

COUNTY COMMISSION RECORD, CAMDEN COUNTY, MISSOURI

Tuesday 01/21/2021

The Camden County Commission met with Presiding Commissioner Greg Hasty, District #1 Commissioner James Gohagan, and District #2 Commissioner Don Williams.

Meeting Agenda

Commissioner Williams made a motion to approve today's agenda as posted. Commissioner Gohagan seconded the motion. The motion passed by vote: Commissioner Gohagan (Yes), Commissioner Williams (Yes). Session opened at 10:00 A.M.

Prior Minutes

Commissioner Williams made a motion to table the January 19, 2021 minutes. Commissioner Gohagan seconded the motion. The motion passed by vote: Commissioner Gohagan (Yes), Commissioner Williams (Yes).

New Business

Road Vacations – A road petition that was previously tabled for Sylvan Bay due to more information being needed was brought before the Commission again. Commissioner Gohagan verified that the petition is now complete and made a motion to approve the road vacation for Sylvan Bay. Commissioner Williams seconded the motion. The motion passed by vote: Commissioner Gohagan (Yes), and Commissioner Williams (Yes).

Petition for Vacation of a Street, Easement or Common in Subdivision Outside City Limits

01-04-21-01
TABLED 1/12/21
CA
APPROVED FOR
LEGAL DESK.

STATE OF MISSOURI)
) IN THE COUNTY COMMISSION OF CAMDEN COUNTY,
) ss January Term, 2021
COUNTY OF CAMDEN)

To the Honorable County Commission of Camden County, Missouri:

I/We the undersigned owner(s), state, allege and aver as follows:
That the following described tract or parcel of land, being located outside the city limits of any incorporated town, village or city, and having been subdivided and streets, avenues, roads, alleys, public easements, public square or common, marked on the recorded plat of Sylvan Bay subdivision, said plat for said subdivision being duly recorded at Book 287, Page 243, records of Camden County, Missouri, Recorder's Office.

I/We wish to vacate the ground lying on both sides of or fronting on the street, avenue, road, alley, public easement, public square or common, or part of such street, avenue, road, alley, public easement, public square or common, more accurately described as follows, to-wit:
All in surveying is completing the legal description before Dec. 25, 2020

That I/we own the ground lying on both sides of or fronting said street, avenue, road, alley, public easement, public square or common. And I/we further aver that for public notice of this petition:

That notice of the pendency of said petition was given at least fifteen (15) days prior to the term of the commission at which this petition shall be presented in a public newspaper printed in said county; or

That not less than five (5) original written or printed handbills were by said petitioner(s) duly put up in not less than five (5) of the most public places in said county notice of the pendency of said petition for at least fifteen (15) days prior to the term of this commission at which this petition shall be presented, said locations of postings are more distinctly described as follows:

- 1. Clubhouse
- 2. Trash Enclosures
- 3. Out of State (Vacated area)
- 4. Mailboxes
- 5. Corner of Sylvan Bay Dr & Sylvan Hills Rd.

I/we further aver that such notice distinctly states the nature of the petition, when it was made, and what street, avenue, road, alley, public easement, public square or common, or part of such street, avenue, road, alley, public easement, public square or common, is proposed to be vacated.

I/we further aver that utility providers which provide service in the area of the street, avenue, road, alley, public easement, public square or common, or any part of such street, avenue, road, alley, public easement, public square or common, sought to be vacated have been notified of the petition.

WHEREFORE, said petitioner(s) pray an order for the vacation of said above described portion of said street, avenue, road, alley, public easement, public square or common, and for all proper relief.

Dated at said County, this _____ day of _____, 20____, as witness our respective hands, full names and proper signatures.

James Betta
JAY BETTA

[Signature]
[Signature]

EXTRACTS FROM THE LAWS OF MISSOURI

Section 71.270 RSMo. 2005 Streets, easements and commons in subdivision outside limits—petition—notice. (1) Whenever a tract or parcel of land, being outside the limits of any incorporated town, village or city shall have been subdivided and streets, avenues, roads, alleys, public easements, public square or common marked on the recorded plat of said subdivision, the county commission of the county in which the subdivision is located may vacate the streets, alleys, roads, public easements, public square or common or part of either upon petition of the owner or owners of the ground lying on both sides of or fronting on the street, avenue, road, alley, public easement, public square or common, or part of such street, avenue, road, alley, public easement, public square or common, proposed to be vacated. (2) No such vacation shall be ordered until proof shall be made to the commission of the publication in a newspaper published in the county or of written or printed notices posted in five public places in the county, at least fifteen days prior to the term of the commission at which such petition shall be presented, that application would be made at that term of the commission for the vacation of the street, avenue, road, alley, public easement, public square or common, or part thereof, as described in the petition. Such notice shall state distinctly the nature of the petition, when it is to be made, and what street, avenue, road, alley, public easement, public square or common or part of such street, avenue, road, alley, public easement, public square or common, is proposed to be vacated. Utility providers which provide service in the area of the street, avenue, road, alley, public easement, public square or common, or any part of such street, avenue, road, alley, public easement, public square or common, sought to be vacated shall be notified of the petition by the proponent of the petition. (3) If no person interested in such subdivision shall appear and show cause to the commission why the vacation should not be made, the commission may make the order for the vacation as requested in the petition. (4) In the event that the commission orders the requested vacation, such order shall be filed with the office of the county recorder of deeds.

Other Business & Meetings

A discussion with citizens and other county officials regarding an ordinance reaffirming constitutional rights was held.

Adjourn: With no further official business on the agenda: Commissioner Williams made a motion to adjourn to any unofficial business that may develop during the day. Commissioner Hasty seconded the motion. The motion passed by vote: Commissioner Gohagan (Yes), and Commissioner Williams (Yes). Session closed at 11:05 A.M.

Ordered that the Commission adjourn until Tuesday January 26, 2021.

Greg Hasty, Presiding Commissioner

Lisa Russell

