



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

**Wednesday, February 07, 2024 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 January 10, 2024 minutes.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

2. Consider a request to approve a Land Exchange Certification for transferring 1 Acre from Lot 2 to Lot 1 of the Shriners Subdivision, as submitted by MidAmerica Hotels Corporation and BKR Commercial, LLC.
3. Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.
4. Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Reality Missouri, LLC.

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

**ADJOURNMENT**

This agenda was posted at City Hall on February 2, 2024, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, JANUARY 10, 2024, 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 Tony Koeller, Eric Fraley, Angelia Thomas, Heather Harrison, Michelle Weber, Tina Weber, and Beth Emmendorfer were present. Commissioner Bill Fadler was 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 Chris Koehler, Steven L. Stroder, and Wyatt D. Stroder.

APPROVAL OF MINUTES

Approval of December 13, 2023 )  
regular meeting minutes )

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

PUBLIC HEARINGS

None )

OLD BUSINESS

None )

NEW BUSINESS

Consider a request to approve the final plat )  
of Stroder's Industrial Park Subdivision )  
submitted by )  
Trussworks Reality Missouri, LLC. )

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained where the property is located and how the portion of the tract inside the city limits will become part of Stroder's Industrial Park Subdivision, which is outside the city limits. He told the Commission that the applicant asks for four variances from the subdivision requirements under Chapter 57 of the City of Jackson Code of Ordinances. Mr. Miller read each variance request to the Commission.

Chairman Harry Dryer asked if the applicant or a representative of the applicant was present.

Chris Koehler from Koehler Engineering came forward and said he had prepared the plat and the variances for Mr. Steven L. Stroder, who is also present. With it being partially in the city and the rest out of the city, this is a little more difficult situation. Mr. Stroder wants to make the lots available on the market quickly. Mr. Koehler said even if they sold something next week with closing times to set up, the plat would be finished going through the process, and sewers would at least be under construction. Mr. Koehler explained to the Commission that the only reason to get the plat quickly and the requested variances is the timing.

Commissioner Eric Fraley asked if the plan is to annex the whole subdivision into the City. Mr. Koehler said Mr. Stroder is planning on annexing into the city.

Commissioner Tina Weber asked if they had started any part of the infrastructure yet, and Mr. Koehler responded that they had not. He said they do have the design for the sewer underway.

Commissioner Tony Koeller asked the Commission and Mr. Miller if a variance has ever been granted for a preliminary plat in the past. Mr. Miller said since he has been the Building and Planning Manager, there hasn't been one given, but he could speak on behalf of the prior Building and Planning Managers.

Chairman Harry Dryer asked Alderman Mike Seabaugh and Alderman Joe Bob Baker if they could remember whether a variance for turning in a preliminary plat while serving as Aldermen had been granted. Both responded they couldn't recall when that happened.

Commissioner Tony Koeller asked if Mr. Stroder has applied for annexation, and Mr. Koehler said it will be filed in the next week or so.

Commissioner Tina Weber asked if any lots had been sold or spoken for, and Mr. Steven L. Stroder, the owner of the lots from 2155 Greensferry, came forward and said no. He said they want to start marketing them as soon as possible and to be able to place a picture of the plat on the property for sale. He stated he wants to get things started since there is a 60 to 90-day process for annexation.

Commissioner Tony Koeller asked why he can't go ahead and market it. Mr. Stroder said he could. Then Commissioner Tony Koeller said if the Commission does this, they are setting a precedent for other contractors wanting to develop.

Mr. Chris Koehler said there are unique circumstances since some of the lots are primarily in the county and slightly in the city. He stated they could record three lots in the county and one in the city, but this was the better way.

Mr. Steven L. Stroder asked the Commission if it causes a problem to do it this way, and Commissioner Tony Koeller said it doesn't generate a problem in this case for you. However, if a developer came in with a survey and asked to approve it with the variances, we would have a hard time denying it because of the precedent set by approving this subdivision.

Mr. Steven L. Stroder said he didn't think it would cause a problem because the city property is such a small amount of this subdivision.

Commissioner Tina Weber asked if a rezoning would need to be applied for with this property, and Mr. Chris Koehler said it would be done in conjunction with the annexation process.

Commissioner Heather Harrison asked what would happen if this plat was approved, and then it was decided not to be annexed inside the city. Mr. Steven L. Stroder asked Mr. Chris Koehler if they had committed to annexation, and he said a verbal commitment had been made, but there was no application or agreement in place.

Commissioner Tony Koeller asked if the commission could approve the plat pending an annexation agreement. Mr. Larry Miller said they could.

Chairman Harry Dryer asked Mr. Chris Koehler when the 30 days start in reference to number two of the variance letter that explains plans to be submitted for the sewer construction to serve all lots. Mr. Chris Koehler said it started on the 3<sup>rd</sup> of January.

Chairman Harry Dryer asked why there was an urgency in getting the plat approved with all the variances. Mr. Chris Koehler said his client wants to be able to provide a plat for people who are interested in buying to show them there are four lots for Stroder's Industrial Park.

Mr. Chris Koehler told the commission they are in contact with MODOT on the entrances for these lots. He said he wasn't sure if MODOT would allow an entrance for each lot or if there would only be two entrances.

Commissioner Tony Koehler asked if the 10-foot easement Mr. Steven L. Stroder requested would later be added to the annexation. Mr. Chris Koehler said all the utilities are in the front, so there shouldn't be any reason for an easement in the rear of the lots.

Seeing no further questions or comments, Chairman Harry Dryer entertained a motion.

Commissioner Tony Koeller motioned to approve the subdivision plat and variances contingent on the annexation agreement in place. The request was seconded by Commissioner Tina Weber and was unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

#### ADDITIONAL ITEMS

None )

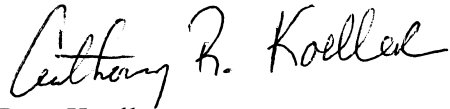
#### ADJOURNMENT

Consider a motion to adjourn )

Commissioner Heather Harrison motioned to adjourn, seconded by Commissioner Michelle Weber, and unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Respectfully submitted,



Tony Koeller  
Planning and Zoning Commission Secretary

Attest:



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 Land Exchange Certification for transferring 1 Acre from Lot 2 to Lot 1 of the Shriners Subdivision, as submitted by MidAmerica Hotels Corporation and BKR Commercial, LLC.

