



**CITY OF JACKSON**  
**PLANNING & ZONING COMMISSION MEETING AGENDA**

**Wednesday, September 13, 2023 at 6:00 PM**

**City Hall, 101 Court Street, Jackson, Missouri**

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Bill Fadler  
Tony Koeller  
Michelle Weber  
Tina Weber

**Harry Dryer, Chairman**  
Joe Baker, Alderman Assigned  
Mike Seabaugh, Alderman Assigned  
Larry Miller, Staff Liaison

Angelia Thomas  
Heather Harrison  
Beth Emmendorfer  
Eric Fraley

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of the July 12, 2023 minutes.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

2. Consider a request to approve a minor subdivision plat of Green Meadows Commercial Park No. 5 submitted by Appleton Valley Farm Inc.
3. Consider a request to approve a Land Exchange Certification for transferring .07 Acres from 418 N Missouri Street to 425 N High Street, Submitted by Kevin Lee and Deborah Kay Schearf.
4. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to attached or painted signs
5. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to tow companies.

**CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA**

**ADJOURNMENT**

This agenda was posted at City Hall on September 8, 2023, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, July 12, 2023, 6:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding and Commissioners Heather Harrison, Tina Weber, Bill Fadler, Tony Koeller, Angelia Thomas, and Beth Emmendorfer were present. Commissioners Michelle Weber and Eric Fraley were absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh and Alderman Joe Bob Baker were present. The citizens attending were William Penrod Sr., Al & Lori Blount, Laura Richardson, Bob Kirchherr, and Richard Raymond.

APPROVAL OF MINUTES

Approval of June 14, 2023 )  
regular meeting minutes )

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Bill Fadler, seconded by Commissioner Tony Koeller.

PUBLIC HEARINGS

Consider a request for rezoning the )  
southwest corner of E Main Street and )  
S Shawnee Boulevard )  
(county parcel number )  
15-113-00-16-001.00-0000). Currently )  
known as the Penrod William J Trust )  
from an R-4 General Residential District )  
to a C-2 General Commercial District as )  
submitted by William J. Penrod Trust. )

Chairman Dryer opened the hearing. Mr. Miller read a report detailing the dates of the application and notifications for this request.

Mr. Penrod, from 307 County Road 533 Jackson, MO 63755, came forward and was sworn in. Mr. Penrod explained to the Commission that he wants the property rezoned to C-2 (General Commercial) because he has someone interested in putting a small business inside one of the buildings on E Main Street.

Commissioner Tina Weber asked if he was considering selling the property, and Mr. Penrod said he was in about a year and a half.

Commissioner Tony Koeller asked if he would leave them as residential buildings, allowing the potential buyer to turn them into office spaces. Mr. Penrod said yes, he was going to leave them as residential.

Commissioner Tony Koeller clarified that this request allows the potential buyer to use the property commercially. Mr. Penrod said yes, he has yet to make plans for turning the building into commercial use. He said he wanted to sell it with the option to do so.

Chairman Dryer asked if anyone else wanted to speak in favor of this request. Seeing no one come forward, he asked if anyone was there to speak in opposition to the request.

Mr. Kirchherr from 105 N Donald Street came forward and was sworn in. Mr. Kirchherr had a prepared statement he read in opposition to the request. He said he has lived at his address for 44 years and doesn't want it to be commercial. He said it would lower his property value, create more traffic, and alter the neighborhood's appearance with signage. Mr. Kirchherr said it is his opinion that Mr. Penrod only wants to change the zoning so he can make money. Mr. Kirchherr requested that the rezoning request be denied.

A letter of opposition from Brittany Moore, who lives at 106 N Donald Street, was given to Mr. Miller by Mr. Kirchherr. Mr. Kirchherr said Ms. Moore couldn't be there because she was working. Mr. Miller read the letter to the Commission, stating she opposed the request because it would affect the property value of her property, increase traffic in the area, and alter the neighborhood's appearance with signage. Ms. Moore wrote that the rezoning would only benefit Mr. Penrod and not the other properties in the neighborhood.

Ms. Laura Richardson from 111 N Donald Street came forward and was sworn in. Ms. Richardson said her parents owned the house in the seventies, and she doesn't want the property to be zoned as commercial. She said that once it's zoned commercial, it can become any of the several businesses allowed in a C-2 General Commercial district. She said that would cause more traffic in the area with a high traffic flow. Ms. Richardson said she does oppose the rezoning change.

Seeing no one else wanting to speak in opposition, the Chairman asked the Commission if they had any questions.

The Commission then discussed what could go next to a Residential district and how much worse the traffic would be with a business on the property.

After their discussion, a motion was made by Commissioner Tony Koeller to approve the rezoning of an R-4 (General Residential) into a C-2 (General Commercial) district. Commissioner Heather Harrison seconded it, and it was unanimously denied.

Vote: 0 ayes, 7 nays, 0 abstentions, 2 absent

OLD BUSINESS )

None

NEW BUSINESS

Request the Approval of a Land )  
Exchange Certification for the transfer )  
of .45 Acres from a 6.4 Acre Parcel )  
(Parcel #14-318-00-02-004.01) to )  
798 Hillcrest Drive Submitted by )  
Jackson Ridge Development, LLC. )

Mr. Miller reported that the land exchange is on a section of land with a pond, and the owners of 798 Hillcrest Drive want their property to go to the pond.

Lori Blount, the applicant from 798 Hillcrest Drive, came forward and said there was a large pond on the property, and she wanted to extend their property to the edge of the pond. She said there would be an easement around the pond so Jackson Ridge Development, LLC, could maintain it.

Chairman Dryer asked if there was a motion to approve the land exchange.

Commissioner Beth Emmendorfer made a motion to approve the land exchange. The request was seconded by Tina Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request the approval of a Land )  
Exchange Certification for the transfer )  
of .045 Acres from a .140 Acre Parcel )  
owned by Timothy & Edna Estes to )  
520 Greensferry Rd as submitted by )  
Timothy and Edna Estes. )

Mr. Miller reported that the land exchange is from an empty lot that belongs to 509 Forest Street, owned by Timothy and Edna Estes. The section of land going to 520 Greensferry will be the southern section of the empty lot shown on the plat.

Mr. Richard Raymond from 520 Greensferry Road came forward and said he wanted to buy the tract from Timothy and Edna Estes.

Commissioner Tony Koeller asked if the lot was big enough to build on, and Mr. Miller said it wasn't and reminded the Commission that the lot belongs to 509 Forest Street.

Chairman Dryer asked if there was a motion to approve the land exchange.

Commissioner Tina Weber made a motion to approve the land exchange. Commissioner Tony Koeller seconded the request, and it was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request for a Special Use Permit for )  
1985 E. Jackson Blvd. for an oversized )  
attached sign for the Gospel Life Church. )

Mr. Miller reported that the special use permit is for an attached sign for Gospel Life Church over the 50 sq ft allowance. The sign will be the same size as the Riverside Library next door, which also received a special use permit.

Chairman Dryer asked if the applicant was present, and he wasn't. Chairman Dryer then asked if there was a motion to approve the special use permit.

Commissioner Tina Weber made a motion to approve the special use permit. Commissioner Tony Koeller seconded the request, and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

ADDITIONAL ITEMS

None

Consider a motion to add items )  
to the agenda )

No items were added to the agenda.

