

ORDINANCE NO. 4110

AN ORDINANCE APPROVING THE RE-ZONING OF SMRV ENTERPRISES, LLC, PROPERTY IN CLINTON, MISSOURI FROM R-2 TWO-FAMILY RESIDENTIAL TO C-3 GENERAL COMMERCIAL.

WHEREAS, Cody Strouse, representing SMRV Enterprises LLC, filed an application to rezone property located north of MO Hwy. 7 and west of N. Water Street from R-2 Two-Family Residential to C-3 General Commercial; and

WHEREAS, the Clinton Planning Commission conducted a public hearing on February 6, 2023, in consideration of the application; and

WHEREAS, the Clinton Planning Commission recommended approval of the application by a vote of 6 Yeas, 0 Nays and 3 Absent; and

WHEREAS, the property to be re-zoned is legally described as follows:

Beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34), Township Forty-two (42), Range Twenty-six (26), Henry County, Missouri; thence West along the South line of said Section Thirty-four (34), a distance of Two Hundred Thirty-five (235) feet to an iron bar set; thence North $0^{\circ}14'00''$ West a distance of One Hundred Seventy-three and Two Tenths (173.2) feet to an iron bar set; thence North $89^{\circ}46'00''$ East a distance of Eighty-three (83.00) feet to an iron bar set; thence South $49^{\circ}32'00''$ East a distance of Forty-one and Nine Tenths (41.9) feet to an iron bar set; thence North $89^{\circ}46'00''$ East a distance of One Hundred Twenty and Thirty Hundredths (120.30) feet to an iron bar set on the East line of said quarter quarter section; thence South $00^{\circ}14'00''$ East along said quarter quarter section line a distance of One Hundred Forty-six and Twenty Hundredths (146.20) feet to the point of beginning, in Henry County, Missouri, except that part conveyed to State of Missouri for Highway 7 right-of-way. A tract of land described as beginning at the Southeast corner of the West half (W $\frac{1}{2}$) of the Northeast Quarter of Section Thirty-four (34), Township Forty-two (42), Range Twenty-six (26), thence West Two Hundred Thirty-five (235) feet, thence North Two Hundred Fifty-five (255) feet, thence East Two Hundred Thirty-five (235) feet, thence South Two Hundred Fifty-five (255) feet to the place of beginning all in Henry County, Missouri, EXCEPT Beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34), Township Forty-two (42), Range Twenty-six (26), Henry County, Missouri; thence West along the South line of said Section Thirty-four (34), a distance of Two Hundred Thirty-five (235) feet to an iron bar set; thence North $0^{\circ}14'00''$ West a distance of One Hundred Seventy-three and Two Tenths (173.2) feet to an iron bar set; thence North $89^{\circ}46'00''$ East a distance of Eighty-three (83.00) feet to an iron bar set; thence South $49^{\circ}32'00''$ East a distance of Forty-one and Nine Tenths (41.9) feet to an iron bar set; thence North $89^{\circ}46'00''$ East a distance of One Hundred Twenty and Thirty Hundredths (120.30) feet to an iron bar set on the East line of said quarter quarter section; thence South $00^{\circ}14'00''$ East along said quarter quarter section line a distance of One Hundred Forty-six and Twenty Hundredths (146.20) feet to the point of beginning, in Henry County, Missouri, Part of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34), Township Forty-two (42), Range Twenty--six (26), Henry County, Missouri, described as beginning at a point in the North right-of-way line of Missouri State Highway Number Seven (7), One Hundred One and Four Tenths (101.4) feet left of Centerline Station 27+65 of said Highway Survey Line and said point of beginning being Forty and Zero Tenths (40.0) feet North and Six Hundred Eleven and Sixty-four Hundredths (611.64) feet West of the Southeast Corner of said West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of

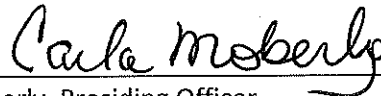
Section Thirty-four (34); run thence West along said North right-of-way line of Highway Number Seven (7) One Hundred Ten and Zero Tenths (110.0) feet; thence North One Hundred Twenty-six and Zero Tenths (126.0) feet; thence East Two Hundred Fifty-five and Zero Tenths (255.0) feet, thence South One Hundred Nineteen and Fifty-one Hundredths (119.51) feet; to the Northerly right-of-way line of Highway Number Seven (7); thence North 79°15' West along said right-of-way line, One Hundred Forty-four and Seventy-three Hundredths (144.73) feet; thence South 4°48' West Thirty-three and Sixty Hundredths (33.60) feet to the point of beginning. Also, a tract of land deeded by the State of Missouri acting by and through the Missouri Highway and Transportation Commission to Zollicker Enterprises, Inc. recorded in Book 605 at Page 2123. EXCEPT that portion deeded to the State of Missouri for highway purposes recorded in Book 606 at Page 872

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF CLINTON, MISSOURI AS FOLLOWS:

1. The property described above is hereby re-zoned from R-2 Two-Family Residential to C-3 General Commercial.
2. This ordinance shall become effective immediately upon its passage and approval as provided by law.

Read the first time this 21st day of February, 2023.

Read a second time and passed this 7th day of March, 2023.




Carla Moberly, Presiding Officer

ATTEST:

6 Ayes - Gene Henry, Roger House, Cameron Jackson, Martha Nichols, Rick Pereles and Becky Raysik

0 Nays

2 Absent - Debbie Smith and Daniel Wilson



Wendee Seaton, City Clerk



Carla Moberly, Mayor

