RESOLUTION 2014-4

Agenda Item

TO: Mayor and City Council

FROM: Mark S. Gaugh, City Manager

DATE: January 21, 2014

RE: Resolution for Land Transfer

Issues

The attached Resolution authorizes the transfer of land known as Field #4, which was originally donated to the City by the Veterans, to the School Board. The Veterans, Park Board and School District have come to an agreement where the land will be transferred to the Cameron Schools. The School Board will use part of the land to extend the school structures, naming the addition for the Veterans, along with installing a decorative fence around the Veterans' Memorial. An athletic field, approximately the size of a football field will be maintained by the School Board, and the Parks Board will be allowed use of the field when not in use by a school function. The terms of the agreement are spelled out in the Resolution.

Recommendation

Staff recommends that the Council approve the Resolution as requested by the Veterans, Park Board and Cameron School Board. If approved, staff will prepare the land transfer documents for later approval by Council.

RESOLUTION ~~2013~~ 2014-4

A RESOLUTION FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, REAFFIRMING THE TERMS AND CONDITIONS OF ORDINANCE 4978, MARCH 4, 2003, AND ESTABLISHING TERMS AND CONDITIONS FOR CONSTRUCTION AND DEVELOPMENT OF THE CAMERON VETERANS' MIDDLE SCHOOL ON THE REAL PROPERTY DESCRIBED IN EXHIBIT B ATTACHED HERETO

WHEREAS, Ordinance 4978, March 4, 2003, sets forth the history and the agreements concerning the tract of land described in Exhibit B attached hereto; and

WHEREAS, the City of Cameron, the Cameron American Legion, the Cameron Park Board and the Cameron R-1 School District agree to the terms of this resolution in accordance with said Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AS FOLLOWS:

1. The provisions of Sections 1, 2, and 3 of Ordinance Number 4978 are hereby confirmed, and the property described in Exhibit B shall continue to honor veterans in perpetuity.
2. The said property shall be gifted to the Cameron R-1 School District with the express approval of the Cameron American Legion for definite and certain purposes and with a reversionary clause operating to return the property to the City of Cameron if the following conditions are not met:
   a. The Cameron R-1 School District shall build the Cameron Veterans' Middle School on the property within five (5) years of this date.
   b. The Cameron Veterans' Middle School shall install display cabinets to house veteran memorabilia and educational materials regarding veterans and the military service.
   c. The Cameron R-1 School District shall build and maintain a sidewalk from the Cameron R-1 High School parking lot located east of the property to the Veterans Memorial situated on the southwest corner of the property, and veterans shall enjoy the right to park in the lot.
   d. A multipurpose athletic field of approximate football field size with existing lights shall be constructed and maintained upon the property and the Cameron Park Board shall be allowed to use the field subject to priority use by the Cameron High School Marching Band, and Cameron R-1 athletic teams.
   e. After the Cameron Veterans' Middle School has been constructed, the Cameron R-1 School District will build a decorative fence around the Veterans' Memorial at the request and with the approval of the Cameron American Legion.

f. The site of the Veterans Memorial, as indicated on the attached map as Tract 3, shall remain the property of the City of Cameron, and except for routine maintenance and upkeep shall remain in the same or similar condition unless substantive changes to the property receive the prior consent of the Cameron American Legion. A survey shall designate the metes and bounds description of the Veterans Memorial site, as set forth on the attached map.

3. None of the parties approving this Resolution shall receive compensation for their advice and consent to the actions of the parties, and the City of Cameron and the City Park Board shall not receive compensation for the gift of the property.

4. The Cameron R-1 School shall seek the advice and consent of the parties hereto when improving the property hereafter.

5. The Mayor is hereby authorized to execute a deed of gift of the property with reversionary clause.

6. The Clerk is hereby directed to attest the Mayor's signature.

7. Exhibit A attached hereto is the consent and agreement of all parties to the action, stipulation and conditions set forth above.

