

**AN ORDINANCE VACATING ANDERSON STREET IN WAYNESVILLE, MISSOURI;
FIXING AN EFFECTIVE DATE**

WHEREAS, land within the boundaries of the City of Waynesville has heretofore been subdivided as Phillips Addition, per the plat thereof filed in the Recorder's Office of Pulaski County, Missouri; And

WHEREAS, the said plat of Phillips Addition includes a street identified on that plat as Anderson Street, which has been dedicated to the public; And

WHEREAS, the request has been submitted to, and considered by, the Planning and Zoning Commission pursuant to Section 89.380, RSMo; And

WHEREAS, the Planning and Zoning Commission has, by unanimous vote, approved the vacation of the hereinafter described portion of Anderson Street; And

WHEREAS, The City Council hereby declares that the vacation of the hereinafter described portion of Anderson Street is expedient for the best interests of the City and its inhabitants.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESVILLE AS FOLLOWS:

Section 1. that the City Council of the City of Waynesville, Missouri believes it is in the best interest of the City to vacate Anderson Street for the following reasons:

- A. Anderson Street is not now used as a public street and no public funds have been expended thereon;
- B. The owners of the real estate adjacent to the portion of Anderson Street described in this ordinance have requested that the portion be vacated;
- C. It is expedient to vacate the portion of Anderson Street;
- D. No damages will be sustained by the citizens of the City of Waynesville or by the owners of the property as a result of vacation of the portion of Anderson Street.

Section 2. The portion of Anderson Street described as follows, to-wit:

A tract of land being a part of Anderson Street, as shown on the plat of "Phillips Addition", a subdivision of record in Pulaski County, Missouri, said subdivision being apart of the Northwest Quarter of the Northeast Quarter of Section 25, Township 36 N., Range 12 W., Pulaski County, Missouri.

Commencing at an existing iron pin at the Northeast corner of Lot 6, Block One of said "Phillips Addition"; thence along the east line of said Lot 6, S02°38'20"W, 100.00 feet, to an iron pin at the Southeast corner of said Lot 6 and the point of beginning; thence S02°38'20"W, 32.81 feet, to an iron pin at the Northeast corner of Lot 5, Block Two of said subdivision; thence N63°29'16"W, 264.33 feet, to an iron pin on the north line of Lot 2, Block Two of said subdivision and also being on the east line of a tract of land as described in Book 236, at Page 558, Pulaski County Records; thence along the easterly line of last said tract and along the easterly line of a tract of land as described in Book 166, at Page 336, Pulaski county records, N08°50'33"E, 31.49 feet, to an existing iron pin on the south line of Lot 9, Block One of said subdivision; thence S63°29'16"E, 260.61 feet, to the point of beginning. Containing 0.18 acres, more or less.

The above tract is subject to all applicable easements and restrictive covenants of record.

THEREFORE, the portion known at Anderson Street is hereby vacated, and all rights of the public to use thereof is hereby terminated.

Section 2. The City of Waynesville hereby reserves for itself, and does not hereby vacate, an easement for maintenance, repair, removal and relocation of all above ground and below ground utilities located in the portion of Anderson Street described in Section 1 hereof.

Section 3. The ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL ON THIS 19th DAY OF OCTOBER, 2023.



Sean A. Wilson, Mayor

ATTEST:



Michele Brown, City Clerk