**APPLICANT:** MidAmerica Hotels Corporation and BKR Commercial, LLC.

**APPLICANT STATUS:** Receiving Property Owner and Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** 1 Acre

**PRESENT USES:** Shriner's Hall is currently on the property.

**PROPOSED USE:** Unknown

**ZONING:** C-2 General Commercial District

**SURROUNDING LAND USE:** North, South, and West – C-2 General Commercial District, East- Outside the City Limits

**HISTORY:** The Shriner's Hall currently sits on Lot 1. Lot 2 is empty.

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

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

**COMPREHENSIVE PLAN:** Reginal Center

**MAJOR STREET PLAN:** This does not interfere with the major street plan.

**FLOODPLAIN INFORMATION:** Not in a Flood Plain per FEMA panel 29030251E dated 9-29-2011.

**PHYSICAL CHARACTERISTICS:** N/A

**COMMENTS:** MidAmerican Hotels Corporation owns lot two and wants to transfer one acre to lot one, which BKR Commercial, LLC owns.

**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: January 10, 2024

ADDRESS OF GRANTING PROPERTY: 2495 E. Old Cape Road

ADDRESS OF RECEIVING PROPERTY: 5701 E. Old Cape Road

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

Property Owner Name(s): MidAmerica Hotels Corporation

Mailing Address: 4072 State Hwy K

City, State ZIP: Cape Girardeau, MO 63701

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

Property Owner Name(s): BKR Commercial LLC

Mailing Address: 1330 N Kingshighway St

City, State ZIP: Cape Girardeau, MO 63701

**ENGINEER / SURVEYING COMPANY:** Koehler Engineering and Land Surveying

Engineer / Surveyor Contact: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

Contact's Email Address (if used): ckoehler@koehlerengineering.com

**APPLICATION FOR (check one):**

- 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):**

Requiring property from adjoining lot

**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 checked="" 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.

*To Be supplied by Koehler Engineering.*

**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.)

*Gene Gury - (Genet of Midamerica) Hotels Corp.*  
*8VP*

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: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)

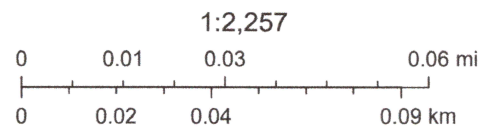
*William King*



# City of Jackson



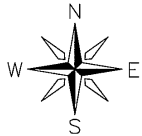
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City of Jackson, Missouri Dept. of Conservation, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

# RECORD PLAT OF SHRINERS SUBDIVISION

A RESUBDIVISION OF LOT 1 OF KLAUS PARK SUBDIVISION, PLAT BOOK 19 PAGE 20,  
ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST  
OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



NORTH ORIENTATION FROM  
MISSOURI STATE PLANE COORDINATE SYSTEM  
(KLAUS PARK SUBDIVISION - PLAT BOOK 19 PAGE 20)

### LEGEND

- = FOUND 1/2" IRON ROD
- △ = FOUND RW MARKER
- = SET 1/2" IRON ROD
- ⊙ = SET 3/8" ROD w/ ALUMINUM CAP
- = SUBDIVISION BOUNDARY LINE
- - - = ADJOINING PROPERTY LINE
- = CENTERLINE
- - - = RIGHT OF WAY LINE
- - - = EASEMENT LINES
- - - = BUILDING SETBACKS

### SUBDIVISION DEDICATION

THE UNDERSIGNED MIDAMERICA HOTELS CORPORATION OWNER IN FEE OF ALL OF LOT 1 OF KLAUS PARK SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN PLAT BOOK 19 AT PAGE 20, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID KLAUS PARK SUBDIVISION, THENCE WITH THE NORTH LINE OF SAID SUBDIVISION, NORTH 87°59'16" EAST, 91.72 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF INTERSTATE 55, THENCE CONTINUING WITH THE NORTH LINE OF SAID SUBDIVISION AND WITH SAID WEST RIGHT OF WAY LINE, NORTH 87°24'49" EAST, 28.25 FEET, TO INTERSTATE STATION 1034+93, AT A POINT 220 FEET RIGHT OF CENTERLINE, ALSO BEING THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE CONTINUING WITH SAID WEST RIGHT OF WAY LINE AND WITH THE EAST LINE OF SAID SUBDIVISION, SOUTH 21°17'52" EAST, PARALLEL WITH THE CENTERLINE OF SAID INTERSTATE 55, 526.46 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 294.62 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 229.37 FEET, THENCE SOUTH 24°52'35" WEST, 32.50 FEET, TO THE SOUTHEAST CORNER OF LOT 1 OF SAID KLAUS PARK SUBDIVISION, THENCE LEAVING SAID WEST RIGHT OF WAY LINE AND WITH THE SOUTH LINE OF SAID SUBDIVISION, SOUTH 89°09'14" WEST, 277.50 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, THENCE WITH THE WEST LINE OF SAID SUBDIVISION AND SECTION, NORTH 0°00'00" WEST, 742.43 FEET, TO THE POINT OF BEGINNING AND CONTAINING 4.16 ACRES, MORE OR LESS, AND HEREBY DECLARE THAT WE HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AS SHOWN AND DESIGNATED HEREON, AND WE HAVE NAMED SAID SUBDIVISION "SHRINERS SUBDIVISION", 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. THE SUBDIVISION SHALL BE SUBJECT TO COVENANTS AND RESTRICTIONS AS SET OUT IN A SEPARATE INSTRUMENT ON FILE IN THE LAND RECORDS OF SAID COUNTY IN DOCUMENT NO. N/A

### FLOODPLAIN NOTE

NO PORTION OF THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C025E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

**TOTAL AREA:**  
4.16 ACRES

*Daniel M. Drury*  
Daniel M. Drury  
President of MidAmerica Hotels Corporation

STATE OF MISSOURI }  
COUNTY OF CAPE GIRARDEAU } SS

On this 15<sup>th</sup> day of November, 2016, before me, a Notary Public for said County and State, appeared Daniel M. Drury, President of MidAmerica Hotels Corporation, to me known to be the person described herein, and who executed the foregoing instrument as his free act and deed of said Corporation.

IN WITNESS WHEREOF, I hereunto set my hand and affix my official seal  
this 15<sup>th</sup> day of November, A.D., 2016.