Passed and approved this ____ day of _____, ~~2013~~. 2014

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

EXHIBIT A

Consent and Agreement to Resolution ~~2013~~ 2014-4 by the following parties:

CITY OF CAMERON:

_____

_____

_____

_____

_____

CAMERON AMERICAN LEGION:

Joe Tatray Lyndell

Chairman - Bldg & Grds Committee

_____

_____

_____

CAMERON PARK BOARD:

William A Grimes 1/15/14

_____

_____

_____

_____

CAMERON R-1 SCHOOL DISTRICT:

Douglas H Wyckoff 12/10/2013

Carmen Kerr 12/16/2013

Matt Pheem 12-16-13

_____

_____

PROPERTY DESCRIPTION:

TRACT 1 (PARK AVENUE RIGHT-OF-WAY): Commencing at the Northwest Corner of Section 26, Township 57 North, Range 30 West, Cameron, Clinton County, Missouri; thence with the North line of the Northwest Quarter of said section, North 89 degrees 51 minutes 47 seconds East, 157.96 feet to the Point of Beginning; thence continuing North 89 degrees 51 minutes 47 seconds East, 66.29 feet; thence departing from said line 93.35 feet by arc distance along a curve to the Right having a radius of 533.00 feet and a chord bearing and distance of South 09 degrees 53 minutes 30 seconds West, 93.23 feet; thence South 14 degrees 54 minutes 32 seconds West, 634.45 feet; thence 89.57 feet by arc distance along a curve to the Left having a radius of 217.00 feet and a chord bearing and distance of South 03 degrees 05 minutes 06 seconds West, 88.94 feet; thence South 08 degrees 44 minutes 21 seconds East, 82.41 feet; thence 207.18 feet by arc distance along a curve to the Left having a radius of 317.00 feet and chord bearing and distance of South 27 degrees 27 minutes 47 seconds East, 203.52 feet; thence South 46 degrees 11 minutes 14 seconds East, 147.40 feet; thence 263.77 feet by arc distance along a curve to the Left having a radius of 342.00 feet and a chord bearing and distance of South 68 degrees 16 minutes 54 seconds East, 257.28 feet; thence North 89 degrees 37 minutes 27 seconds East, 849.41 feet to the East line of the Northwest Quarter of the Northwest Quarter of said Section 26; thence along said line South 00 degrees 46 minutes 01 seconds East, 66.00 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter, said point also being at the Northeast corner of Crestview Subdivision; thence along Quarter Quarter section line and the North line of Crestview Subdivision, South 89 degrees 37 minutes 27 seconds West, 849.86 feet; thence departing from said line 314.66 feet by arc distance along a curve to the Right having a radius of 408.00 feet and a chord bearing and distance of North 68 degrees 16 minutes 53 seconds West, 306.92 feet; thence North 46 degrees 11 minutes 14 seconds West, 147.40 feet; thence 250.32 feet by arc distance along a curve to the Right having a radius of 383.00 feet and a chord bearing and distance of North 27 degrees 27 minutes 47 seconds West, 245.89 feet; thence North 08 degrees 44 minutes 21 seconds West, 82.41 feet; thence 116.81 feet by arc distance along a curve to the Right having a radius of 283.00 feet and a chord bearing and distance of North 03 degrees 05 minutes 05 seconds East, 115.98 feet; thence North 14 degrees 54 minutes 32 seconds East, 634.45 feet; thence 76.00 feet by arc distance along a curve to the Left having a radius of 467.00 feet and a chord bearing and distance of North 10 degrees 14 minutes 49 seconds East, 75.92 feet to the Point of Beginning.

The above described tract of land contains 3.67 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

TRACT 2: Commencing at the Northwest Corner of Section 26, Township 57 North, Range 30 West, Cameron, Clinton County, Missouri; thence with the West line of said Section 26, South 00 degrees 40 minutes 58 seconds East, 659.68 feet; thence departing from said line North 89 degrees 55 minutes 21 seconds East, 49.07 feet to the Point of Beginning; thence continuing North 89 degrees 55 minutes 21 seconds East, 481.82 feet; thence South 00 degrees 43 minutes 59 seconds East, 593.27 feet; thence South 89 degrees 37 minutes 27 seconds West, 40.00 feet; thence North 00 degrees 43 minutes 59 seconds West, 259.15 feet; thence South 89 degrees 55 minutes 21 seconds West, 406.22 feet; thence 127.91 feet by arc distance along a curve to the

