is not conforming, regarding lot size for Ag designation (5 or more acres). As such, it is a legal non-conforming parcel and could not have a new home built on it without rezoning.

STAFF COMMENTS AND SUGGESTIONS

Staff appreciates and thanks Mr. Smith for working with us and agreeing to a modified donation scope, with additional land donated for City use.

Staff has the opinion that both the rezoning on the new parcel and the donation agreement to the City, is a very positive and beneficial undertaking.

STAFF RECOMMENDATION

Staff recommends the acceptance of the land donation and approval of the land donation agreement.

Staff recommends approval for the rezoning of the new parcel, proposed to be addressed as 1707 South Edgevale Dr., from Agricultural Zoning (A) to Residential single-family zoning (R1).

ATTACHMENTS

Land Donation Agreement
Resolution – Land Donation
Plat of Survey for Lot Split & Lot Combination
Property donation / lot split / lot combination map
Adjoining properties/zoning map

STAFF CONTACT:

Jim Clarke
Chris Arthur

Lawrence Smith Land Donation

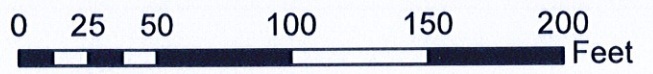


Attachment: L Smith land donation map (Rezoning & Land Donation)



0 25 50 100 150 200 Feet

185ft Rectangle Around Future 1707 S. Edgevale Parcel



Notes:

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.

BEARINGS SHOWN ARE BASED ON THE PLAT BEARING OF NORTH 00°55'07" EAST ALONG THE EAST LINE OF "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED.

THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN CLASS SURVEY AS DEFINED BY THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

RECORD DEED AND ADJACENT PARCEL DEED INFORMATION WAS NOT PROVIDED BY THE CLIENT, THIS INFORMATION WAS OBTAINED BY THE SURVEYOR FROM THE CASS COUNTY GIS MAP.

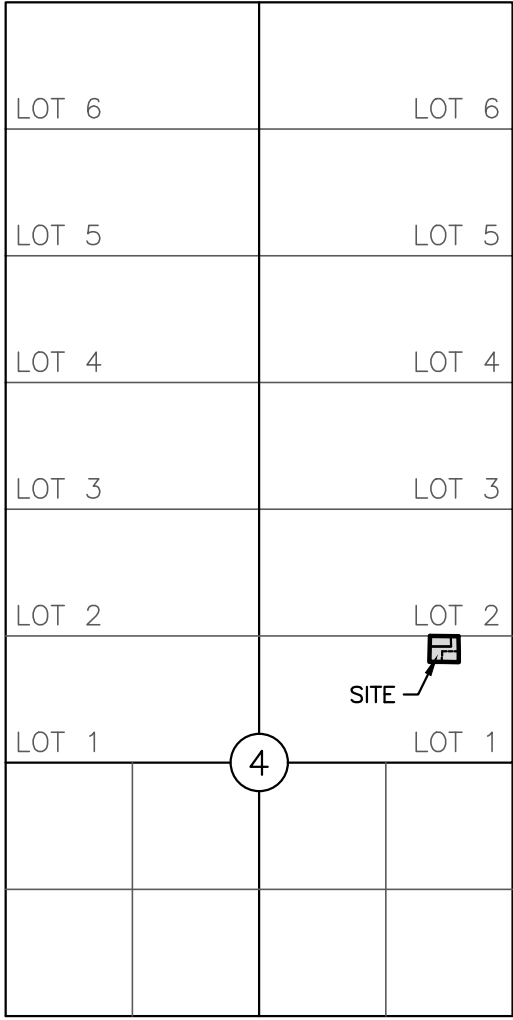
THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC / PRIVATE SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, CONTACT THE APPROPRIATE AGENCIES.

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.

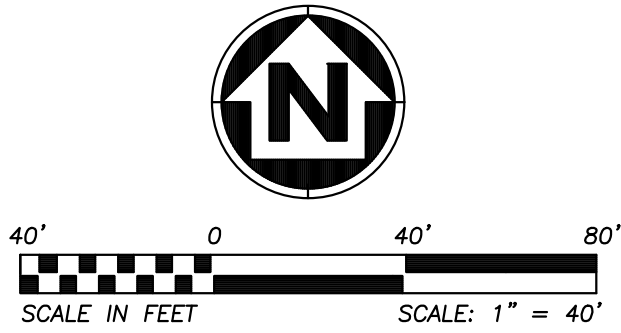
NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO DETERMINE WHETHER JURISDICTIONAL WATERS OF THE UNITED STATES ARE PRESENT ON THIS PROPERTY; WHETHER THIS SOIL IS SUITABLE FOR A SEPTIC SYSTEM; WHETHER THE SOIL IS SUITABLE TO SUPPORT A FOUNDATION OR INFRASTRUCTURE IMPROVEMENTS; WHETHER ANY EXISTING SEWAGE TREATMENT FACILITIES THAT SERVE THIS PROPERTY MEET APPLICABLE HEALTH DEPARTMENT OR MISSOURI DEPARTMENT OF NATURAL RESOURCES REGULATIONS; WHETHER THIS PROPERTY HAS DRIVEWAY ACCESS TO A STATE, COUNTY, OR CITY ROADWAY RIGHT-OF-WAY OR THAT ONE WILL BE GRANTED; THAT ANY EXISTING OR PROPOSED DRIVEWAY OR ROAD ACCESS TO A PUBLIC ROADWAY MEETS SAFETY CRITERIA OF THE STATE, COUNTY, OR CITY; WHETHER UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES OR UTILITIES OR WASTE MATERIALS MAY OR MAY NOT EXIST WHICH MAY AFFECT THIS PROPERTY.

FENCES SHOWN, OR REFERENCED HEREIN, MAY REPRESENT DIVISION LINES BETWEEN ADJOINING LAND OWNERS, AND EITHER ENCR OACH UPON THE SUBJECT PREMISES, OR PROVIDE THE SUBJECT PREMISES WITH SURPLUS LAND BECAUSE SAID FENCES MAY NOT BE LOCATED ON THE DEED LINES. THESE FENCES MAY BE SUBJECT TO ADVERSE POSSESSION RIGHTS BY SAID ADJOINERS. NO FENCES SHOULD BE REMOVED OR REPLACED WITHOUT FIRST CONSULTING CHAPTER 272 OF THE MISSOURI REVISED STATUTES, AND FURTHER, LEGAL ADVICE SHOULD BE SOUGHT, WHICH IS BEYOND THE SCOPE OF SERVICES PROVIDED BY THE SURVEYOR.