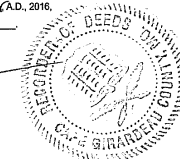
My commission expires June 9, 2020

*Melanie R. Cantrell*  
Melanie R. Cantrell  
Notary Public

MELANIE R. CANTRELL  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cape Girardeau County  
My Commission Expires: June 09, 2020  
Commission Number: 12373011

Filed for record this 16<sup>th</sup> day of November, A.D., 2016,  
In Document Number 2016-120104

*Andrew David Blattner*  
Andrew David Blattner, Recorder of Deeds  
Cape Girardeau County, Missouri



I, Mary Lowry, City Clerk of the City of Jackson, Missouri, hereby certify that this plat was approved by the City of Jackson, Missouri,

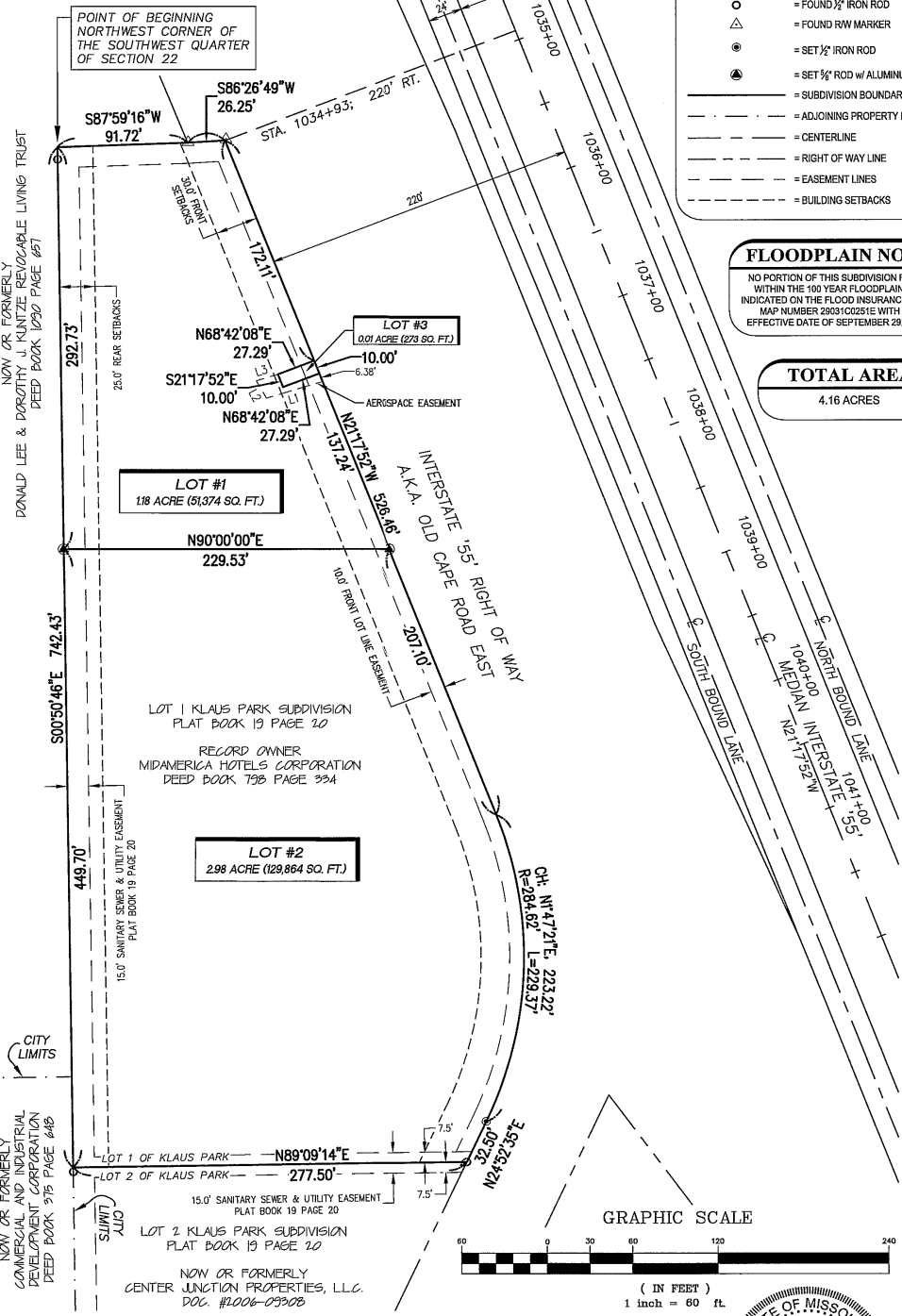
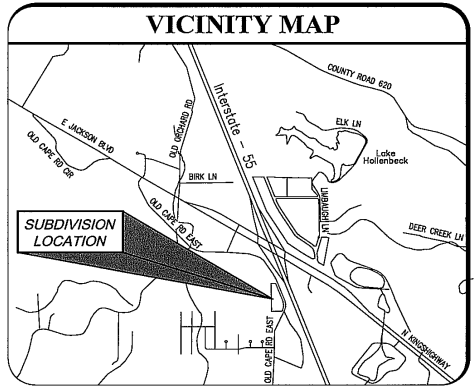
by Ordinance No. 16-111

passed and approved this 7<sup>th</sup> day of November, A.D., 2016.

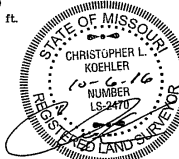
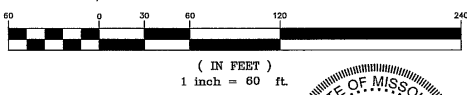
*Mary Lowry*  
Mary Lowry, City Clerk

*Mike Seabach*  
Mike Seabach, Planning and Zoning Commission Chairman

*Rodney Bolinger*  
Rodney Bolinger, Director of Public Works



GRAPHIC SCALE



### SUBDIVISION NOTES

#### LOT NOTES

NUMBER OF LOTS = 3  
MAXIMUM LOT SIZE = 2.98 ACRES  
MINIMUM LOT SIZE = 0.01 ACRES

#### ZONING

C-2 (GENERAL COMMERCIAL DISTRICT)  
BUILDING SETBACKS FOR C-2 ZONING

30' FRONT SETBACKS - 25' REAR SETBACKS  
NO SIDE SETBACKS

#### RECORD OWNER

MIDAMERICA HOTELS CORPORATION  
PARCEL NO. 15-519-00-02-002.00  
DEED BK. 798, PG. 334

#### VARIANCE NOTE

A VARIANCE IS SHOWN FOR THE SMALLEST LOT SIZE  
(5,000 SQ. FT. REQUIRED; 273 SQ. FT. PROPOSED)

#### SURVEYOR'S CERTIFICATION

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE OCTOBER 30, 2003.

