

BILL NO. 23-010

ORDINANCE NO. 23-010

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF SPARTA, MISSOURI,  
VACATING ROAD, TERRACE COURT, IN THE CITY OF SPARTA, AND THAT SAID ROAD SHALL NO  
LONGER BE A CITY STREET, REVERTING OWNERSHIP OF PROPERTY TO THE OWNERS OF  
PROPERTY ALONG BOTH SIDES OF TERRACE COURT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SPARTA, MISSOURI, AS  
FOLLOWS:**

**WHEREAS**, Terrace Court was previously dedicated to the City of Sparta to become a street within the City; and

**WHEREAS**, the City had previously passed Ordinance 22-09121322 on December 13, 2022 attempting to vacate a portion of Terrace Court, but failed to have the correct legal description of the road to be vacated; and

**WHEREAS**, a proper legal description has been obtained of that part of Terrace Court to be vacated, resulting in this new ordinance vacating said street; and

**WHEREAS**, the City of Sparta, nor any developer or individual, has constructed or made improvements on Terrace Court for vehicular traffic; and

**WHEREAS**, the City of Sparta has determined there is no need to develop Terrace Court for the future development of the City; and

**WHEREAS**, Terrace Court has never been used as a city street or roadway; and

**WHEREAS**, upon its vacation, ownership would then revert to any then existing owners of the property adjacent to said roadway; and

**WHEREAS**, the Board of Aldermen of the City of Sparta are in agreement to vacate said street as allowed by Section 88.673 RSMo.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SPARTA, AS  
FOLLOWS:**

**SECTION 1.** That Terrace Court in the City of Sparta, and more particularly identified on the attached Exhibit "A", shall be vacated and shall no longer be a city street, provided that the City retains the right to maintain, operate, repair, and replace, by itself or by any licensee or a holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains, water mains, or any other public utility, facility or equipment now located in the street or portion thereof vacated by this ordinance, if any exist.

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**SECTION 2.** That pursuant to Section 88.673 RSMo., ownership of that real property shall revert to owners along both sides of Terrace Court.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

APPROVED THIS 24 DAY OF August, 2023.

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Alderman Jim Campbell	<u>✓</u>	_____	_____
Alderman Jarrett Iorg	<u>✓</u>	_____	_____
Alderman Amy Hammons	<u>✓</u>	_____	_____
Alderman Jeb Buschman	<u>✓</u>	_____	_____

PASSED THIS 24 DAY OF August, 2023.

CITY OF SPARTA,

Misty Holt  
Misty Holt, Mayor

[SEAL]

ATTEST:

Beckie Vessar  
Beckie Vessar, City Clerk

**VACATION OF STREET**

WHEREAS, on August 24, 2023, the Board of Aldermen for the City of Sparta, Missouri ("Grantor") passed Ordinance No. 2023-23-010 approving the vacation of said portion of Terrace Court, shown on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Section 88.673 RSMo., the vacated portion of Terrace Court reverts to the owners of the adjacent lots in proportion as it was taken from them; and

WHEREAS, there is one common property owner of record adjacent to both sides of the vacated portion of Terrace Court ("Grantee").

NOW THEREFORE, the undersigned Mayor of the City of Sparta, Missouri does hereby REMISE and RELEASE on behalf of the City any interest that it may have in the proscribed street set forth below in Christian County, Missouri and more particularly described as follows, to wit:

*Exhibit "A", attached hereto and incorporated herein by reference.*

TO HAVE AND TO HOLD the same, with all the appurtenances thereto belonging free, clear and discharged from the encumbrance of said street, fully described in Exhibit "A", which is attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the undersigned has executed this Vacation of Street on this 24th day of August, 2023.

Attest: Beckie Vasser  
Beckie Vasser, City Clerk

CITY OF SPARTA, MISSOURI  
By: Misty Holt  
Misty Holt, Mayor

## EXHIBIT A

A portion of a formerly dedicated road in "Millbrooke Acres, A Subdivision in the City of Sparta, Christian County, Missouri", as filed in Plat Book G at Page 836 in the Christian County Recorder's Office, described as follows: Beginning at the Southwest corner of Lot 2 of said Millbrooke Acres; thence along the West line of said Lot 2 N00°31'07"E 197.97 feet; thence continuing along said West line of Lot 2 N50°42'57"E 315.98 feet to the East line of said Millbrooke Acres; thence along said East line N01°13'44"E 232.97 feet to the North line of said Millbrooke Acres; thence along said North line N88°23'24"W 50.00 feet to the East line of Lot 3 of said Millbrooke Acres; thence along said East line of Lot 3 S01°13'44"W 210.26 feet; thence continuing along said East line of Lot 3 S50°42'57"W 291.48 feet to the Southwest corner of said Lot 3; thence N88°44'13"W 19.11 feet to the East line of Lot 1 of said Millbrooke Acres; thence along said East line of Lot 1 S00°31'07"W 239.41 feet to the Southeast corner of said Lot 1; thence N88°23'39"E 50.03 feet to the point of beginning.