LOCATION MAP
SECTION 4, TOWNSHIP 44, RANGE 31
CASS COUNTY, MISSOURI
SCALE: 1" = 2000'

Plat of Survey for Lot Split & Lot Combination



Record Descriptions:

BOOK 2677, PAGE 435
PART OF A TRACT OF LAND AS DESCRIBED IN BOOK 438, PAGE 465 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI, BEING PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SAID LOT 1, RUN THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF SAID LOT 1 OF THE NORTHEAST QUARTER, 817.95 FEET TO THE NORTHEAST CORNER OF LOT 25 IN "OAKWOOD" LOT 10 THRU 25, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED, POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED, CONTINUING THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF LOT 1 IN THE NORTHEAST QUARTER OF SAID SECTION 4, 1235.36 FEET; THENCE SOUTH 0°23'20" EAST, 270.00 FEET; THENCE SONTN 89°54'30" WEST, THENCE NORTH 89°49'26" WEST, 36.36 FEET THENCE SOUTH 43°09'60" WEST, 224.56 FEET; THENCE NORTH 0°05'30" WEST 257.69 FEET; THENCE SOUTH 89°54'30" WEST, 417.93 FEET TO THE SOUTHEAST CORNER OF LOT 17 IN SAID "OAKWOOD" LOTS 10 THRU 25, THENCE NORTH 0°05'30" WEST ALONG THE EAST LINE OF SAID "OAKWOOD" LOTS 10 THRU 25, 270.00 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT OAKWOOD LOTS 26 THRU 42, SUBJECT TO EXISTING EASEMENTS OF RECORD.

NOTE:

THE ABOVE RECORD DESCRIPTION HAS SEVERAL SCRIVENER'S ERRORS.

BOOK 1859, PAGE 70 (TRACT 2A)
PART OF A TRACT OF LAND AS DESCRIBED IN BOOK 438, PAGE 465 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI, BEING PART OF LOT 1 IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SAID LOT 1, RUN THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF SAID LOT 1 ON THE NORTHEAST QUARTER, 1754.00 FEET; THENCE SOUTH 00°55'07" WEST, 160.02 FEET; THENCE NORTH 89°54'30" EAST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 130.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: CONTINUING THENCE NORTH 89°54'30" EAST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 172.98 FEET; THENCE SOUTH 00°23'20" EAST, 110.00 FEET; THENCE SOUTH 89°54'30" WEST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 175.48 FEET; THENCE NORTH 00°55'07" EAST, 110.02 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO ANY EXISTING EASEMENTS.

Survey Descriptions:

Tract 1

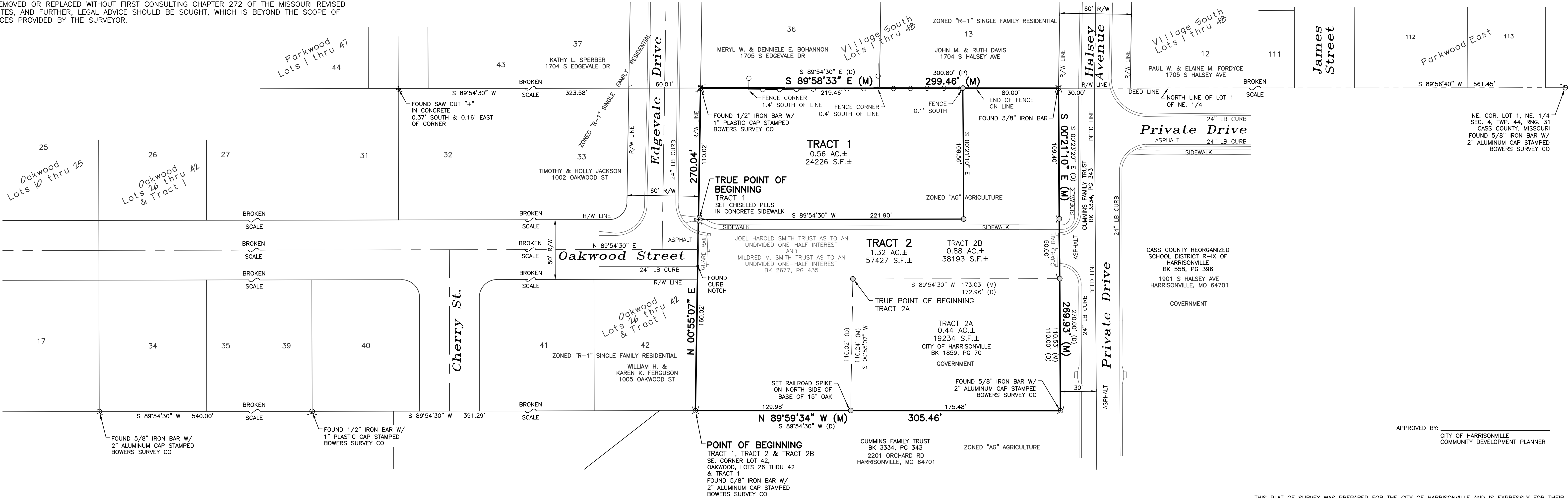
I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 00°55'07" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 110.02 FEET TO THE NORTHEAST CORNER OF SAID "OAKWOOD" SUBDIVISION AND BEING THE SOUTHWEST CORNER OF LOT 36, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 36 AND LOT 13, "VILLAGE SOUTH", 219.46 FEET; THENCE SOUTH 00°21'10" EAST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET; THENCE SOUTH 89°54'30" WEST, 221.90 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.56 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Tract 2

I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 AND IN BOOK 1859 AT PAGE 70 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET; THENCE NORTH 89°54'30" EAST, 221.90 FEET; NORTH 00°21'10" WEST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT, AND BEING A POINT ON THE SOUTH LINE OF LOT 13, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 13, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13 AND BEING THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE SOUTH 00°21'10" EAST (MEASURED) (DEED=SOUTH 00°23'20" EAST) ALONG THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435 AND BEING ALONG THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70, 269.93 FEET (MEASURED) (DEED=270.00 FEET) TO THE SOUTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70; THENCE NORTH 89°59'34" WEST (MEASURED) (DEED=SOUTH 89°54'30" WEST) ALONG THE SOUTH LINE OF SAID TRACT, 305.46 FEET TO THE POINT OF BEGINNING. CONTAINS 1.32 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.