#### DEVELOPER OF SUBDIVISION AND PLAT PREPARED FOR:

MIDAMERICA HOTELS CORPORATION  
105 SOUTH MOUNT AUBURN ROAD  
CAPE GIRARDEAU, MO 63703

#### PLAT PREPARED BY AND LAND SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.  
194 COKER LANE, CAPE GIRARDEAU, MO 63701  
(573) 335-3026

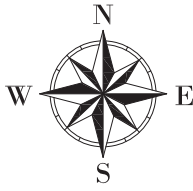
LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S73° 08' 39"W	41.19'
L2	N29° 10' 47"W	14.55'
L3	N73° 08' 39"E	15.82'

## KOEHLER

Professional Engineers & Land Surveyors

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

DRAWN BY:	TS	REV	DATE	DESCRIPTION	INITIALS
CHECKED BY:	CK	1	9/20/16	MOVED LOT LOCATION	TS
SURVEY DATE:	JULY 2016	2	10/6/16	CREATED LOT 3	DH
DRAWING DATE:	JULY 28, 2016				
DRAWING NO.:	36320				



NORTH ORIENTATION FROM MISSOURI STATE PLANE COORDINATE SYSTEM

# LAND EXCHANGE PLAT FOR MIDAMERICA HOTELS CORPORATION

ALL OF LOT 1 AND ALL OF LOT 2 OF SHRINERS SUBDIVISION OF DOCUMENT NO. 2016-12964 OF TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

**Plat Note**

TRACT 1 WILL BE ADDED TO LOT 1 UPON APPROVAL OF THIS PLAT.

**Floodplain Note**

NO PORTION OF THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C0251E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

**Reference Documents**

SHRINERS SUBDIVISION PLAT (DOC. NO. 2016-12964)  
BKR COMMERCIAL LLC (2023-06736)  
MIDAMERICA HOTELS CORPORATION (BOOK 798, PAGE 334)

### Description of Survey

**DESCRIPTION - TRACT 1**

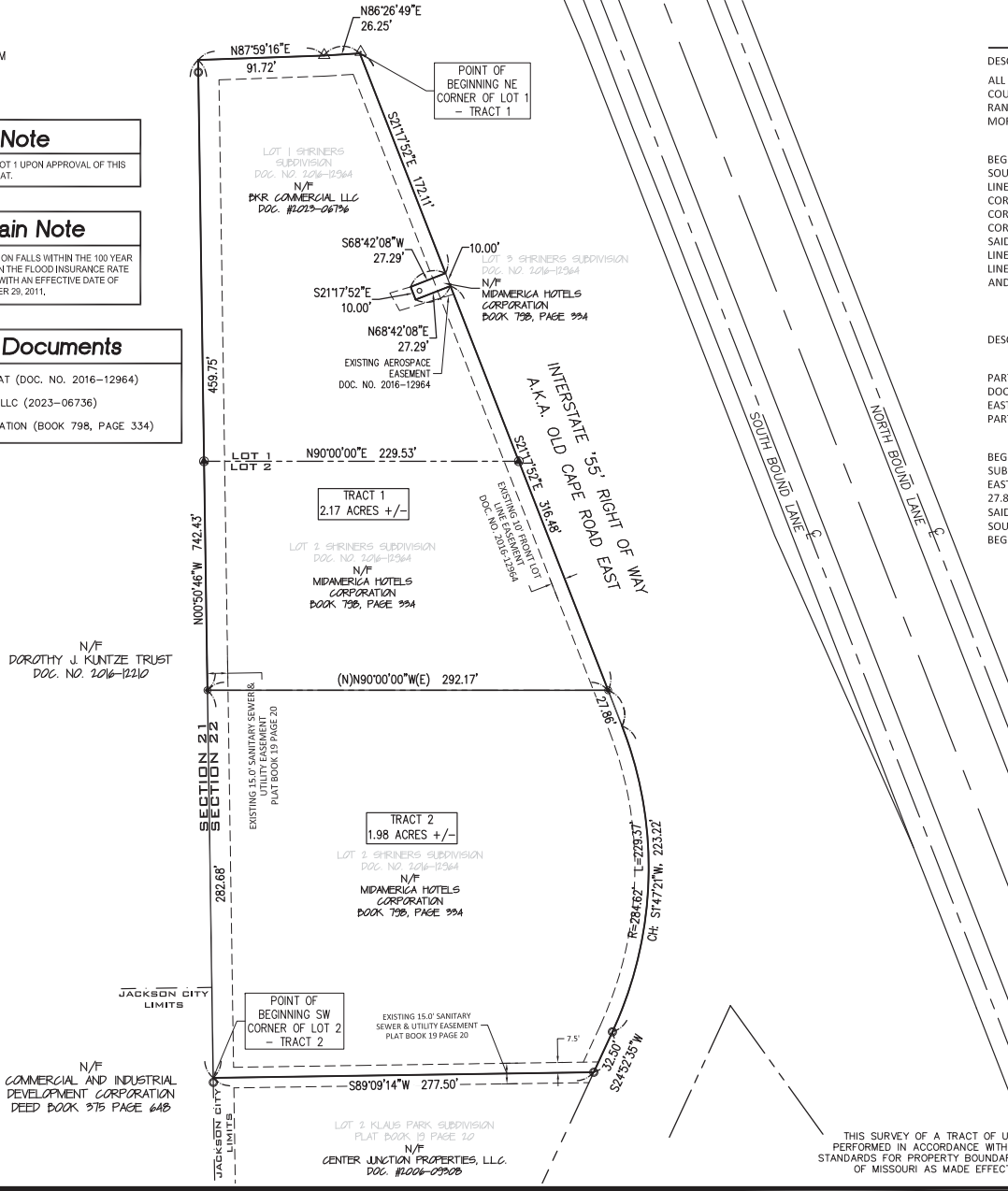
ALL OF LOT 1 AND PART OF LOT 2 OF SHRINERS SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN DOCUMENT NO. 2016-12964, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1 OF SAID SHRINERS SUBDIVISION, THENCE WITH THE EAST LINE OF SAID SUBDIVISION, SOUTH 21°17'52" EAST, 172.11 FEET, TO THE NORTHEAST CORNER OF LOT 3 OF SAID SUBDIVISION, THENCE LEAVING SAID EAST LINE OF SAID SUBDIVISION AND WITH THE NORTH LINE OF SAID LOT 3, SOUTH 68°42'08" WEST, 27.29 FEET; TO THE NORTHWEST CORNER OF SAID LOT 3 THENCE WITH THE WEST LINE OF SAID LOT 3, SOUTH 21°17'52" EAST, 10.00 FEET; TO THE SOUTHWEST CORNER OF SAID LOT 3, THENCE WITH THE SOUTH LINE OF SAID LOT 3, NORTH 68°42'08" EAST, 27.29 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3 AND THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH 21°17'52" EAST, 316.48 FEET; THENCE LEAVING SAID EAST LINE NORTH 90°00'00" WEST, 292.17 FEET TO A POINT ON WEST LINE OF SAID SUBDIVISION; THENCE WITH SAID WEST LINE NORTH 00°50'46" WEST, 459.75 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE WITH THE NORTH LINE OF SAID LOT, NORTH 87°59'16" EAST, 91.72 FEET; THENCE NORTH 86°26'49" EAST, 26.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.17 ACRES, MORE OR LESS.

