

AN ORDINANCE VACATING THE END PORTION OF COMMERCE AVENUE WITHIN THE CITY OF CUBA, MISSOURI.

Recitals:

A. That portion of Commerce Avenue at the end of the Commerce Avenue of the City of Cuba, Missouri, is not presently being used as a street and currently only provides access to one property.

B. The Board of Aldermen has determined that the portion of Commerce Avenue described herein is not necessary for any public purpose and should be vacated.

C. The City of Cuba, Missouri, desires to vacate that the portion of Commerce Avenue described herein, reserving unto the City of Cuba, Missouri, and unto its franchise utility companies, perpetual easements under, across and above the vacated portion of said street for the purpose of using, operating, inspecting, repairing, maintaining, replacing, and removing sanitary sewer lines, storm sewer lines, water lines, electrical lines, telephone lines, cable television lines, utility poles, guy wires, and natural gas lines.

Be it ordained by the Board of Aldermen of the City of Cuba, Missouri, as follows:

Section 1: That portion of Commerce Avenue lying west of Albert Street and east of Highway 19 in the Fishwick subdivision of the City of Cuba, Missouri, more fully described as:

1.23 Acre Property Description

All that part of Commerce Avenue, being in part of the NE 1/4 of the SE 1/4 of Section 31, T39N-R4W of the 5th P.M. in the City of Cuba, Crawford County, Missouri more fully described as follows:

BEGINNING at the NE Corner of above said 1/4 1/4 Section; thence along the Section line S 1°11'07" W, a distance of 80.00 feet; thence leaving said Section line N 88°40'01" W, a distance of 653.83 feet; thence N 29°34'30" W, a distance of 90.65 feet to the North line of above said 1/4 1/4 Section; thence with same S 88°50'56" E, a distance of 700.19 feet to the POINT OF BEGINNING; said described tract containing 1.23 acres.

This portion of Commerce Avenue shall be, and hereby is vacated, reserving, however, unto the City of Cuba, Missouri, and unto its franchise utility companies, perpetual easements under, across and above the vacated portion of said street for the purpose of using, operating, inspecting, repairing, maintaining, replacing, and removing sanitary sewer lines, storm sewer lines, water lines, electrical lines, telephone lines, cable television lines, utility poles, guy wires, and natural gas lines.

Section 2: This ordinance shall be in full force and effect as of the date of its passage by the Board of Aldermen of the City of Cuba, Missouri.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, THIS ____ DAY OF _____, 2020.

RAY MORTIMEYER, MAYOR

Attest:

CHRISTINE NASH, CITY CLERK
(City Seal)

Approved this _____ day of _____, 2020.

RAY MORTIMEYER, MAYOR

Attest:

CHRISTINE NASH, CITY CLERK
(City Seal)

Approved as to the form.
WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: _____
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ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading	Vote on Second Reading
Kevin Copling		
Sam Black		
Debbie Martin		
Warren Graddy		
Cody Leathers		
Jeff Bouse		