Tract 2B

I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET; THENCE NORTH 89°54'30" EAST, 221.90 FEET; NORTH 00°21'10" WEST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT, AND BEING A POINT ON THE SOUTH LINE OF LOT 13, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 13, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13 AND BEING THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE SOUTH 00°21'10" EAST (MEASURED) (DEED=SOUTH 00°23'20" EAST) ALONG THE EAST LINE OF SAID TRACT, 159.40 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 1859 AT PAGE 70 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE SOUTH 89°54'30" WEST ALONG THE NORTH LINE OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70, 173.03 FEET (MEASURED) (DEED=172.96 FEET) TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 00°55'07" WEST ALONG THE WEST LINE OF SAID TRACT, 110.24 FEET (MEASURED) (DEED=110.02 FEET) TO THE SOUTHWEST CORNER OF SAID TRACT AND BEING ON THE SOUTH LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE NORTH 89°59'34" WEST (MEASURED) (DEED=SOUTH 89°54'30" WEST) ALONG THE SOUTH LINE OF SAID TRACT, 129.98 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.88 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Reference Surveys

FINAL PLAT OF "VILLAGE SOUTH"
SURVEY BY: AUGUST BOGINA, JR. PLS 261
DATED: JULY 1, 1965
RECORDED: PLAT BOOK 3, PAGE 68
COUNTY: CASS

SURVEY BY: JERRELL T. BOWERS, PLS 1733
DATED: JANUARY 25, 1999
RECORDED: SURVEY BOOK 7, PAGE 134
COUNTY: CASS

FINAL PLAT OF "OAKWOOD", LOTS 26 THRU 42 & TRACT 1
SURVEY BY: JERRELL T. BOWERS, PLS 1733
DATED: JULY 27, 2000
RECORDED: PLAT BOOK 16, PAGE 88
COUNTY: CASS

Legend

- = FOUND MONUMENT AS NOTED
- = SET 1/2" IRON BAR WITH 1" PLASTIC CAP STAMPED BOWERS PLS 2616, UNLESS NOTED OTHERWISE
- = CHAINLINK FENCE LINE
- R/W LINE = RIGHT-OF-WAY LINE
- (D) = DEED BEARING OR DISTANCE
- (P) = PLAT BEARING OR DISTANCE
- (M) = MEASURED BEARING OR DISTANCE
- LB CURB = LAZYBACK CURB

THIS PLAT OF SURVEY WAS PREPARED FOR THE CITY OF HARRISONVILLE AND IS EXPRESSLY FOR THEIR USE AND SAID PLAT OF SURVEY SHALL NOT BE TRANSFERRED TO PARTIES OTHER THAN THOSE HAVING A DIRECT INTEREST IN THE SUBJECT PREMISES AS OF THE DATE OF ISSUANCE OF THIS SURVEY. THE UNDERSIGNED REGISTERED LAND SURVEYOR HEREBY STATES THAT A SURVEY HAS BEEN COMPLETED UNDER HIS DIRECT SUPERVISION OF THE ABOVE DESCRIBED PREMISES AND ALL MEASUREMENTS SHOWN, ANGULAR AND LINEAR, WERE MEASURED ON THE GROUND AND MONUMENTS WERE SET OR FOUND AS SHOWN. THIS PLAT OF SURVEY HAS BEEN PREPARED FROM INFORMATION COMPILED IN THE FIELD AND OFFICE AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE LAND SURVEY PROGRAM. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

THE FIELD WORK WAS COMPLETED ON JANUARY 19, 2022.

FOR: CITY OF HARRISONVILLE 300 E. PEARL STREET, HARRISONVILLE, MO 64701
ORDERED BY: MR. CHRIS ARTHUR, CBO, MCP

Bowers Land Survey Co. LLC
P.O. BOX 541
1000 W. MECHANIC STREET
HARRISONVILLE, MISSOURI 64701
TELEPHONE: 816.225.0160
WEBSITE: BOWERSSURVEY.COM

SITE ADDRESS: EDGEVALE DRIVE, HARRISONVILLE, MO 64701

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
4	44	31	CASS	MISSOURI	1/20/22	21778--22

DRAWING NO. 2177BBS.DWG DRAWN BY: TSB CHECKED BY: TSB
BOWERS LAND SURVEY CO. LLC, LAND SURVEYING, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. LS-2020010824



TROY S. BOWERS
PROFESSIONAL LAND SURVEYOR
MO LS 2616

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL ESTATE DONATION CONTRACT WITH LAURENCE SMITH, TRUSTEE OF THE HAROLD AND MILDRED SMITH TRUST REGARDING THE DONATION OF APPROXIMATELY 1.32 ACRES OF LAND BETWEEN S. EDGEVALE DR. AND S. HALSEY AVE. IN THE CITY OF HARRISONVILLE, MISSOURI

WHEREAS, Laurence Smith, Trustee of the Harold and Mildred Smith Trust (collectively, the “Owners”) are the Owners of property between S. Edgevale Dr. and S. Halsey Ave., located in the City of Harrisonville (“City”); and

WHEREAS, the Owner and the City have a desire to have Owner donate approximately 1.32 acres of land to the City.

WHEREAS, the Board of Aldermen have reviewed the real estate donation contract with the Owners and believe it to be in the best interest of the city to approve the contract as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISONVILLE BOARD OF ALDERMEN THAT:

Section 1. The Mayor and City Administrator are hereby authorized and directed to enter into a real estate donation contract on behalf of the Board of Aldermen with Owners regarding the donation of approximately 1.32 acres between S. Edgevale Dr. and S. Halsey Ave. in the City of Harrisonville.

Section 2. That this resolution shall become effective immediately upon its passage and approval.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE THIS 22nd DAY OF FEBRUARY 2022.

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 22nd day of February 2022

Attachment: R. Smith Land Donation - Resolution - 1-28-22 Email (Rezoning & Land Donation)

REAL ESTATE DONATION AGREEMENT

THIS AGREEMENT is made and entered into effective the ____ day of _____, 2022 (the “**Effective Date**”) by and between SMITH, J HAROLD & MILDRED M TR, a Missouri Trust (“**Owner**”) and City of Harrisonville, Missouri (“**City**”) (collectively “**Parties**”).

WHEREAS, Owner is the owner of real property described in Exhibit A, attached hereto (the “**Property**”).

WHEREAS, the Owner and the City desire to have Owner donate the Property to the City.

WHEREAS, the Parties have agreed to certain matters with respect to the foregoing donation.

TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the sufficiency of which is acknowledged, the Parties agree as follows:

1. PROPERTY: Subject to the terms and conditions of this Agreement, Owner agrees to donate, and City agrees to accept, the Property for good and valuable consideration.

2. SURVEY/PLATTING: Owner, costs of which to be paid by the City and completed by Troy Bowers PLS, PE, shall provide a survey and lot split/lot combination denoting the Property to be donated to the City in accordance with the proposed lot split/lot combination attached hereto as Exhibit B. Further, City shall cause the survey and lot split/lot combination to be recorded by the Cass County Recorded of Deeds Office. The City will also pay all fees and costs associated with the owner applied for rezoning of the tract separated and kept by the owner from Ag zoning to R1 zoning. Survey shall also show the connection point for a sanitary sewer connection at the existing public sanitary sewer main at the SW corner of the portion of the lot split to be kept by the owner, for the building sewer of the proposed future new home to be built on the portion of the lot split to be kept by the owner. The City will also waive said future single family home’s building permit fees and utility connection fees, at the time of permit issuance to owner.

3. TITLE COMMITMENT; TITLE POLICY: The City, in the City’s sole discretion and expense, may obtain a title commitment and/or title policy for the Property.