**DESCRIPTION - TRACT 2**

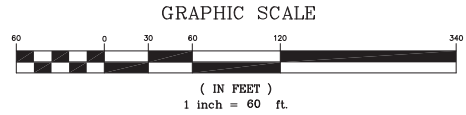
PART OF LOT 2 OF SHRINERS SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY IN DOCUMENT NO. 2016-12964, ALL IN THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2 OF SAID SHRINERS SUBDIVISION, THENCE WITH THE WEST LINE OF SAID SUBDIVISION, NORTH 00°50'46" WEST, 282.68 FEET; THENCE LEAVING SAID WEST LINE OF SAID SUBDIVISION, NORTH 90°00'00" EAST, 292.17 FEET TO A POINT ON THE EAST LINE OF SAID SUBDIVISION; THENCE WITH SAID EAST LINE, SOUTH 21°17'52" EAST, 27.95 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 284.62 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 229.37 FEET, (THE CHORD OF SAID CURVE BEARS SOUTH 01°47'21" WEST, 223.22 FEET); THENCE SOUTH 24°52'35" WEST, 32.50 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 89°09'14" WEST, 277.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.98 ACRES, MORE OR LESS.



**LEGEND**

- = FOUND 1/2" IRON ROD
- = SET 1/2" IRON ROD
- = FOUND RW MARKER
- = FOUND 3/8" ROD w/ ALUMINUM CAP
- = EXISTING EASEMENT LINE
- = SUBDIVISION BOUNDARY LINE
- = OLD PARCEL LINE
- = EXTERNAL PROPERTY LINE
- = RIGHT-OF-WAY LINE
- = CENTERLINE

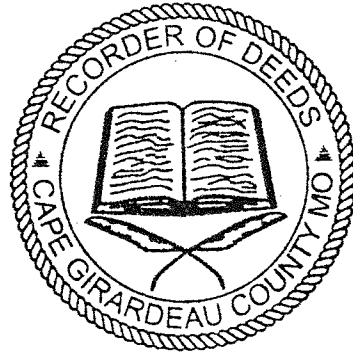


**KOEHLER**  
Professional Engineers & Land Surveyors

194 Coker Lane  
Cape Girardeau, Missouri 63701  
Ph: (573) 335 - 3024 Fax: (573) 335 - 3049  
PLS CORPORATE LICENSE NO. 000262

<b>DRAWN BY:</b> SUSAN DODDS	<b>REV/DATE:</b>	<b>DESCRIPTION:</b>	<b>INITIALS:</b>
<b>CHECKED BY:</b> CHRISTOPHER L. KOEHLER	01/22/24	ADDRESS CITY REVIEW COMMENTS	SD
<b>SURVEY DATE:</b> DECEMBER 2023			
<b>DRAWING DATE:</b> JANUARY 9, 2024			
<b>DRAWING NO:</b> 39193			

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2022.



ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
08/15/2023 11:00:10 AM  
REC FEE: 27.00  
PAGES: 2

---

### WARRANTY DEED

This Warranty Deed made and entered into this 14 day of August, 2023, by and between **CAPE NOBLES, INC.**, a Missouri not for profit corporation, hereinafter referred to as **GRANTOR**, and **BKR Commercial, LLC**, a Missouri Limited Liability Company, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

1330 N. Kingshighway, Cape Girardeau, MO 63701

**WITNESSETH:** The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee 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:

All of Lot One (1) of Shriners Subdivision, in the City of Jackson, County of Cape Girardeau, Missouri, as shown by plat filed for record in Document No. 2016-12964 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 Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

**GRANTOR:**  
CAPE NOBLES, INC., a Missouri not for profit corporation

BY: *James Schmidt*  
James Schmidt, President

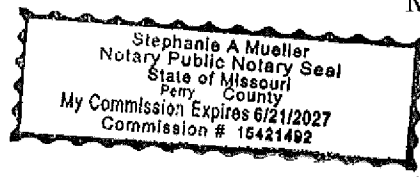
ATTEST:  
*Gerald Eaker*  
Gerald Eaker, Secretary/Treasurer

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

On this 14 day of August, 2023, before me personally appeared **James Schmidt and Gerald Eaker, President and Secretary/Treasurer of CAPE NOBLES, INC., a Missouri not for profit corporation**, to me known to be the persons described in and who executed the within Warranty Deed, in behalf of said corporation and acknowledged to me that they executed the same 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.

*Stephanie A Mueller*  
Notary Public  
My commission expires:



003687

THIS INDENTURE, made on the 27th day of March, A.D. One Thousand Nine Hundred and Ninety-Six by and between Rhodes Real Estate Partners, L.P. of the County of Cape Girardeau in the State of Missouri, Party of the First Part, and Midamerica Hotels 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 557  
Cape Girardeau MO 63702-0557)

WITNESSETH, That the said party of the First Part, in consideration of the sum of Ten Dollars and No Cents (\$10.00) to be 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 their successors / heirs and assigns, the following described Lots, Tracts or Parcels of Land, lying being situate in the County of Cape Girardeau and State of Missouri, to-wit:

Starting at a stone on the quarter section corner line between sections 21 and 22; Township 31 North, range 13 East; thence South along the west line of said Section 22, a distance of 335 feet for the point of beginning; thence continue South along said west line, a distance of 1015.6 feet for a corner; thence North 25 deg. 30' East, a distance of 858 feet for a point marked by a stone; thence North 50 deg. 0' East, a distance of 375 feet for a corner; thence North 90 deg. West, 654 feet to the point of beginning and containing 6.50 acres, more or less, except that part conveyed for Interstate Route 55 right of way recorded in Book 195 at Page 257.