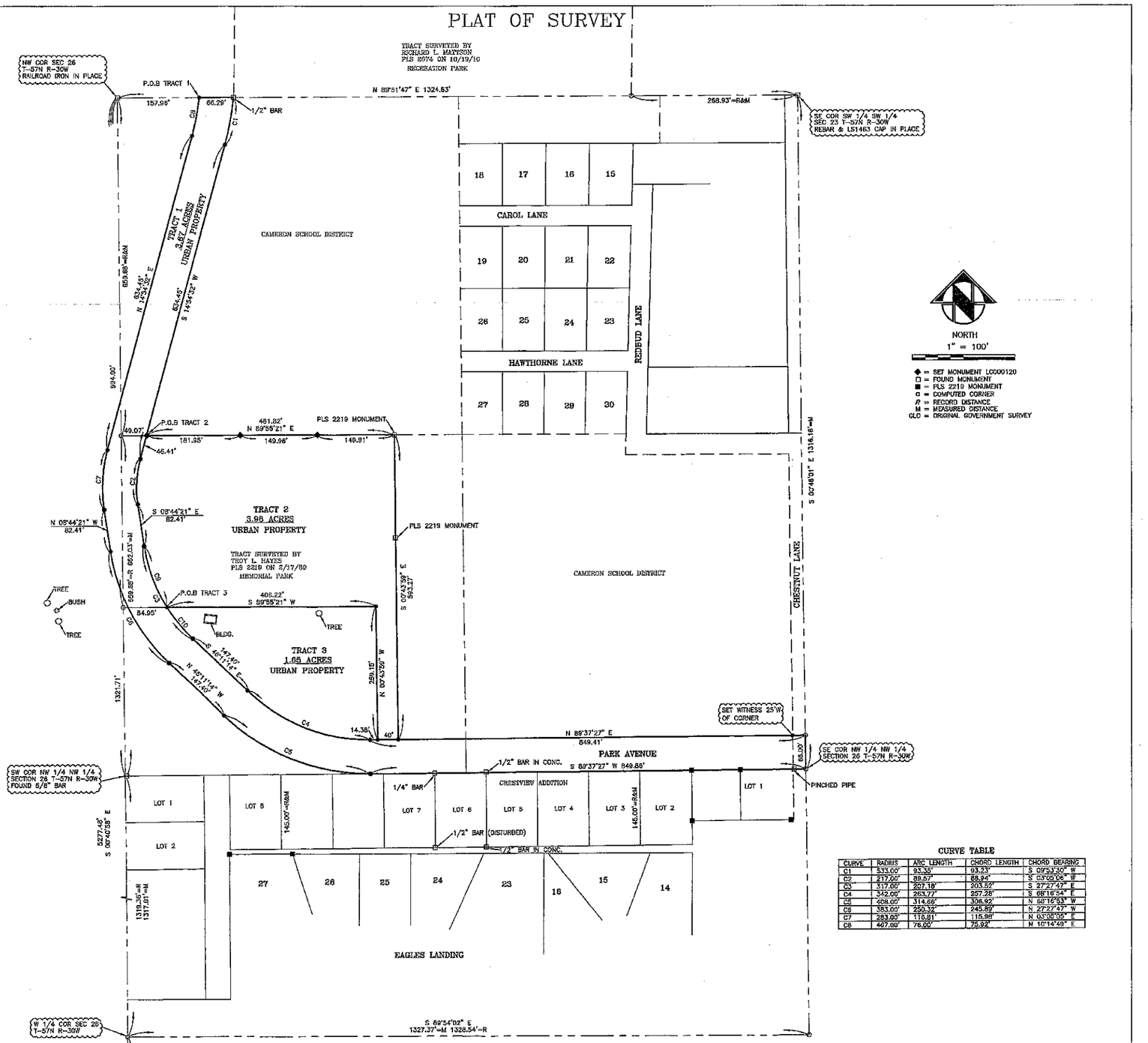
Right having a radius of 317.00 feet and chord bearing and distance of North 20 degrees 17 minutes 58 seconds West, 127.05 feet; thence North 08 degrees 44 minutes 21 seconds West, 82.41 feet; thence 89.57 feet by arc distance along a curve to the Right having a radius of 217.00 feet and chord bearing and distance of North 03 degrees 05 minutes 06 seconds East, 88.94 feet; thence North 14 degrees 54 minutes 32 seconds East, 46.41 feet to the Point of Beginning.