4. CONVEYANCE OF TITLE: Owner will convey the Property to City by a Quit Claim deed, **subject to** any and all exceptions, easements, rights-of-way, covenants, conditions, restrictions, reservations, encroachments, protrusions, shortages in area, boundary disputes and discrepancies, matters which could be discovered or would be revealed by, respectively, an inspection or current survey of the Property, liens, encumbrances, impositions (monetary and

otherwise), access limitations, leases, prescriptive rights, rights of parties in possession, rights of tenants co-tenants, or other co-owners, and any and all other matters, restrictions or conditions affecting the Property, whether known or unknown, recorded or unrecorded, as well as standby fees, real estate taxes, and assessments on or against the Property for the current year and prior and subsequent years and subsequent taxes and assessments for prior years becoming due by reason of a change in usage or ownership, or both, of the Property; any and all zoning, building, and other laws, regulations, and ordinances or municipal and other governmental authorities affecting the Property. The Property is being donated in its "AS-IS" condition as of the date of the recording of the deed.

5. NOTICES: All notices, consents, approvals, requests, waivers, objections or other communications required or permitted under this Agreement shall be in writing and shall be served by hand delivery, prepaid and certified U.S. Mail or by reputable overnight delivery service to:

If to Owner: SMITH, J HAROLD & MILDRED M TR
Attn: LAURENCE SMITH
905 N COMMERCIAL ST.
HARRISONVILLE, MO 64701

With a copy to: Mauer Law Firm PC
Attn: Steve Mauer and Alex Felzien
1100 Main St.
Kansas City, MO. 64105

If to City: City of Harrisonville, Missouri
Attention: Brad Ratliff, City Administrator
300 E Pearl Street
Harrisonville, MO 64701

If either party shall mail any notice to the other party's Notice Address specified above, such notice shall be conclusively deemed given on the second regular postal day next following the date of mailing. Failure or refusal to accept service of a notice shall constitute delivery of the notice.

6. SEVERABILITY: If any provision of the Agreement or any term, paragraph, sentence, clause, phrase or word appearing herein by judicially or administratively held invalid or unenforceable for any reason, such holding shall not be deemed to affect, alter, modify, or impair in any manner any other provision, term, paragraph, sentence, clause, phrase, or word appearing herein.

7. SUCCESSORS AND ASSIGN: All covenants, conditions, representations, promises, and agreements contained herein shall run with the land and shall be binding upon, apply, and insure to the Parties hereto and their respective heirs, executors, administrators, successors, and assigns.

8. GOVERNING LAW: This Agreement shall be deemed made within the State of Missouri and the laws of such state shall govern the interpretation and construction hereof. Venue for any dispute regarding this Agreement shall be the Circuit Court of Cass County, Missouri.

9. COUNTERPART EXECUTION: This Agreement may be executed in any number of counterparts and each shall be deemed an original. Execution and delivery of this Agreement by portable document format (“PDF”) copy bearing the PDF signature of any party hereto shall constitute a valid and binding execution and delivery of this Agreement by such party. Such PDF copies shall constitute enforceable original documents, and as executed, shall constitute a true and correct original and admissible as best evidence for the purposes of state law, federal rule of evidence 1002, and like statute and regulations.

10. FURTHER ACTS: Both Parties shall do and perform such other and further acts, and sign any further documents, as are reasonably necessary so as to effectuate their intentions as herein expressed.

11. CAPTIONS AND CONSTRUCTION: Captions throughout this instrument are for convenience of reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement.

12. DRAFTING: The provisions of this Agreement were negotiated by the Parties hereto and said Agreement shall be deemed to have been drafted by all the Parties hereto.

13. ATTORNEY FEES: In the event any claim is asserted by or against any of the Parties hereto with respect to this Agreement or the subject matter hereof, the party or Parties prevailing in any litigation resulting from such claim shall be entitled to receive the reasonable attorneys' fees and all court costs, incurred by the prevailing party or parties in such litigation from the party or parties who fail so to prevail.

14. TOTAL INTEGRATION: THE AGREEMENT (INCLUDING ANY ADDENDUM OR EXHIBIT ATTACHED HERETO) CONSTITUTES THE COMPLETE AGREEMENT BETWEEN OWNER AND CITY CONCERNING THE RELATIONSHIP OF THE PARTIES. THERE ARE NO ORAL AGREEMENTS, UNDERSTANDINGS, PROMISES, OR REPRESENTATIONS BETWEEN OWNER AND CITY AFFECTING THIS AGREEMENT OR THE SUBJECT PROPERTY. ALL PRIOR NEGOTIATIONS AND UNDERSTANDING, IF ANY, BETWEEN THE PARTIES HERETO WITH RESPECT TO THE SUBJECT PROEPRETY OR THIS AGREEMENT SHALL BE OF NO FORCE OR EFFECT AND SHALL NOT BE USED TO INTERPRET THIS INSTRUMENT.

WHEN SIGNED BY ALL PARTIES THIS IS A LEGALLY BINDING AGREEMENT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING. TIME IS OF THE ESSENCE OF THIS AGREEMENT.

IN WITNESS WHEREOF, OWNER AND CITY execute this Agreement on the date(s) and at the time(s) indicated below their respective signatures.

OWNER:

SMITH, J HAROLD & MILDRED M TR

By: _____
Laurence Smith, Trustee

Date _____, 2022, Time ____, __.M.

STATE OF _____)
) ss:
COUNTY OF _____)

On this ____ day of _____, 2022, before me, a Notary Public in and for said County and State, personally appeared Laurence Smith, to me personally known, who, being by me duly sworn (or affirmed), did say that he is a Trustee of, SMITH, J HAROLD & MILDRED M TR, and that said instrument was signed in behalf of said limited liability company by authority of its members, and said person acknowledged said instrument to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Notary Public

My Commission Expires:

CITY:

CITY OF HARRISONVILLE, MISSOURI

Judy Bowman, Mayor

Date _____, 2022, Time ____, __.M.

STATE OF _____)
) SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 2022, by _____, Mayor of the **CITY OF HARRISONVILLE, MISSOURI**, and that she, as such and being authorized to do so, executed the foregoing instrument for the purposes therein contained on behalf of said entity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public

My Commission Expires:

DATE AND TIME OF FINAL ACCEPTANCE _____, 2022, __:__, __.M.