Subject to an Easement for Utility Line given to Missouri Utilities Company, a corporation, dated April 4, 1983, as set forth more fully in book 409, Page 837 of the Recorder of Deeds of Cape Girardeau County, Missouri.

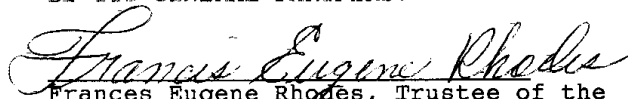
Which above said description has been superseded by survey of Wayne Koehler dated June 1, 1978 as attached hereto marked Exhibit "A".

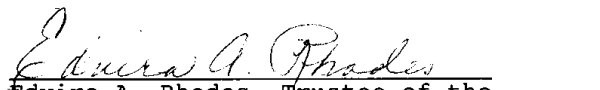
TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the Second Part, and unto its successors / heirs and assigns,

FOREVER, the said party of the first part Rhodes Real Estate Partners, L.P. hereby covenanting that it lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that it had good right to convey the same: that the said premises are free and clear of any encumbrance done or suffered by it or those under whom it claims, and that it will WARRANT AND DEFEND the title to the said premises unto the said party of the Second Part, and unto its successors / heirs and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the First Part had hereunto set its hand the day and year first above written.

RHODES REAL ESTATE PARTNERS, L.P.  
BY ITS GENERAL PARTNERS:

  
Frances Eugene Rhodes, Trustee of the  
Frances Eugene Rhodes Revocable Living  
Trust Agreement of September 3, 1993  
GENERAL PARTNER

  
Edvira A. Rhodes, Trustee of the  
Edvira A. Rhodes Revocable Living Trust  
Agreement of September 3, 1993  
GENERAL PARTNER

Francis Eugene Rhodes  
Francis Eugene Rhodes, Trustee of the  
Edvira A. Rhodes Revocable Living Trust  
Agreement of September 3, 1993  
GENERAL PARTNER

Patricia Rhodes Trickey  
Patricia Rhodes Trickey, Trustee of the  
Rhodes Family Limited Partnership  
Irrevocable Trust Agreement of  
October 24, 1995  
GENERAL PARTNER

James D. Maurer  
James D. Maurer, Trustee of the  
Rhodes Family Limited Partnership  
Irrevocable Trust Agreement of  
October 24, 1995  
GENERAL PARTNER

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

On this 27<sup>th</sup> day of March, 1996, before me personally appeared  
Francis Eugene Rhodes and Edvira A. Rhodes, his wife, General Partners in the  
Rhodes Real Estate Partners, L.P. to me known to be the persons described in  
and who executed the foregoing instrument and acknowledged that they executed  
the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my  
official seal at my office in CAPE GIRARDEAU, the day and  
year first above written.

Gloria J. Kaiser  
Notary Public

My commission expires: 4-20-97



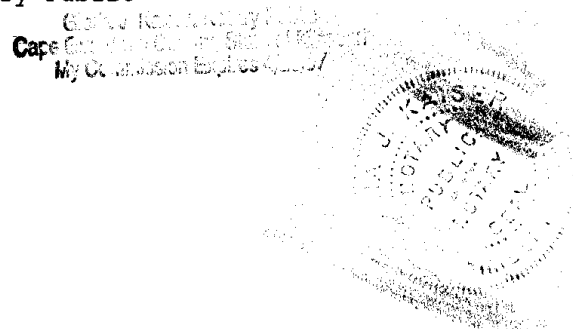
STATE OF MISSOURI )  
  ) SS.  
COUNTY OF CAPE GIRARDEAU )

On this 27<sup>th</sup> day of March, 1996, before me personally appeared Patricia  
Rhodes Trickey, General Partner in the Rhodes Real Estate Partners, L.P. to  
me known to be the person described in and who executed the foregoing  
instrument and acknowledged that she executed the same as her free act and  
deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my  
official seal at my office in Cape Girardeau, Missouri, the day and year  
first above written.

Gloria J. Kaiser  
Notary Public

My commission expires: 4-20-97



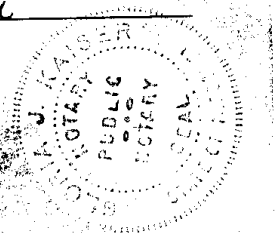
STATE OF MISSOURI )  
 ) SS.  
COUNTY OF CAPE GIRARDEAU )

BOOK 798 PAGE 336

On this 27<sup>th</sup> day of March, 1996, before me personally appeared James D. Maurer, General Partner in the Rhodes Real Estate Partners, L.P. to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cape Girardeau, Missouri, the day and year first above written.

*Gloria J. Kaiser*  
Notary Public  
Gloria J. Kaiser, Notary Public  
Cape Girardeau County, State of Missouri  
My Commission Expires 4/20/97



My commission expires: 4-20-97

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

**IN THE RECORDER'S OFFICE**

I, \_\_\_\_\_, Recorder of said County, do hereby certify that the within instrument of writing was, at \_\_\_\_\_ o'clock and \_\_\_\_\_ minutes \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_, duly filed for record in my office, and is recorded in the records of this office, in Book \_\_\_\_\_ at Page \_\_\_\_\_.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in \_\_\_\_\_, Missouri, the this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_.

\_\_\_\_\_  
RECORDER



Exhibit A

That part of the Southwest Quarter of Section 22, Township 31 North, Range 13 East, County of Cape Girardeau, State of Missouri described as follows: Start at the Northwest corner of the Southwest Quarter of said Section 22; thence South 1 degree 16' East with the West line of said Section, 335.0 feet, to the place of beginning; thence continue South 1 degree 16' East, 1009.02 feet to a stone on the West line of a county road; thence North 22 degrees 49' East, with said West line, 375.0 feet; thence North 23 degrees 49' East, 332.0 feet to the point of a 21 degrees 22' curve to the left thence along the arc of said curve, 213.36 feet; thence North 21 degrees 45' West, 163.0 feet; thence departing said road; North 89 degrees 54' West, 245.2 feet to the place of beginning.