Consider a motion to adjourn )

Commissioner Heather Harrison motioned to adjourn, seconded by Commissioner Angelia Thomas, and unanimously approved.

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Handwritten signature of Tony Koeller in black ink.

Attest:

Handwritten signature of Larry Miller in blue ink.

Larry Miller  
Building and Planning Manager

*NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.*

## Staff Report

**ACTION ITEM:** Consider a request to approve a minor subdivision plat of Green Meadows Commercial Park No. 5 submitted by Appleton Valley Farm Inc.

**APPLICANT:** Appleton Valley Farm, Inc.

**APPLICANT STATUS:** Property Owner

**PURPOSE:** To subdivide an existing lot into two (2) lots.

**SIZE:** 2.69 Acres

**PRESENT USES:** A C-2 General Commercial District having a newly constructed commercial building with five units.

**PROPOSED USE:** C-2 General Commercial District

**SURROUNDING LAND USE:** C-2 General Commercial District in all directions

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** All required street frontage and parking currently exist.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57)

**2009 COMPREHENSIVE PLAN:** General Commercial

**FLOODPLAIN INFORMATION:** This property is not located in a floodplain per FEMA panel 29031C0144E DATED 9-29-2011

**PHYSICAL CHARACTERISTICS:** No unusual characteristics were noted.

**COMMENTS:** The subdivision plat has been reviewed for compliance with the Land Subdivision Regulations

**ACTION REQUIRED:** The Commission shall approve or deny this request. The Commission's action serves as a recommendation to the Board of Alderman. A positive recommendation requires a simple majority of the Board of Alderman for approval, and a negative recommendation requires a super-majority (6 votes).



# SUBDIVISION APPLICATION

## City of Jackson, Missouri

**NAME OF SUBDIVISION:** Green Meadows Commercial Park No. 5

**DATE OF APPLICATION:** July 31, 2023

**TYPE OF APPLICATION:**

<input type="checkbox"/>	<b>PRELIMINARY PLAT</b>
<input type="checkbox"/>	<b>FINAL PLAT</b>
<input checked="" type="checkbox"/>	<b>MINOR SUBDIVISION</b>
<input type="checkbox"/>	<b>RESUBDIVISION</b>

**PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Appleton Valley Farm, Inc.

Mailing Address: 2480 E. Main St., Ste. E

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Koehler Engineering and Land Surveying, Inc.

Engineer / Surveyor Contact: Alex Richbourg

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573-335-3026

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Brent Lichtenegger / Aimee Hampton

Mailing Address: 2480 E. Main St., Ste. E

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-450-0089 (Brent); 573-243-8463 (Aimee office)

Email Address (if used): aimee@semolawfirm.com

**CURRENT ZONING:** (circle all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input type="checkbox"/> R-2 (Single-Family Residential)       | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business)              |
| <input type="checkbox"/> R-4 (General Residential)             | <input type="checkbox"/> C-3 (Central Business)              |
| <input type="checkbox"/> MH-1 (Mobile Home Park)               | <input type="checkbox"/> C-4 (Planned Commercial)            |
| <input type="checkbox"/> O-1 (Professional Office)             | <input type="checkbox"/> I-1 (Light Industrial)              |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)    | <input type="checkbox"/> I-2 (Heavy Industrial)              |

I-3 (Planned Industrial Park)

Will a rezoning or a special use permit request be submitted in conjunction with the proposed development? YES  NO

**LEGAL DESCRIPTION OF TRACT:** Submit a copy of the most current deed for the property being divided.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

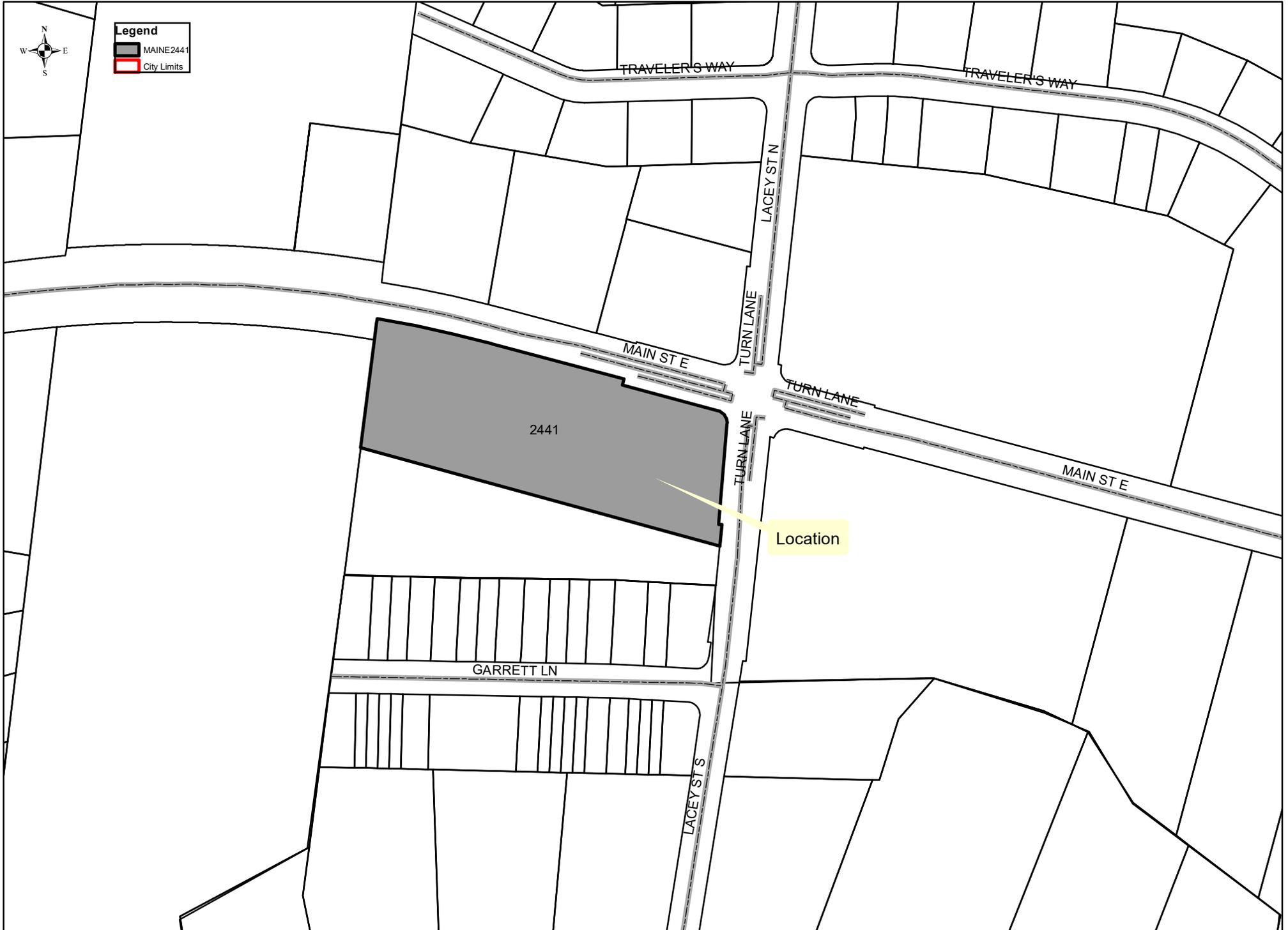
  
\_\_\_\_\_

Please submit the completed application along with the applicable application fee to:

Larry Miller  
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

Ph: 573-243-2300 ext. 2029  
Fax: 573-243-3322  
Email: [lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org)

# 2441 East Main Street Location



**SUBDIVISION DEDICATION**

THE UNDERSIGNED, APPLETON VALLEY FARM INC, OWNER IN FEE OF ALL OF LOT 1 GREEN MEADOW COMMERCIAL PARK NO. 5, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 116,583 SQUARE FEET (2.68 ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 1 OF GREEN MEADOWS COMMERCIAL PARK NO. 5 AS SHOWN IN SAID PLAT BOOK AND PAGE.