Attachment: A. L. Smith Land Donation Agreement (Clean) - 1-31-22 Email (Rezoning & Land Donation)

EXHIBIT A**LEGAL DESCRIPTION****TRACT 2B:**

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET; THENCE NORTH 89°54'30" EAST, 221.90 FEET; NORTH 00°21'10" WEST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT, AND BEING A POINT ON THE SOUTH LINE OF LOT 13, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 13, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13 AND BEING THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE SOUTH 00°21'10" EAST (MEASURED) (DEED=SOUTH 00°23'20" EAST) ALONG THE EAST LINE OF SAID TRACT, 159.40 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 1859 AT PAGE 70 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE SOUTH 89°54'30" WEST ALONG THE NORTH LINE OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70, 173.03 FEET (MEASURED) (DEED=172.96 FEET) TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 00°55'07" WEST ALONG THE WEST LINE OF SAID TRACT, 110.24 FEET (MEASURED) (DEED=110.02 FEET) TO THE SOUTHWEST CORNER OF SAID TRACT AND BEING ON THE SOUTH LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE NORTH 89°59'34" WEST (MEASURED) (DEED=SOUTH 89°54'30" WEST) ALONG THE SOUTH LINE OF SAID TRACT, 129.98 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.88 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 18, 2022
SUBJECT: Land Donation Resolution

Type of Item: *Approval*

F. Action Item (ID # 4122)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL ESTATE DONATION CONTRACT WITH LAURENCE SMITH, TRUSTEE OF THE HAROLD AND MILDRED SMITH TRUST REGARDING THE DONATION OF APPROXIMATELY 1.32 ACRES OF LAND BETWEEN S. EDGEVALE DR. AND S. HALSEY AVE. IN THE CITY OF HARRISONVILLE, MISSOURI

Attachments:

Laurence Smith Land Donation Resolution (PDF)

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A REAL ESTATE DONATION CONTRACT WITH LAURENCE SMITH, TRUSTEE OF THE HAROLD AND MILDRED SMITH TRUST REGARDING THE DONATION OF APPROXIMATELY 1.32 ACRES OF LAND BETWEEN S. EDGEVALE DR. AND S. HALSEY AVE. IN THE CITY OF HARRISONVILLE, MISSOURI

WHEREAS, Laurence Smith, Trustee of the Harold and Mildred Smith Trust (collectively, the “Owners”) are the Owners of property between S. Edgevale Dr. and S. Halsey Ave., located in the City of Harrisonville (“City”); and

WHEREAS, the Owner and the City have a desire to have Owner donate approximately 1.32 acres of land to the City.

WHEREAS, the Board of Aldermen have reviewed the real estate donation contract with the Owners and believe it to be in the best interest of the city to approve the contract as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISONVILLE BOARD OF ALDERMEN THAT:

Section 1. The Mayor and City Administrator are hereby authorized and directed to enter into a real estate donation contract on behalf of the Board of Aldermen with Owners regarding the donation of approximately 1.32 acres between S. Edgevale Dr. and S. Halsey Ave. in the City of Harrisonville.

Section 2. That this resolution shall become effective immediately upon its passage and approval.

PASSED AND RESOLVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF HARRISONVILLE THIS 22nd DAY OF FEBRUARY 2022.

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 22nd day of February 2022

Attachment: Laurence Smith Land Donation Resolution (Land Donation Resolution)



STAFF REPORT

TO: Board of Aldermen
FROM: Jamie Martin, Assistant
DATE: February 10, 2022
SUBJECT: Rezoning (Smith)

Type of Item: *Approval*

G. Action Item (ID # 4107)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, APPROVING AN APPLICATION TO REZONE .56 +/- ACRES FROM “A” AGRICULTURE ZONING DISTRICT TO “R-1” SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT WHICH CONSISTS OF .56 +/- ACRES AT N.E. CORNER OF SOUTH EDGEVALE DR. AND OAKWOOD ST., AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

History:

02/17/22 Planning & Zoning Commission

Jim Clarke presented the Staff Report for the Rezoning Application for Laurence Smith. He stated that Mr. Smith was donating land to the city. He wishes to retain a portion and have it rezoned from Agriculture to R-1 Single Family so a single family home can be built on it. The piece Mr. Smith is retaining and rezoning is the north-west corner of the lot at Edgevale and Oakwood. Parks and Recreation Director Grant Purkey has plans to use the donated land on the east side for a trailhead. Mr. Clarke stated that if the rezoning is approved, the lot split and land combination can be handled on a Staff level.

Wilbert Crawford pointed out that on the East side of the property are private drives. He asked how that would affect cars driving and parking at the trailhead. Mr. Clarke said that Mr. Purkey stated he would speak with the school district and was confident would cooperate.

Kevin Wood stated that Oakwood Street runs into the land that the City owns. He assumes that would be used to access the property.

Laurence Smith stated that his original thought was also that Oakwood Street dead-ends into the City property and would be used. He also stated that there is already a sidewalk running west to east to make it accessible as well.

Dorothy Young asked the size of the lot being donated and the size of the lot Mr. Smith wants to retain. Mr. Clarke said 1.77 total acreage and .56 acres is being retained by Mr. Smith.

Wilbert Crawford stated that there is still land to the south to be developed and Halsey Avenue needs to be straightened and he would like to see this handled while all of this is occurring. Mr. Clarke said he would inquire more in to this.

Mayor Bowman thanked Mr. Smith for the land being donated and said park and trail systems will be good for the City.

Chairman Chiodini closed the Public Hearing.

Attachments:

Staff Report - PZ - Rezoning - L. Smith - 2-17-22 (DOC)

Final survey for plat (PDF)

L Smith land donation map (PDF)

Smith donation zoning 185ft adjoining (PDF)

Ordinance Laurence Smith rezone (DOCX)

To: Planning and Zoning Commission

From: Jim Clarke, Director of Community Development
Chris Arthur, Building Official

Date: February 17, 2022

Re: Rezoning of property from Ag to R1;
NE Corner of South Edgevale Dr and Oakwood St
1707 S Edgevale Dr (proposed new address).

GENERAL INFORMATION

Applicant: Laurence Smith

Requested Actions: Rezoning of property from Ag to R1, after donation of portion to the City, to facilitate a conforming lot (zoning designation).

Date of Application: January 10, 2022

PROPOSAL

Smith Trust owns property at the intersection of S Edgevale Dr and Oakwood St. Part of the property will be donated to the City to facilitate a future Parks Dept trailhead and provide better access for City owned property, both currently owned and the donated portion, both of which will be combined into 1 parcel.

At the same time a lot split will be processed to create a parcel being a conforming lot for R1 zoning designation to construct a new S/F home on. Also at the same time the proposed City property (current and donated) will all be combined into 1 parcel.

Please see the attached new survey, property donation / lot split / lot combination map, and adjoining properties/zoning map.

The surrounding properties are zoned R1 to the North, Northeast, Northwest, West, and Southwest. Property to the East is School District (G) property. Property to the South is a combination of City property and Ag property.

Public legal notice, public hearing notice, and property located rezoning notice have been completed.

PREVIOUS ACTIONS

N/A

KEY ISSUES

The property, currently being under an Ag zoning designation, is not conforming regarding lot size for Ag designation (5 or more acres). As such it is a legal non-conforming parcel and could not have a new home built on it without rezoning.

Attachment: Staff Report - PZ - Rezoning - L. Smith - 2-17-22 (Rezoning (Smith))

STAFF COMMENTS AND SUGGESTIONS

Staff has the opinion that both the rezoning on the new parcel and the donation agreement to the City is a very positive and beneficial undertaking.

STAFF RECOMMENDATION

Staff recommends approval for the rezoning of the new parcel, proposed to be addressed as 1707 South Edgevale Dr., from Agricultural Zoning (A) to Residential single family zoning (R1).

ATTACHMENTS

New Survey.

Property donation / lot split / lot combination map.

Adjoining properties/zoning map.