The above described tract of land contains 3.98 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

TRACT 3: Commencing at the Northwest Corner of Section 26, Township 57 North, Range 30 West, Cameron, Clinton County, Missouri; thence with the West line of said Section 26, South 00 degrees 40 minutes 58 seconds East, 994.00 feet; thence departing from said line North 89 degrees 55 minutes 21 seconds East, 84.95 feet to the Point of Beginning; thence continuing North 89 degrees 55 minutes 21 seconds East, 406.22 feet; thence South 00 degrees 43 minutes 59 seconds East, 259.15 feet; thence South 89 degrees 37 minutes 27 seconds West, 14.38 feet; thence 263.77 feet by arc distance along a curve to the Right having a radius of 342.00 feet and chord bearing and distance of North 68 degrees 16 minutes 53 seconds West, 257.28 feet; thence North 46 degrees 11 minutes 14 seconds West, 147.40 feet; thence 79.27 feet by arc distance along a curve to the Right having a radius of 317.00 feet and a chord bearing and distance of North 39 degrees 01 minutes 25 seconds West, 79.07 feet to the Point of Beginning.

The above described tract of land contains 1.65 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

PLAT OF SURVEY



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	533.00'	93.35'	93.23'	S 09°53'30" W
C2	217.00'	89.57'	88.94'	S 03°05'06" W
C3	317.00'	207.19'	203.59'	S 27°27'47" E
C4	342.00'	263.77'	257.28'	S 68°16'54" E
C5	408.00'	314.66'	306.92'	N 68°16'53" W
C6	383.00'	250.32'	245.89'	N 27°27'47" W
C7	283.00'	116.81'	115.98'	N 03°05'05" E
C8	467.00'	76.00'	75.92'	N 10°14'49" E

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SURVEYOR'S NOTES:

1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts that an accurate and current title search may disclose.
2. Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
3. Survey is valid only if print has original seal and signature of surveyor.
4. Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record that would affect this parcel.
5. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
6. The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
7. The West line of Section 26, Township 57 North, Range 30 West, Cameron, Clinton County, Missouri bears South 00 degrees 40 minutes 58 seconds East for this survey.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY that we have performed a survey and prepared the accompanying plat of the premises described hereon which meets or exceeds the current Missouri Minimum Standards for Property Boundary Surveys as jointly adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects and the Missouri Department of Natural Resources, Division of Geological Survey and Resources Assessment and that the results of said survey are represented on this plat to the best of my professional knowledge and belief.

WITNESS hand and seal this Fifteenth (15th) day of January, 2014.

Richard L. Mattson, P.L.S.
Missouri P.L.S. 2574
Clinton County Surveyor

STATE OF MISSOURI
LS-2574
RICHARD LEE MATTSON
1/15/14
REGISTERED LAND SURVEYOR

PREPARED FOR:
CITY OF CAMERON
SECTION 26, T--57N; R--30W
CAMERON, CLINTON COUNTY, MO.

MIDLAND SURVEYING
Midland Surveying, Inc.
Missouri State Certificate of Authority #000120

LAND SURVEYORS - PLANNERS
521 North Market, Maryville, MO 64468
ph. (660) 582-8633 fax (660) 582-7173
4784 Frederick Blvd, St. Joseph, MO 64506
ph. (816) 233-7900 fax (816) 233-4852

FILE:	DATE:	SCALE:	REVISED:	SHEET NO.
CITY-CAMERON	1/15/14	1"=100'		1 OF 1

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