HEREBY DIVIDE SAID TRACT INTO LOTS AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED "A MINOR SUBDIVISION OF LOT 1 GREEN MEADOWS COMMERCIAL PARK NO. 5", AND WE DO HEREBY ESTABLISH PERMANENT EASEMENTS AS SHOWN HEREON, AND WE DO HEREBY DEDICATE THE ABOVE SET OUT EASEMENTS TO THE PUBLIC USE FOREVER.

JOHN P. LICHTENEGGER, PRESIDENT

STATE OF MISSOURI )  
 ) SS  
 COUNTY OF CAPE GIRARDEAU )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC FOR SAID STATE AND COUNTY, PERSONALLY APPEARED JOHN P. LICHTENEGGER, PRESIDENT OF APPLETON VALLEY FARMS, A MISSOURI CORPORATION, KNOWN TO ME TO BE THE PERSON DESCRIBED HEREIN, WHO ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS THEIR FREE ACT AND DEED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL IN THE AFORESAID STATE AND COUNTY, THE DATE FIRST ABOVE WRITTEN.

MY TERM EXPIRES \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

I, LIZA WALKER, CITY CLERK OF THE CITY OF JACKSON, MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY OF JACKSON, MISSOURI.

BY ORDINANCE NO. \_\_\_\_\_ PASSED  
 AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

LIZA WALKER, CITY CLERK

JANET SANDERS, PUBLIC WORKS DIRECTOR

HARRY DRYER, PLANNING AND ZONING COMMISSION CHAIRMAN

DWAIN HAHS, MAYOR

STATE OF MISSOURI )  
 ) SS  
 COUNTY OF CAPE GIRARDEAU )

FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF DEEDS OF CAPE GIRARDEAU

COUNTY, MISSOURI, IN DOCUMENT NO. \_\_\_\_\_ AT JACKSON, MISSOURI,

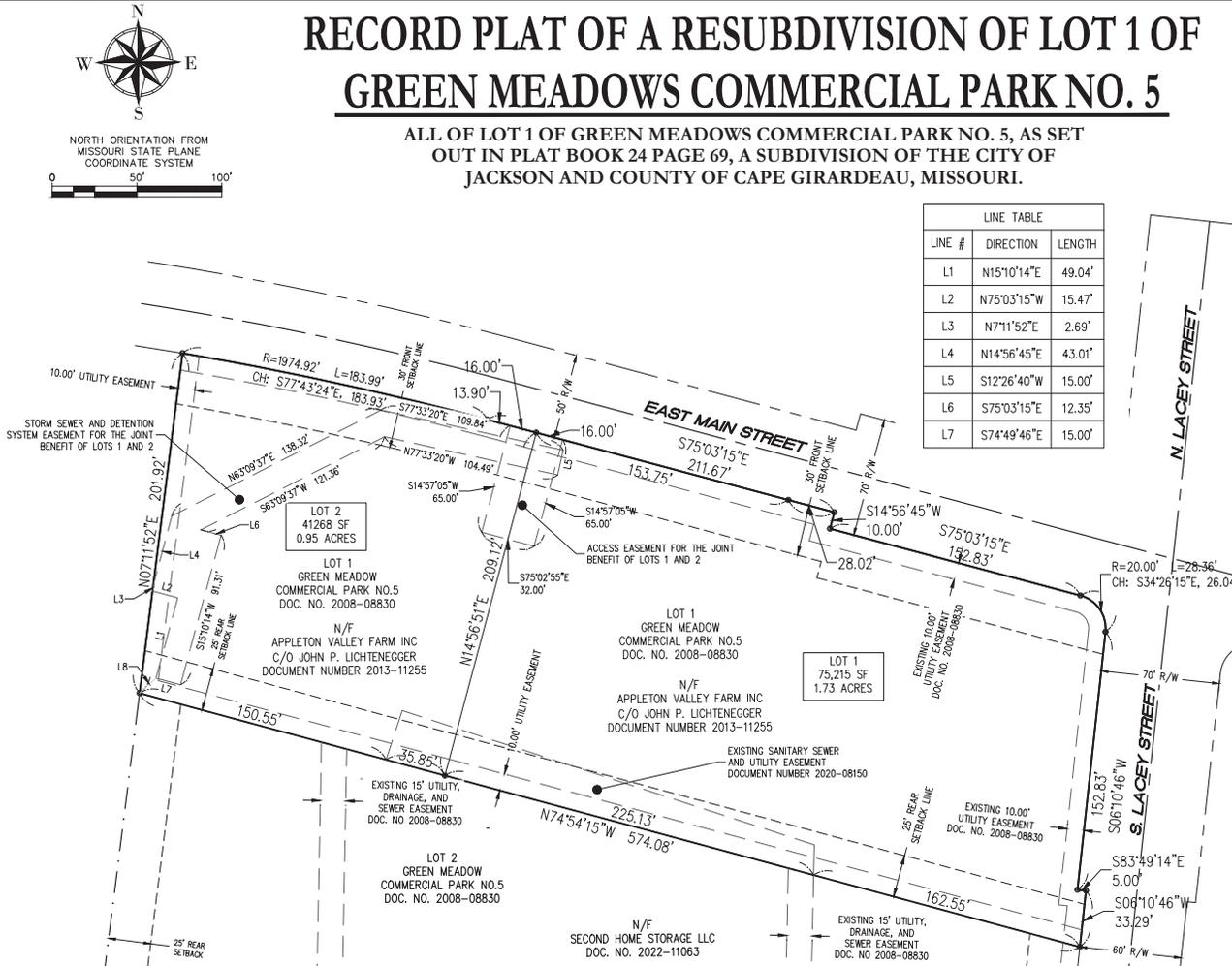
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

ANDREW DAVID BLATTNER  
 RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI

# RECORD PLAT OF A RESUBDIVISION OF LOT 1 OF GREEN MEADOWS COMMERCIAL PARK NO. 5

ALL OF LOT 1 OF GREEN MEADOWS COMMERCIAL PARK NO. 5, AS SET OUT IN PLAT BOOK 24 PAGE 69, A SUBDIVISION OF THE CITY OF JACKSON AND COUNTY OF CAPE GIRARDEAU, MISSOURI.