STAFF CONTACT:

Jim Clarke

Chris Arthur

Notes:

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.

BEARINGS SHOWN ARE BASED ON THE PLAT BEARING OF NORTH 00°55'07" EAST ALONG THE EAST LINE OF "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED.

THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN CLASS SURVEY AS DEFINED BY THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

RECORD DEED AND ADJACENT PARCEL DEED INFORMATION WAS NOT PROVIDED BY THE CLIENT, THIS INFORMATION WAS OBTAINED BY THE SURVEYOR FROM THE CASS COUNTY GIS MAP.

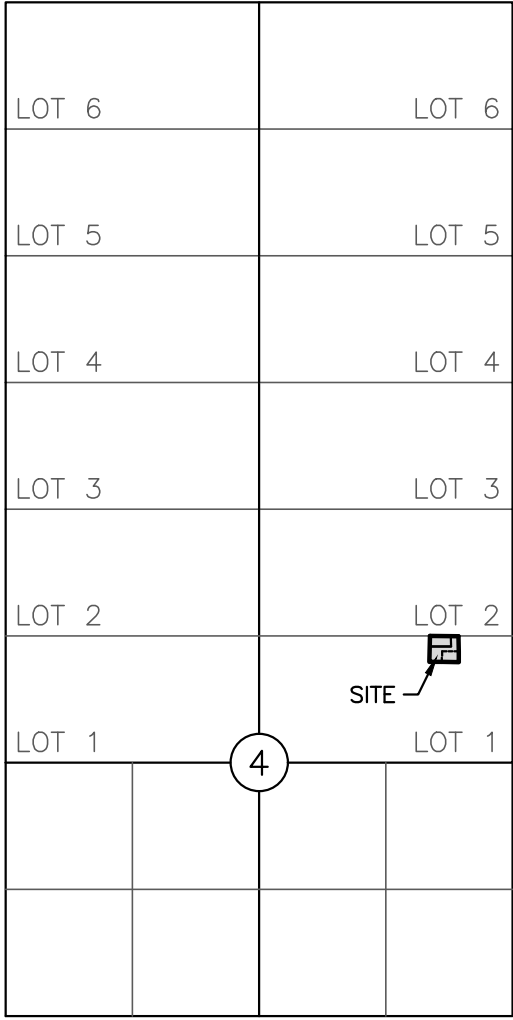
THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC / PRIVATE SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, CONTACT THE APPROPRIATE AGENCIES.

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.

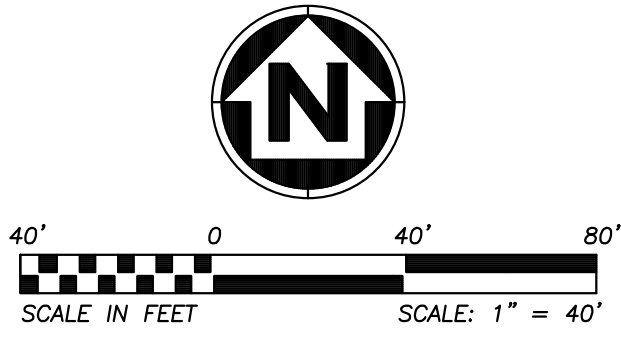
NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO DETERMINE WHETHER JURISDICTIONAL WATERS OF THE UNITED STATES ARE PRESENT ON THIS PROPERTY; WHETHER THIS SOIL IS SUITABLE FOR A SEPTIC SYSTEM; WHETHER THE SOIL IS SUITABLE TO SUPPORT A FOUNDATION OR INFRASTRUCTURE IMPROVEMENTS; WHETHER ANY EXISTING SEWAGE TREATMENT FACILITIES THAT SERVE THIS PROPERTY MEET APPLICABLE HEALTH DEPARTMENT OR MISSOURI DEPARTMENT OF NATURAL RESOURCES REGULATIONS; WHETHER THIS PROPERTY HAS DRIVEWAY ACCESS TO A STATE, COUNTY, OR CITY ROADWAY RIGHT-OF-WAY OR THAT ONE WILL BE GRANTED; THAT ANY EXISTING OR PROPOSED DRIVEWAY OR ROAD ACCESS TO A PUBLIC ROADWAY MEETS SAFETY CRITERIA OF THE STATE, COUNTY, OR CITY; WHETHER UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES OR UTILITIES OR WASTE MATERIALS MAY OR MAY NOT EXIST WHICH MAY AFFECT THIS PROPERTY.

FENCES SHOWN, OR REFERENCED HEREIN, MAY REPRESENT DIVISION LINES BETWEEN ADJOINING LAND OWNERS, AND EITHER ENCROACH UPON THE SUBJECT PREMISES, OR PROVIDE THE SUBJECT PREMISES WITH SURPLUS LAND BECAUSE SAID FENCES MAY NOT BE LOCATED ON THE DEED LINES. THESE FENCES MAY BE SUBJECT TO ADVERSE POSSESSION RIGHTS BY SAID ADJOINERS. NO FENCES SHOULD BE REMOVED OR REPLACED WITHOUT FIRST CONSULTING CHAPTER 272 OF THE MISSOURI REVISED STATUTES, AND FURTHER, LEGAL ADVICE SHOULD BE SOUGHT, WHICH IS BEYOND THE SCOPE OF SERVICES PROVIDED BY THE SURVEYOR.



LOCATION MAP
SECTION 4, TOWNSHIP 44, RANGE 31
CASS COUNTY, MISSOURI
SCALE: 1" = 2000'

Plat of Survey for Lot Split & Lot Combination



Record Descriptions:

BOOK 2677, PAGE 435
PART OF A TRACT OF LAND AS DESCRIBED IN BOOK 438, PAGE 465 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI, BEING PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SAID LOT 1, RUN THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF SAID LOT 1 OF THE NORTHEAST QUARTER, 817.95 FEET TO THE NORTHEAST CORNER OF LOT 25 IN "OAKWOOD" LOT 10 THRU 25, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED, POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED, CONTINUING THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF LOT 1 IN THE NORTHEAST QUARTER OF SAID SECTION 4, 1235.36 FEET; THENCE SOUTH 0°23'20" EAST, 270.00 FEET; THENCE SONTN 89°54'30" WEST, THENCE NORTH 89°49'26" WEST, 36.36 FEET THENCE SOUTH 43°09'60" WEST, 224.56 FEET; THENCE NORTH 0°05'30" WEST 257.69 FEET; THENCE SOUTH 89°54'30" WEST, 417.93 FEET TO THE SOUTHEAST CORNER OF LOT 17 IN SAID "OAKWOOD" LOTS 10 THRU 25, THENCE NORTH 0°05'30" WEST ALONG THE EAST LINE OF SAID "OAKWOOD" LOTS 10 THRU 25, 270.00 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT OAKWOOD LOTS 26 THRU 42, SUBJECT TO EXISTING EASEMENTS OF RECORD.

NOTE:

THE ABOVE RECORD DESCRIPTION HAS SEVERAL SCRIVENER'S ERRORS.