LINE #	DIRECTION	LENGTH
L1	N15°10'14"E	49.04'
L2	N75°03'15"W	15.47'
L3	N7°11'52"E	2.69'
L4	N14°56'45"E	43.01'
L5	S12°26'40"W	15.00'
L6	S75°03'15"E	12.35'
L7	S74°49'46"E	15.00'



**SUBDIVISION NOTES**

**ZONING**  
 C-2 (GENERAL COMMERCIAL DISTRICT)

**LOT SIZE:**  
 ALL SINGLE-FAMILY, TWO-FAMILY, AND MULTIPLE-FAMILY DWELLINGS SHALL COMPLY WITH THE MINIMUM LOT SIZE AND FRONT LOT LINE WIDTH REQUIREMENTS OF THE R-4 GENERAL RESIDENTIAL DISTRICT. ALL OTHER BUILDINGS SHALL BE ON A LOT HAVING AN AREA OF NOT LESS THAN FIVE THOUSAND (5,000) SQUARE FEET AND A WIDTH AT THE FRONT LOT LINE OF NOT LESS THAN FIFTY (50) FEET.

**PERCENTAGE OF LOT COVERAGE:**  
 ALL RESIDENTIAL BUILDINGS, INCLUDING ACCESSORY BUILDINGS, SHALL NOT COVER MORE THAN FORTY (40) PERCENT OF THE AREA OF THE LOT. THERE ARE NO LOT COVERAGE REQUIREMENTS FOR NONRESIDENTIAL BUILDINGS AND STRUCTURES.

**MAXIMUM HEIGHT:**  
 ALL BUILDINGS: FIFTY (50) FEET AND NOT OVER FIVE (5) STORIES. BUILDINGS EXCEEDING THIS LIMITATION SHALL REQUIRE A SPECIAL USE PERMIT, TOWERS AND STEEPLES OF CHURCHES AND SIMILAR PLACES OF WORSHIP: SEVENTY-FIVE (75) FEET.

**MINIMUM YARD REQUIREMENTS:**  
 FRONT YARD SETBACK: ON EACH LOT UPON WHICH A BUILDING IS CONSTRUCTED THERE SHALL BE A FRONT YARD OF NOT LESS THAN THIRTY (30) FEET.

**SIDE YARD SETBACK:** ON LOTS UPON WHICH A NONRESIDENTIAL BUILDING IS CONSTRUCTED, THERE ARE NO SIDE YARD REQUIREMENTS EXCEPT THAT A SIDE YARD OF EIGHT (8) FEET SHALL BE PROVIDED WHERE SUCH LOT ADJUTS A RESIDENTIAL DISTRICT. ON EACH LOT UPON WHICH A DWELLING IS CONSTRUCTED, THERE SHALL BE A SIDE YARD ON EACH SIDE OF NOT LESS THAN EIGHT (8) FEET. BUILDINGS IN EXCESS OF FORTY-FIVE (45) FEET IN HEIGHT SHALL HAVE THE SIDE YARD SETBACKS INCREASED BY ONE (1) FOOT FOR EVERY ONE (1) FOOT OF HEIGHT THAT THE BUILDING IS INCREASED OVER FORTY-FIVE (45) FEET.

**REAR YARD SETBACK:** EACH LOT UPON WHICH A BUILDING IS CONSTRUCTED SHALL HAVE A REAR YARD OF NOT LESS THAN TWENTY-FIVE (25) FEET.

**AREA AND LOT INFORMATION**  
 TOTAL SUBDIVISION AREA: 116,583 SQ. FT. (2.68 ACRES)  
 TOTAL NUMBER OF LOTS: 2  
 SMALLEST LOT SIZE: 41,373 SQ. FT. (0.95 ACRES)  
 LARGEST LOT SIZE: 75,215 SQ. FT. (1.73 ACRES)

**DEVELOPERS OF SUBDIVISION AND PLAT PREPARED FOR:**  
 JOHN LICHTENEGGER  
 2480 E MAIN STREET STE E  
 JACKSON, MO 63755

**RECORD OWNERS**  
 APPLETON VALLEY FARM INC  
 DOCUMENT #2013-11255

**PLAT PREPARED BY AND ENGINEERING AND LAND SURVEYING SERVICES PROVIDED BY:**  
 KOEHLER ENGINEERING AND LAND SURVEYING, INC.  
 194 COKER LANE, CAPE GIRARDEAU, MO 63701  
 (573) 335-3026

**FLOODPLAIN NOTE**  
 NO PORTION OF THE PROPERTY FALLS WITHIN THE 1 PERCENT ANNUAL CHANCE SPECIAL FLOOD HAZARD AREAS, AS INDICATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 29031C0144E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

**LOT MONUMENT NOTE**  
 ALL LOT CORNERS SET WITH 1/2" RODS UNLESS OTHERWISE DENOTED.

**LEGEND**

- = SET IRON PIN
- = FOUND IRON PIN
- = RIGHT OF WAY LINE
- = LOT LINE
- = SUBDIVISION BOUNDARY
- = BUILDING SETBACK
- = EASEMENT LINE
- = CENTERLINE
- = ADJACENT PROPERTY LINE
- = SURVEY LINE

**KOEHLER**  
 Professional Engineers & Land Surveyors

194 Coker Lane  
 Cape Girardeau, Missouri 63701  
 Ph: (573) 335 - 3026 Fax: (573) 335 - 3049

DRAWN BY:	REV/DATE	DESCRIPTION	INITIALS
ALEX RICHBURG			
CHECKED BY:			
TRAVIS STEFFENS			
SURVEY DATE:			
DRAWING DATE:	JULY 2023		
DRAWING NO:	39073		

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARD FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JUNE 30, 2017.

001157

GENERAL WARRANTY DEED

THIS INDENTURE, Made on the 25<sup>th</sup> day of January, A.D. One Thousand Nine Hundred and Ninety-Four, by and between CHARLOTTE C. McCRATE and MICHAEL G. McCRATE, Trustees of "THE CHARLOTTE C. McCRATE REVOCABLE LIVING TRUST AGREEMENT DATED NOVEMBER 22, 1991," pursuant to powers granted them in "Memorandum of Trust" dated November 22, 1991, and recorded in Book 654 at page 627, of the County of Cape Girardeau, in the State of Missouri, Party of the First Part, and APPLETON VALLEY FARM, INC., a Missouri corporation, of the County of Cape Girardeau, in the State of Missouri, Party of the Second Part: (mailing address of said first named grantee is P.O. Box 350 Jackson, Mo 63755).

WITNESSETH, That the said parties of the First Part, in consideration of Ten Dollars and Other Good and Valuable Consideration to them paid by the said party of the Second Part, the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain and Sell, Convey and Confirm, unto the said party of the Second Part, its successors and assigns, the following described Lots, Tract or Parcels of Land, lying, being and situate in the County of Cape Girardeau and State of Missouri, to wit:

All of that part of United States Private Survey No. 797, and that part of United States Private Survey No. 324, and that part of United States Private Survey No. 2262, and that part of Fractional Sections 5 and 8, all in Township 31 North, Range 13 East of the Fifth Principal Meridian, in the County of Cape Girardeau, State of Missouri, described as follows:

Commence at a stone marking the Northwest corner of said United States Private Survey No. 324, said corner being also on an original corner to said United States Private Survey No. 2262, and said stone falling in an existing old North-South fenceline; thence North 8° 00' 00" East, 347.82 feet, to a point in Ridge Road, from which a set 1/2-inch diameter iron rod with a plastic cap stamped LS 1627 bears South 8° West, 25.00 feet; thence with said Road, South 72° 00' 00" East, 266.89 feet; thence North 70° 57' 52" East, 109.14 feet; thence leaving said Ridge Road, South 12° 53' 34" West, passing a 1/2-inch diameter rod on line at 25 feet, and a stone at 89.10 feet, 352.37 feet, to a set 1/2-inch diameter iron rod at an existing fence corner, on the North line of said United States Private Survey No. 324; thence with the North line of said Survey, South 82° 00' 00" East, 810.57 feet, to a wooden fence corner set in concrete; thence South 7° 27' 39" West, 615.07 feet, to a 1-inch iron pipe on the Northwest corner of a 38.65 acre tract originally conveyed to Alexander Smith in deed book 20, at page 464; thence South 8° 04' 06" West, 1186.49 feet, to a set 1/2-inch diameter iron rod with plastic cap marked LS 1627, in the existing Oak Hill gravel road; thence with said road the following, a 1/2-inch diameter iron rod with plastic cap marked LS 1627 set at each bend; South 11° 57' 06" West, 286.01 feet; thence South 20° 09' 06" West, 73.54 feet; thence South 35° 10' 06" West, 195.86 feet; thence South 41° 24' 06" West, 271.60 feet; thence South 18° 34' 06" West, 190.14 feet; thence leaving said Oak

- 2 -

Hill Road, North 73° 15' 13" West, 644.08 feet, to a found 1/2-inch diameter iron rod; thence South 9° 53' 47" West, 323.09 feet, to a found 1/2-inch diameter iron rod on the North line of Bainbridge Road; thence with said North line, North 78° 03' 24" West, 50.03 feet; thence leaving the North line of said road, North 9° 53' 47" East, 327.31 feet to a found 1/2-inch diameter iron rod; thence North 73° 15' 13" West, 244.99 feet, to a found 1/2-inch diameter iron rod; thence South 10° 23' 47" West, 217.80 feet, to a found 5/8-inch diameter iron rod; thence North 87° 06' 13" West, 316.80 feet, to a found 1/2-inch diameter iron rod; thence South 09° 53' 47" West, 283.56 feet, to a found 1/2-inch diameter iron rod on the North line of Bainbridge Road, from which the Southeast corner of said United States Private Survey No. 797 bears South 9° 53' 47" West, 483.78 feet; thence North 62° 14' 01" West, 157.06 feet, to a found 1/2-inch diameter iron rod at the Eastern most corner of a tract described in Book 458, page 737; thence with the North line of said tract, being also the center of the old Bainbridge Road roadbed, North 40° 34' 22" West, 280.64 feet, to a set 1/2-inch diameter iron rod on the East line of Faddler Kenner Subdivision, said subdivision being recorded in Plat Book 15 at page 31; thence with the perimeter of said subdivision, and 1/2-inch diameter rods being found at all corners thereof, except as noted, as follows: thence North 14° 40' 38" East, 58.50 feet; thence North 48° 43' 00" West, 287.96 feet; thence North 36° 25' 42" West, 127.68 feet; thence North 55° 25' 49" West, 77.39 feet; thence North 70° 53' 15" West, 179.91 feet; thence South 43° 29' 08" West, 83.42 feet; thence South 21° 51' 32" West, 101.20 feet; thence South 19° 14' 27" West, 146.00 feet, to a set 1/2-inch diameter iron rod with plastic cap stamped LS 1627; thence South 27° 52' 03" West, 140.26 feet, to the intersection of the West line of said Faddler Kenner Subdivision with the North line of Bainbridge Road, said North line established as being 60 feet offset from the South line for said road established by Oak Forest Subdivision; thence along the North line of said Road, along the arc of a non-tangent curve, being concave to the South, having a radius of 522.89 feet, an included angle of 16° 07' 09", a distance of 147.11 feet, to the point of tangency of said curve (the chord across said arc bears North 85° 17' 22" West, 146.62 feet); thence South 86° 39' 03" West, 181.86 feet, to the point of curvature of a curve to the right, said curve having a radius of 310.34 feet; thence along the arc of said curve a distance of 83.50 feet, to the point of tangency to said curve; thence North 77° 56' 02" West, 50.09 feet, to the point of curvature of a curve to the left, said curve having a radius of 415.90 feet; thence along the arc of said curve a distance of 300.44 feet, to the point of tangency to said curve; thence South 60° 40' 34" West, 7.03 feet to the intersection of the East line of a tract conveyed to Kieth E. Haynes and Bernice B. Haynes, in deed book 207, page 15, with the North line of said Bainbridge Road, said point being marked by a set 1/2-inch diameter iron rod with a plastic cap stamped LS 1627; thence with the East line of said Haynes tract, North 08° 28' 00" West, 139.25 feet, to a bend in said East line, marked by a set 1/2-inch diameter iron rod with a plastic cap stamped LS 1627; thence North 9° 09' 38" East, 1571.22 feet, to a 12-inch Elm tree (dead), an existing fence corner at the Northeast corner of said Haynes Tract, and being on the South line of the former Forest Lacy tract; thence South 55° 14' 26" East, 318.14 feet, to a set 1/2-inch diameter iron rod with plastic cap stamped LS 1627; thence South 89° 39' 40" East,

- 3 -

583.44 feet, to a set 1/2-inch diameter iron rod stamped LS 1627; thence North 9° 25' 20" East, 755.70 feet, to a set 1/2-inch diameter iron rod with plastic cap stamped LS 1627; thence South 81° 49' 40" East, 1372.14 feet, to a set 1/2-inch diameter iron rod with plastic cap, at an existing fence corner, marking the West line of said United States Private Survey No. 324; thence with the West line of said Survey, North 8° 10' 20" East, 702.90 feet, to the place of beginning and containing 167.845 acres, more or less, subject to existing public use in that part within Ridge Road, Oak Hill Road and Bainbridge Road, and being further subject to any and all easements in existence of record or otherwise.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the Second Part, and unto its successors and assigns, FOREVER, the said Parties of the First Part hereby covenanting that they are lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any encumbrance done or suffered by them or those under whom they claim; and that they will WARRANT AND DEFEND the title to the said premises unto the said party of the Second Part, and unto its successors and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the First Part have hereunto set their hands the day and year first above written.

THE CHARLOTTE C. MCCRATE REVOCABLE  
LIVING TRUST AGREEMENT DATED  
NOVEMBER 22, 1991

By Charlotte C. McCrate  
Charlotte C. McCrate, Trustee

By Michael G. McCrate  
Michael G. McCrate, Trustee

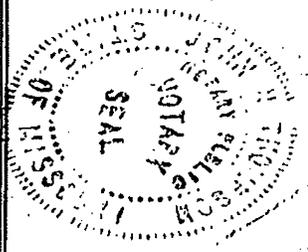
STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) SS.

On this 25<sup>th</sup> day of January, 1994, before me personally appeared Charlotte C. McCrate and Michael G. McCrate, as Trustees of THE CHARLOTTE C. MCCRATE REVOCABLE LIVING TRUST AGREEMENT DATED NOVEMBER 22, 1991, to me known, who being by me first duly sworn, acknowledged said instrument to be their free act and deed in their capacity as Trustees of The Charlotte C. McCrate Revocable Living Trust Agreement under the powers granted them as trustees in Memorandum of Trust of the Charlotte C. McCrate Revocable Living Trust Agreement, dated November 22, 1991, and recorded on in Book 654 at page 627 of the land records of Cape Girardeau County, Missouri, and acknowledged to me that they executed the same for the purpose therein stated. And the said Charlotte C. McCrate and Michael G. McCrate further declared that they executed said instrument in their capacity as Trustees of the Charlotte C. McCrate Revocable Living Trust Agreement, pursuant to their powers granted in said Trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state above mentioned on the day and year first above written.

*John A. Thompson*

Notary Public  
County of Cape Girardeau  
State of Missouri  
My term expires: March 3, 1996



**Filed for Record**  
155  
JAN 26 1994  
Janet Robert, Recorder  
Cape Girardeau County  
Jackson, Mo.

\$ 14.00  
400 pd.

CBJ

STATE OF MISSOURI }  
County of Cape Girardeau, } SS

I hereby certify that this instrument was FILED FOR RECORD at the date and time shown hereon and is recorded in Book... 674 ... Page... 810 ...

JANET ROBERT  
Recorder of Deeds

By: *Vickie Kuehling* Deputy

## **Staff Report**

**ACTION ITEM:** Consider a request to approve a Land Exchange Certification for transferring .07 Acres from 418 N Missouri Street to 425 N High Street, Submitted by Kevin Lee and Deborah Kay Schearf.

**APPLICANT:** Kevin Lee and Deborah Kay Schearf

**APPLICANT STATUS:** Receiving Property Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .07 Acre

**PRESENT USES:** Residential

**PROPOSED USE:** Residential

**ZONING:** R-2 Single Family

**SURROUNDING LAND USE:** North - R-2 Single Family, East – R-4 General Residential, South – R-4 General Residential, West – R-2 Single Family

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** All required street frontage and parking exist.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57)

**2009 COMPREHENSIVE PLAN:** Single-Family Residential

**FLOODPLAIN INFORMATION:** Not in a Flood Plain 29030143E Dated 9-11-2009.

**PHYSICAL CHARACTERISTICS:** Square Lot

**COMMENTS:** Both lots back up to each other. The square footage of 418 N Missouri will be 8015 when the land exchange is finalized. The minimum residential lot size in an R-2 District is 8,000 square feet.

**ACTION REQUIRED:** The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Alderman requires no action.

# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 8/14/23

ADDRESS OF GRANTING PROPERTY: 418 N. Missouri St., Jackson, Mo 63755

ADDRESS OF RECEIVING PROPERTY: 425 N. High, Jackson, Mo 63755

**GRANTING PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Bill & Shelley Zellmer

Mailing Address: 2024 Watson Dr.

City, State ZIP: Jackson, mo 63755

**RECEIVING PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Kevin + Debbie Schearf

Mailing Address: 425 N. High

City, State ZIP: Jackson, mo. 63755

**ENGINEER / SURVEYING COMPANY:** Strickland Engineering

Engineer / Surveyor Contact: Rodney Ames

Mailing Address: 113 W. Main St., Suite 1

City, State ZIP: Jackson, mo 63755

Contact's Phone: 573-243-4080

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Kevin Schearf

Mailing Address: 425 N. High

City, State ZIP: Jackson, mo 63755

Contact's Phone: 573-579-0794

Contact's Email Address (if used): Schearf24@gmail.com

**APPLICATION FOR (check one):**

- <sup>KPS</sup> Division of land into no more than four lots, all of which are 3 acres or greater in size
- Division of land for cemetery usage
- Lot line adjustment between adjoining lots
- Transfer to adjoining property to improve ingress or egress
- Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

**REASON FOR REQUEST** (use additional pages if needed):

Dividing a single lot

**CURRENT ZONING:** (circle all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)            | <input type="checkbox"/> C-1 (Local Commercial)        |
| <input checked="" type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial)      |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential)      | <input type="checkbox"/> C-3 (Central Business)        |
| <input type="checkbox"/> R-4 (General Residential)                  | <input type="checkbox"/> C-3 (Central Business)        |
| <input type="checkbox"/> MH-1 (Mobile Home Park)                    | <input type="checkbox"/> C-4 (Planned Commercial)      |
| <input type="checkbox"/> O-1 (Professional Office)                  | <input type="checkbox"/> I-1 (Light Industrial)        |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)         | <input type="checkbox"/> I-2 (Heavy Industrial)        |
|   | <input type="checkbox"/> I-3 (Planned Industrial Park) |

**LEGAL DESCRIPTION OF TRACT:** Submit a copy of the most current deed for the property being divided.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. (Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)

The image shows two handwritten signatures in black ink. The signature on the left is stylized and appears to be 'AS'. The signature on the right is more legible and appears to be 'Nick Coffey'.

Please submit the completed application along with the applicable application fee to:

Building & Planning Manager  
 City of Jackson  
 101 Court Street  
 Jackson, MO 63755  
 Ph: 573-243-2300 ext. 29  
 Fax: 573-243-3322  
 Email: [imiller@jacksonmo.org](mailto:imiller@jacksonmo.org)

# 425 N High/ 418 N Missouri Land Exchange

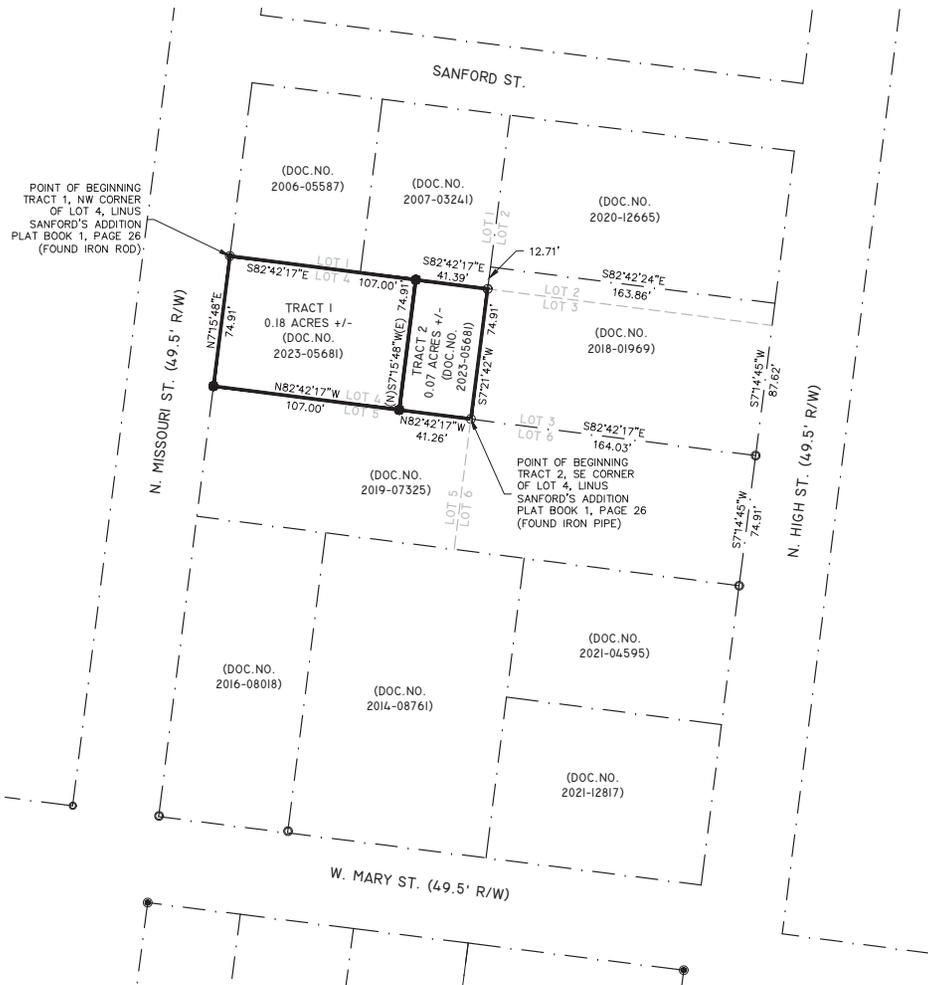


# LAND EXCHANGE PLAT FOR KEVIN SCHEARF

Lot 4 of Linus Sanford's Addition to the City of Jackson,  
Cape Girardeau County, Missouri.