BOOK 1859, PAGE 70 (TRACT 2A)
PART OF A TRACT OF LAND AS DESCRIBED IN BOOK 438, PAGE 465 IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI, BEING PART OF LOT 1 IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF SAID LOT 1, RUN THENCE NORTH 89°54'30" EAST ALONG THE NORTH LINE OF SAID LOT 1 ON THE NORTHEAST QUARTER, 1754.00 FEET; THENCE SOUTH 00°55'07" WEST, 160.02 FEET; THENCE NORTH 89°54'30" EAST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 130.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: CONTINUING THENCE NORTH 89°54'30" EAST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 172.98 FEET; THENCE SOUTH 00°23'20" EAST, 110.00 FEET; THENCE SOUTH 89°54'30" WEST, PARALLEL WITH THE NORTH LINE OF LOT 1 OF THE NORTHEAST QUARTER OF SAID SECTION, 175.48 FEET; THENCE NORTH 00°55'07" EAST, 110.02 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO ANY EXISTING EASEMENTS.

Survey Descriptions:

Tract 1

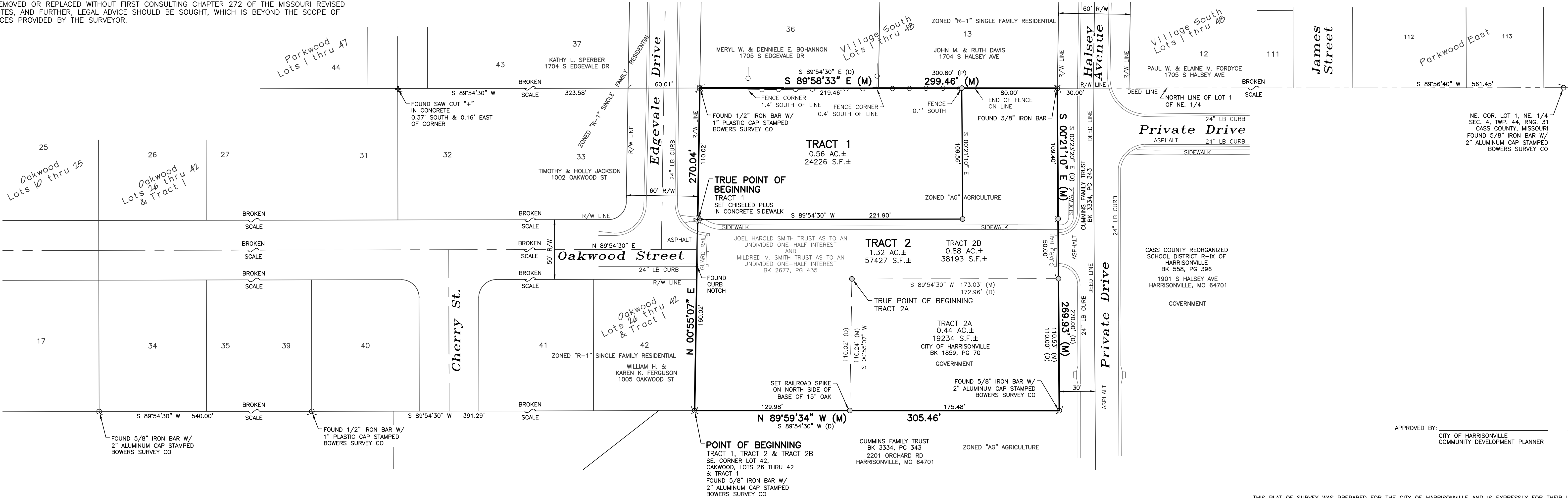
I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 00°55'07" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 110.02 FEET TO THE NORTHEAST CORNER OF SAID "OAKWOOD" SUBDIVISION AND BEING THE SOUTHWEST CORNER OF LOT 36, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 36 AND LOT 13, "VILLAGE SOUTH", 219.46 FEET; THENCE SOUTH 00°21'10" EAST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET; THENCE SOUTH 89°54'30" WEST, 221.90 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.56 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Tract 2

I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 AND IN BOOK 1859 AT PAGE 70 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET; THENCE NORTH 89°54'30" EAST, 221.90 FEET; NORTH 00°21'10" WEST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT, AND BEING A POINT ON THE SOUTH LINE OF LOT 13, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 13, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13 AND BEING THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE SOUTH 00°21'10" EAST (MEASURED) (DEED=SOUTH 00°23'20" EAST) ALONG THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435 AND BEING ALONG THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70, 269.93 FEET (MEASURED) (DEED=270.00 FEET) TO THE SOUTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70; THENCE NORTH 89°59'34" WEST (MEASURED) (DEED=SOUTH 89°54'30" WEST) ALONG THE SOUTH LINE OF SAID TRACT, 305.46 FEET TO THE POINT OF BEGINNING. CONTAINS 1.32 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.



Tract 2B

I, TROY S. BOWERS, BEING DULY LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI AND HAVING PROFESSIONAL LAND SURVEYOR LICENSE NO. 2616, HAVE PREPARED THE WRITTEN DESCRIPTION DESCRIBED HEREIN AS:

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET; THENCE NORTH 89°54'30" EAST, 221.90 FEET; NORTH 00°21'10" WEST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT, AND BEING A POINT ON THE SOUTH LINE OF LOT 13, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 13, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13 AND BEING THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE SOUTH 00°21'10" EAST (MEASURED) (DEED=SOUTH 00°23'20" EAST) ALONG THE EAST LINE OF SAID TRACT, 159.40 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN BOOK 1859 AT PAGE 70 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI; THENCE SOUTH 89°54'30" WEST ALONG THE NORTH LINE OF SAID TRACT DESCRIBED IN BOOK 1859 AT PAGE 70, 173.03 FEET (MEASURED) (DEED=172.96 FEET) TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 00°55'07" WEST ALONG THE WEST LINE OF SAID TRACT, 110.24 FEET (MEASURED) (DEED=110.02 FEET) TO THE SOUTHWEST CORNER OF SAID TRACT AND BEING ON THE SOUTH LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435; THENCE NORTH 89°59'34" WEST (MEASURED) (DEED=SOUTH 89°54'30" WEST) ALONG THE SOUTH LINE OF SAID TRACT, 129.98 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.88 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Reference Surveys

FINAL PLAT OF "VILLAGE SOUTH"
SURVEY BY: AUGUST BOGINA, JR. PLS 261
DATED: JULY 1, 1965
RECORDED: PLAT BOOK 3, PAGE 68
COUNTY: CASS

SURVEY BY: JERRELL T. BOWERS, PLS 1733
DATED: JANUARY 25, 1999
RECORDED: SURVEY BOOK 7, PAGE 134
COUNTY: CASS

FINAL PLAT OF "OAKWOOD", LOTS 26 THRU 42 & TRACT 1
SURVEY BY: JERRELL T. BOWERS, PLS 1733
DATED: JULY 27, 2000
RECORDED: PLAT BOOK 16, PAGE 88
COUNTY: CASS