NORTH BASIS  
MISSOURI STATE PLANE  
COORDINATE SYSTEM 1983  
EAST ZONE  
MODOT VRS NAD83(2011)



POINT OF BEGINNING  
TRACT 1, NW CORNER  
OF LOT 4, LINUS  
SANFORD'S ADDITION  
PLAT BOOK 1, PAGE 26  
(FOUND IRON ROD)

POINT OF BEGINNING  
TRACT 2, SE CORNER  
OF LOT 4, LINUS  
SANFORD'S ADDITION  
PLAT BOOK 1, PAGE 26  
(FOUND IRON PIPE)

### REFERENCES

1. DOCUMENT NO. 2023-05681 (SUBJECT)
2. DOCUMENT NO. 2018-01969
3. DOCUMENT NO. 2020-12665
4. DOCUMENT NO. 2007-03241
5. DOCUMENT NO. 2006-05587
6. DOCUMENT NO. 2019-07325
7. DOCUMENT NO. 2016-08018
8. DOCUMENT NO. 2014-08761
9. DOCUMENT NO. 2021-04595
10. DOCUMENT NO. 2021-12817
11. LINUS SANFORD'S ADDITION TO THE CITY OF JACKSON, PLAT BOOK 1, PAGE 26
12. PREVIOUS SURVEYS FOR CITY OF JACKSON WATERLINE IMPROVEMENT PROJECTS AND HIGHWAY "61" BOUNDARY SURVEY

ACCURACY STANDARD: TYPE URBAN

### LEGEND

1. ● 1/2" IRON ROD (SET)
2. ● 5/8" IRON ROD W/ALUM CAP (SET)
3. ● IRON ROD W/CAP (FOUND)
4. ● IRON ROD (FOUND)
5. ○ IRON PIPE
6. □ STONE
7. ◇ COTTON PICKER SPINDLE
8. ⊕ CHISELED CROSS
9. ⊕ AXLE
10. ⊕ ALUMINUM MONUMENT
11. △ RIGHT-OF-WAY MARKER
12. (M) MEASURED
13. (R) RECORDED

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 1, 2022. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 22ND DAY OF AUGUST 2023.

RODNEY W. AMOS MO-PLS 2007000072  
113 WEST MAIN STREET  
JACKSON, MISSOURI 63755

### TRACT 1 - DESCRIPTION (REMAINING PORTION OF DOCUMENT NO. 2023-05281)

THAT PART OF LOT 4 OF LINUS SANFORD'S ADDITION AS RECORDED IN PLAT BOOK 1 AT PAGE 26 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 82°42'17" EAST ALONG THE NORTH LINE OF SAID LOT 4, 107.00 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 07°15'48" WEST 74.91 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 82°42'17" WEST ALONG SAID SOUTH LINE, 107.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 07°15'48" EAST ALONG THE WEST LINE OF SAID LOT 4, ALSO BEING THE EAST RIGHT OF WAY LINE OF NORTH MISSOURI STREET, 74.91 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.18 ACRES, (8015 SQ. FT.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

### TRACT 2 - DESCRIPTION (FROM ZELLMER TO SCHEARF ATTACHING TO DOCUMENT NO. 2018-18969, LOT 3 LINUS SANFORD'S ADDITION)

THAT PART OF LOT 4 OF LINUS SANFORD'S ADDITION AS RECORDED IN PLAT BOOK 1 AT PAGE 26 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 82°42'17" WEST ALONG THE SOUTH LINE OF SAID LOT 4, 41.26 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 07°15'48" EAST 74.91 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4; THENCE SOUTH 82°42'17" EAST ALONG SAID NORTH LINE, 41.39 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 07°21'42" WEST ALONG THE EAST LINE OF SAID LOT 4, 74.91 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.07 ACRES, (3,095 SQ. FT.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

THIS SURVEY CREATES NEW PARCELS FROM A TRACT DESCRIBED IN DOCUMENT NO. 2023-05681 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 AND DULY

RECORDED IN DOCUMENT NUMBER \_\_\_\_\_

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI



**STRICKLAND  
ENGINEERING**

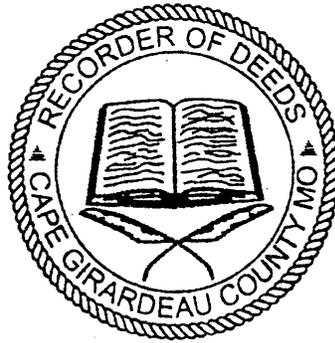
113 WEST MAIN STREET  
JACKSON, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

**LAND EXCHANGE PLAT FOR  
KEVIN SCHEARF  
475 HIGH ST./418 N. MISSOURI  
JACKSON, MO**

SCALE	1"=50'
DATE	08-22-2023
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	23-013

eRecorded  
DOCUMENT #  
2023-05681



ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
07/14/2023 02:33:17 PM  
REC FEE: 27.00  
PAGES: 2

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## WARRANTY DEED

This Warranty Deed made and entered into this 14 day of July, 2023, by and between **Roger D. Williams and Stephanie D. Williams, husband and wife**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTORS**, and **Bill Zellmer and Shelley Zellmer, husband and wife**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEES**. The mailing address of the Grantees is:

757 N. West Lane, Jackson, MO 63755

**WITNESSETH:** The Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantors, the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantees the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

Lot Four (4) of Linus Sanford's Addition in the City of Jackson, County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 1 at Page 26, in the land records of Cape Girardeau County, Missouri.

**TO HAVE AND TO HOLD** the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantees and unto their heirs and assigns FOREVER, the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by them or those under whom they claimed title; and that they will warrant and defend the title to said premises unto the said Grantees, and unto their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands the day and year first above written.

**GRANTORS:**

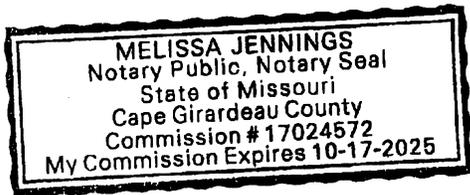
  
\_\_\_\_\_  
Roger D. Williams  
  
\_\_\_\_\_  
Stephanie D. Williams

STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF CAPE GIRARDEAU )

On this 14 day of July, 2023, before me personally appeared **Roger D. Williams and Stephanie D. Williams, husband and wife**, to me known to be the persons described in and who executed the within Warranty Deed, and acknowledged to me that they executed the same as their free act and deed and for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

  
\_\_\_\_\_  
Notary Public  
My commission expires:

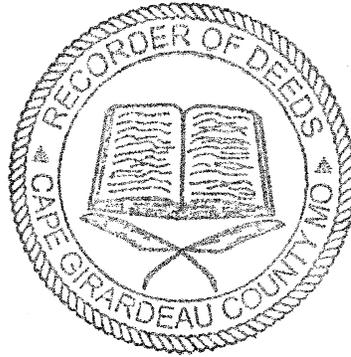




8 2 0 1 4 4 8  
Tx:4112900

DOCUMENT #  
2018-01969

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
RECORDED ON  
03/06/2018 9:10:51 AM  
REC FEE: 27.00  
PAGES: 2



**Beneficiary Deed**

THIS BENEFICIARY DEED, made this 19 day of February, 2018, wherein the grantor, Kevin Lee Schearf and Deborah Kay Schearf, married as tenants by the entirety

of Cape Girardeau County, in the state of Missouri, without consideration, does by these presents grant, assign, convey, and confirm, unto the grantee beneficiary named as follows:

Vera Lafern Judd-50% of profits of the home

Betty Jane Ulrich-50% of profits of the home

If Vera is deceased and Betty is still living, Vera's 50% will go to Michele Renee Housman, Deborah's sister.

If Betty is deceased and Vera is still living, Vera will receive 100%.

If both Vera and Betty are deceased, 100% will go to Michele Housman.

The following described real estate situated in Cape Girardeau County, Missouri, to wit:

Lot 3 of Linus Sanford Addition as shown in Plat Book 1 P. 26. Also, a strip of land 12.71 feet wide off the south side of Lot 2 of Linus Sanford Addition & a strip of ground 13.68 feet wide off the west end of said Lot 3 to be used for an alley & a strip of ground 13.68 feet wide off the west side of Lot 2 of said Addition dedicated for the use of an alley. But now vacated by ordinance 3493, Feb. 20, 1996.

Property address: 425 N. High, Jackson, Mo. 63755

Parcel ID:

TO HAVE AND TO HOLD the same, together with all rights and appurtenances, belonging unto the said grantee, and the grantee's heirs and assigns, forever, excepting, however, general or special real estate taxes, easements, record restrictions, reservations, notes secured by deed of trust or mortgage, and all other taxes, liens, and encumbrances to which the real estate is subject at the death of the grantor.

THIS BENEFICIARY DEED is executed pursuant to Section 461.025 of the Nonprobate Transfers Law of Missouri, Section 461.003 et seq., Revised Statutes of Missouri. **It is not effective to convey title to the above described real estate until the grantor's death or the death of the last to die of two or more grantors.** This deed is subject to revocation and change in the manner provided by law.

This beneficiary deed REVOKES all prior beneficiary deeds concerning the above-described real estate. A grantee beneficiary may disclaim all or any part of this conveyance in the time and manner provided by law by filing a deed of disclaimer with the recorder of deeds in the city or county wherein the real estate is situated.

IN WITNESS WHEREOF, the grantor executes this beneficiary deed on the day and year first above written.

Deborah Kay Schearf  
Signature  
Deborah Kay Schearf  
Print name  
grantor  
Capacity

K Self  
Signature  
Kevin Schearf  
Print name  
grantor  
Capacity

STATE OF MISSOURI)  
COUNTY OF Cape Girardeau )SS:

On this 5 day of March, 2018, before me personally appeared Deborah Kay Schearf & Kevin Schearf, known to me to be the person described in and who executed the foregoing beneficiary deed as grantor, and acknowledged to me that execution of the same as a free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, the day and year first above written.



BOBBIE JO CATHCART  
My Commission Expires  
September 26, 2021  
Cape Girardeau County  
Commission #13774241

Bobbie Jo Cathcart  
Notary Public  
Bobbie J. Cathcart  
Print name  
9/26/2021  
My commission expires on

Instrument prepared by:

After recording, please return to:

## Staff Report

**ACTION ITEM:** Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to attached or painted signs.

**APPLICANT:** City of Jackson

**APPLICANT STATUS:** Municipal Governing Authority

**PURPOSE:** This text amendment will do away with the special use permit for attached or painted signs over fifty (50) square feet and develop a standard comparable to other cities.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

**COMMENTS:** Currently, the City Code Sec. 65-21. - Sign uses and regulations (2) state that an attached or painted sign containing not more than fifty (50) square feet in sign face area shall be permitted on any building or structure in any office, commercial, or industrial district. An attached sign shall not project more than twelve (12) inches from the building if mounted parallel to the wall, or four (4) feet, if mounted perpendicular to the wall, and shall not project above the principal roof of a building, except that a sign may be attached flat against or painted on a parapet wall extending not more than three (3) feet above such roof line. Attached signs in excess of these requirements shall require a special use permit.

Changing this ordinance will make Jackson a more business-friendly community by not requiring business and property owners to undergo the often time-consuming process of obtaining a special use permit for these signs.

**ACTION REQUIRED:** The Commission and City Staff will need to compare ordinances from other cities and develop an ordinance that simplifies the process without compromising aesthetics or safety. Once an ordinance is created, a public hearing is optional at the P&Z level but required for the Board of Alderman.

## Staff Report

**ACTION ITEM:** Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to tow companies.

**APPLICANT:** City of Jackson

**APPLICANT STATUS:** Municipal Governing Authority

**PURPOSE:** This text amendment will define a tow company and establish what zoning districts they can be allowed in.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65)

**COMMENTS:** This amendment will do away with the need to classify tow companies under the following similar or generic categories:

- Residential Districts, Mobile Home District, and Professional Office Districts provide no categories under which a tow company can be classified.
- C-1 Local Commercial District: Any other type of business, institutional, governmental, professional, or medical use, retail store, or service use not specifically permitted herein when authorized by the board of aldermen after receipt of review and recommendations from the planning and zoning commission, and only when such use is consistent with the intent and purpose of the C-1 Local commercial district regulations.
- C-2 General Commercial District: Any other type of business, institutional, governmental, professional, or medical use, retail store, or service use not specifically permitted herein, when authorized by the board of aldermen after receipt of review and recommendations from the planning and zoning commission, and only when such use is consistent with the intent and purpose of the C-2 General commercial district regulations.
- C-3 Central Business District: Any other retail or service use of similar character which is not specifically permitted herein, with a special use permit only and only when such use is consistent with the intent and purpose of the C-3 Central business district regulations. (When located at least 50' from a residential district and separated by a privacy fence.)
- C-4 Planned Commercial District: All planned commercial developments in this district require a special use permit. (This district is solely for “modern retail shopping facilities of integrated design in appropriate locations to serve residential neighborhoods). There is currently no property zoned C-4.
- I-1 Light Industrial District: Any other light industrial use of a similar character which is not specifically permitted herein, with a special use permit only, and only when such use is consistent with the intent and purpose of the I-1 Light Industrial District. (When located at least 50' from a residential district and separated by a privacy fence.)
- I-2 Heavy Industrial District: Motor vehicle wrecking, salvage, storage, and sale, with a special use permit only.

- I-3 Planned Industrial District: Allows all uses in all other commercial and industrial districts, except residential uses, with the same conditions stipulated in each district.

**ACTION REQUIRED:** The Commission and City Staff will need to compare ordinances from other cities and develop an ordinance defining a tow company and establishing what zoning districts they will be allowed. Once an ordinance is created, a public hearing is optional at the P&Z level but required for the Board of Alderman.