Legend

- = FOUND MONUMENT AS NOTED
- = SET 1/2" IRON BAR WITH 1" PLASTIC CAP STAMPED BOWERS PLS 2616, UNLESS NOTED OTHERWISE
- = CHAINLINK FENCE LINE
- R/W LINE = RIGHT-OF-WAY LINE
- (D) = DEED BEARING OR DISTANCE
- (P) = PLAT BEARING OR DISTANCE
- (M) = MEASURED BEARING OR DISTANCE
- LB CURB = LAZYBACK CURB

THIS PLAT OF SURVEY WAS PREPARED FOR THE CITY OF HARRISONVILLE AND IS EXPRESSLY FOR THEIR USE AND SAID PLAT OF SURVEY SHALL NOT BE TRANSFERRED TO PARTIES OTHER THAN THOSE HAVING A DIRECT INTEREST IN THE SUBJECT PREMISES AS OF THE DATE OF ISSUANCE OF THIS SURVEY. THE UNDERSIGNED REGISTERED LAND SURVEYOR HEREBY STATES THAT A SURVEY HAS BEEN COMPLETED UNDER HIS DIRECT SUPERVISION OF THE ABOVE DESCRIBED PREMISES AND ALL MEASUREMENTS SHOWN, ANGULAR AND LINEAR, WERE MEASURED ON THE GROUND AND MONUMENTS WERE SET OR FOUND AS SHOWN. THIS PLAT OF SURVEY HAS BEEN PREPARED FROM INFORMATION COMPILED IN THE FIELD AND OFFICE AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE LAND SURVEY PROGRAM. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

THE FIELD WORK WAS COMPLETED ON JANUARY 19, 2022.

FOR: CITY OF HARRISONVILLE 300 E. PEARL STREET, HARRISONVILLE, MO 64701
ORDERED BY: MR. CHRIS ARTHUR, CBO, MCP

Bowers Land Survey Co. LLC
P.O. BOX 541
1000 W. MECHANIC STREET
HARRISONVILLE, MISSOURI 64701
TELEPHONE: 816.225.0160
WEBSITE: BOWERSSURVEY.COM

SITE ADDRESS: EDGEVALE DRIVE, HARRISONVILLE, MO 64701

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
4	44	31	CASS	MISSOURI	1/20/22	21778-22

DRAWING NO.	21778BS.DWG	DRAWN BY:	TSB	CHECKED BY:	TSB
BOWERS LAND SURVEY CO. LLC, LAND SURVEYING, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. LS-2020010824					



TROY S. BOWERS
PROFESSIONAL LAND SURVEYOR
MO LS 2616

Lawrence Smith Land Donation



Attachment: L Smith land donation map (Rezoning (Smith))

185ft Rectangle Around Future 1707 S. Edgevale Parcel



Attachment: Smith donation zoning 185ft adjoining (Rezoning (Smith))



0 25 50 100 150 200 Feet

Council Bill No. 2021-????**Ordinance No. ????**

**AN ORDINANCE OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI,
 APPROVING AN APPLICATION TO REZONE .56 +/- ACRES FROM “A”
 AGRICULTURE ZONING DISTRICT TO “R-1” SINGLE-FAMILY RESIDENTIAL
 ZONING DISTRICT WHICH CONSISTS OF .56 +/- ACRES AT N.E. CORNER OF
 SOUTH EDGEVALE DR. AND OAKWOOD ST., AND ESTABLISHING AN
 EFFECTIVE DATE THEREOF.**

WHEREAS, the City of Harrisonville, Missouri (the "City") has received an application from Laurence Smith Trustee for the J. Harold and Mildred M. Smith Trust, to rezone approximately .56 acres from the “A” Agriculture Zoning District to the “R-1” Single-Family Residential Zoning District: and

WHEREAS, the J. Harold and Mildred M. Smith Trust own approximately 1.77 acres, in the City of Harrisonville, Cass County, Missouri; and

WHEREAS, the J. Harold and Mildred M. Smith Trust intend to perform a Lot Split of the 1.77 acres and retain .56 acres; and

WHEREAS, the J. Harold and Mildred M. Smith Trust further intend to donate the approximate 1.21 acres to the City of Harrisonville.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The application to rezone approximately .56 acres from the “A” Agriculture Zoning District to the “R-1” Single-Family Residential Zoning District, after achieving a Lot Split of the approximate 1.77 acres, in the City of Harrisonville, Cass County, Missouri, is hereby approved based upon the findings in the staff report and meeting minutes of the Planning and Zoning Commission Meeting and Board of Aldermen Meeting at which this application was considered.

Section 2: The rezoning comprises the following real estate in the City of Harrisonville, Cass County, Missouri, described as follows:

Legal Description for .56 Acres

PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 2677 AT PAGE 435 IN THE OFFICE OF THE RECORDER OF DEEDS, CASS COUNTY, MISSOURI, BEING A PART OF LOT 1 OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 44, RANGE 31, HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 42, "OAKWOOD", LOTS 26 THRU 42 & TRACT 1, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; RUN THENCE NORTH 00°55'07" EAST ALONG THE EAST LINE OF SAID LOT 42 AND THE EAST RIGHT-OF-WAY LINE OF EDGEVALE DRIVE, AS NOW LOCATED, 160.02 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 00°55'07" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 110.02 FEET TO THE NORTHEAST CORNER OF SAID "OAKWOOD" SUBDIVISION AND BEING THE SOUTHWEST CORNER OF LOT 36, "VILLAGE SOUTH", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 89°58'33" EAST (MEASURED) (DEED=SOUTH 89°54'30" EAST) ALONG THE SOUTH LINE OF SAID LOT 36 AND LOT 13, "VILLAGE SOUTH", 219.46 FEET; THENCE SOUTH 00°21'10" EAST PARALLEL WITH THE EAST LINE OF SAID TRACT DESCRIBED IN BOOK 2677 AT PAGE 435, 109.56 FEET; THENCE SOUTH 89°54'30" WEST, 221.90 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.56 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHTS-OF-WAY.

Attachment: Ordinance Laurence Smith rezone (Rezoning (Smith))

Section 3. Severability. The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 22ND OF FEBRUARY 2022
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 22ND DAY OF
FEBRUARY 2022 AND PASSED BY THE BOARD OF ALDERMEN THIS 22ND DAY
OF FEBRUARY 2022.

AYES:

NAYS:

AWAY:

ABSENT:

ABSTAIN:

Judy Bowman, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

WITNESS my hand and seal this 22nd day of February 2022

Attachment: Ordinance Laurence Smith rezone (Rezoning (Smith))

Lawrence Smith Land Donation



Attachment: Ordinance Laurence Smith rezone (Rezoning (Smith))



TO: Board of Aldermen
FROM: Daniel Barnett,
DATE: February 18, 2022
SUBJECT: City Administrator's State of the City Address

Type of Item: *Presentation*

H. Discussion Item (ID # 4121)

City Administrator's State of the City Address