Being and intended to be the same real estate as conveyed in Warranty Deed Recorded in Book 435 at page 917, Warranty Deed recorded in Book 691 at page 942 and Warranty Deed recorded in Book 783 at page 666.

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 798 Page 337

JANET ROBERT  
Recorder of Deeds

By *Shirley M. McIntyre*  
Deputy

**Filed for Record**  
9:00  
APR - 1 1996  
Janet Robert, Recorder  
Cape Girardeau County  
Jackson, Mo.

\$ 27.00 Chg.

Chg  
metre  
mail  
Grantee

**Planning & Zoning Commission Meeting  
Staff Report**

**ACTION ITEM:** Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.

**APPLICANT:** City of Jackson

**APPLICANT STATUS:** Owner

**PURPOSE:** To use a temporary housing unit for the Fire Department while station #1 is being refurbished.

**SIZE:** 24'x 56'

**PRESENT USES:** Fire Station

**PROPOSED USE:** Fire Station

**ZONING:** C-3 Central Business District

**SURROUNDING LAND USE:** North, East & West - C-3 Central Business District; South - I-2 Heavy Industrial District

**HISTORY:** The City of Jackson has owned this property since March 1979.

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

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

**COMPREHENSIVE PLAN:** Commercial use

**MAJOR STREET PLAN:** S Hope St and W Jackson Blvd are arterial streets.

**FLOODPLAIN INFORMATION:** Not in the Flood Plain per FEMA panel 29031C0232E dated 9-29-11.

**PHYSICAL CHARACTERISTICS:** Flat area near the north side of the bay doors facing S Hope Street.

**COMMENTS:** This temporary building will house the Fire Department. They are asking for the building to be placed in their provided area because it will be easier to connect to the City's utilities.

**ACTION REQUIRED:** The Commission shall approve or deny this request. A public hearing at this level is optional.



# REZONING / SPECIAL USE PERMIT APPLICATION

## City of Jackson, Missouri

APPLICATION DATE: 1-22-2024

TYPE OF APPLICATION:  Rezoning  Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

525 South Hope Street, Jackson MO. 63755 (Fire Station #1)

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

Property Owner Name(s): City of Jackson, Missouri

Mailing Address: 101 Court Street

City, State ZIP: Jackson, Missouri 63755

**PROPOSED PROPERTY OWNERS** (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): Same

Mailing Address:

City, State, ZIP

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: George L. Harris

Mailing Address: 102 Court Street

City, State ZIP: Jackson, Missouri 63755

Contact's Phone: 573-243-2045

Email Address (if used): gharris@jacksonmo.org

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

**CURRENT USE OF PROPERTY:** City of Jackson Fire Station #1

---

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

**PROPOSED USE OF PROPERTY:** Building will be used for temporary housing of fire dept. personnel during the rehabilitation of the existing fire station #1 building.

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**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):

see attached

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**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

A temporary housing unit is needed to house fire fighters while fire station #1 is being rehabilitated.

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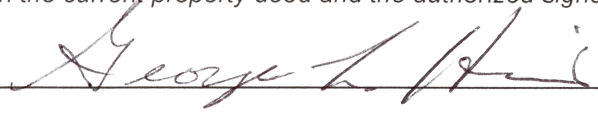
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**DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

**SURROUNDING PROPERTY OWNERS:** A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

**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.)*

  
\_\_\_\_\_

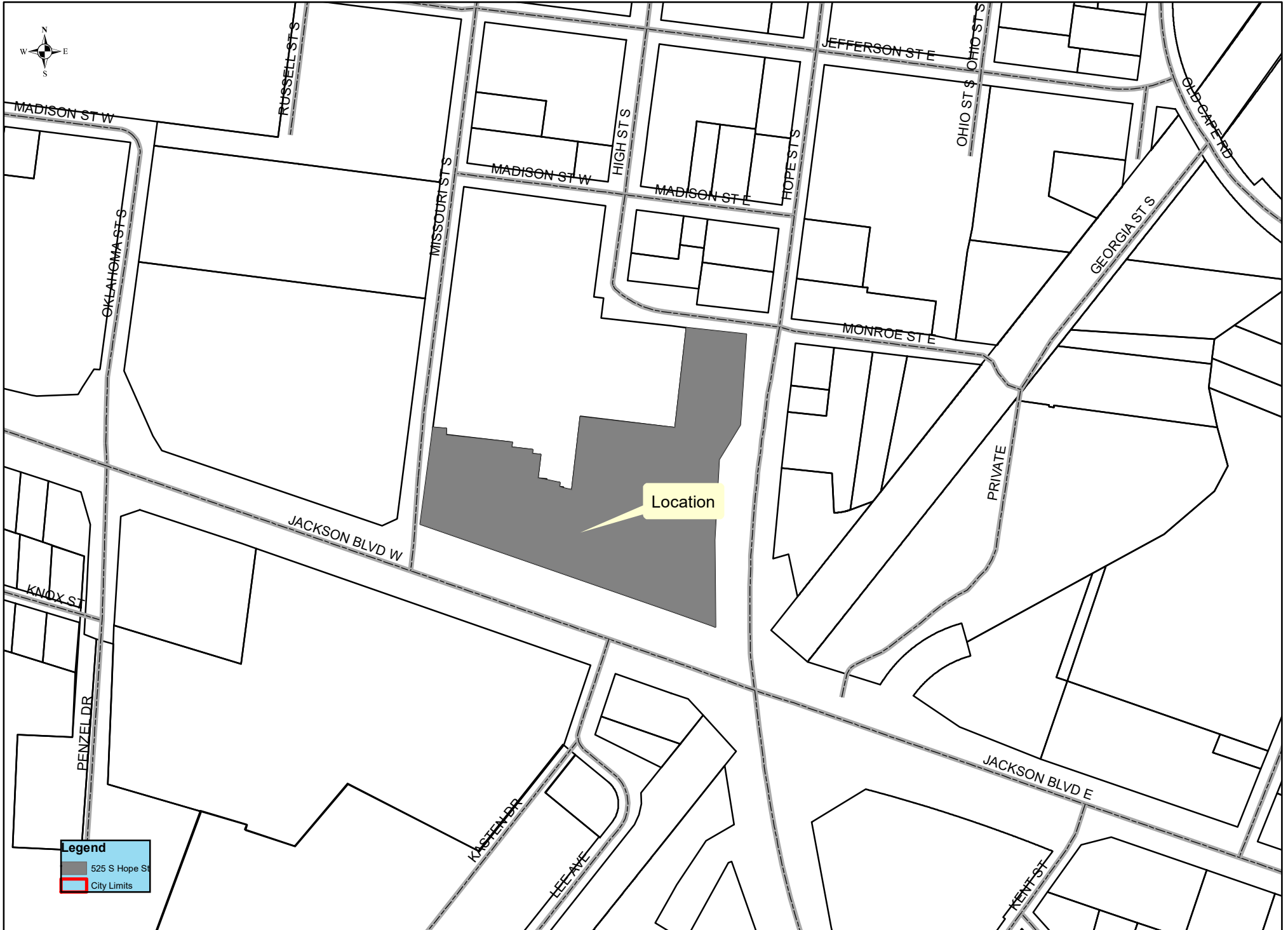
Please submit this application along with appropriate non-refundable application fee to:

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

573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[permits@jacksonmo.org](mailto:permits@jacksonmo.org)

**APPLICATION FEE: \$200.00**

# 525 South Hope Street





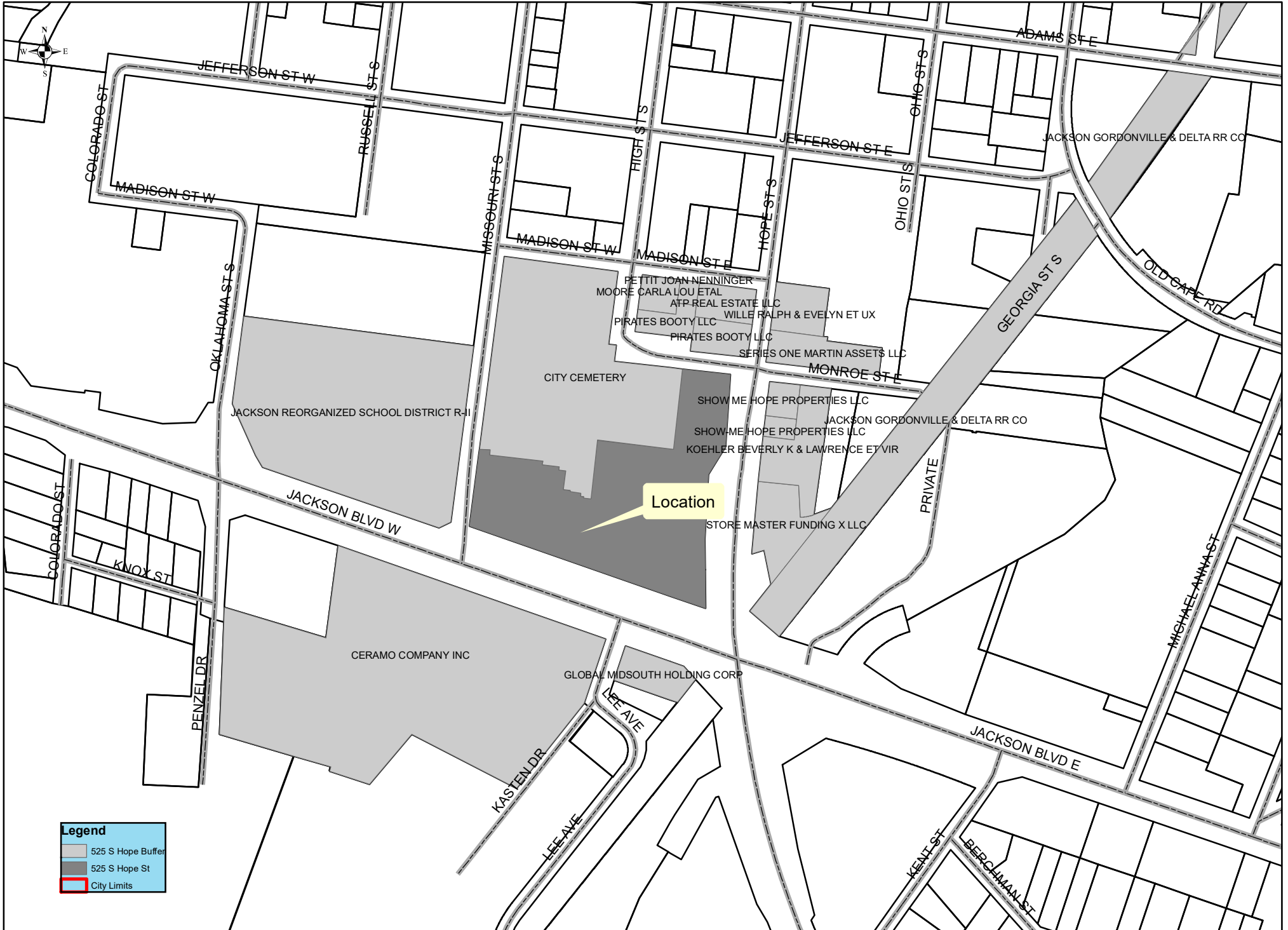
56' x 24'  
Temp Housing

Text



Location Map  
Special Use Permit for Fire Department Temporary Mobile Housing during Remodel of Fire Station No. 1

# 525 South Hope Street







# City of Jackson

## CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on February 7, 2024, at a regular meeting in consideration of the following:

**Consider a request for a special use permit for a temporary housing unit for the Fire Department at 525 S Hope St, as submitted by the City of Jackson.**

Applicant: CITY OF JACKSON  
Filing Date of Application/Fee: JANUARY 22, 2024  
Submission Date of Application to Commission: FEBRUARY 7, 2024  
Public Hearing Date: WAIVED

In examining this consideration, the following factors were considered and found as noted:

<b>Administrative Staff Findings:</b>		<b>Yes/</b>	<b>No</b>
1.	Application provided all necessary information:	<u>X</u>	<u>      </u>
2.	Generally conforms with City Comprehensive Plan:	<u>X</u>	<u>      </u>
3.	Generally conforms with Major Street Plan:	<u>X</u>	<u>      </u>
<b>Planning &amp; Zoning Commission Findings:</b>		<b>Yes</b>	<b>/No</b>
1.	Creates adverse effects on adjacent property:	<u>      </u>	<u>X</u>
2.	Creates adverse effects on traffic movement or safety:	<u>      </u>	<u>X</u>
3.	Creates adverse effects on fire safety:	<u>      </u>	<u>X</u>
4.	Creates adverse effects on public utilities:	<u>      </u>	<u>X</u>
5.	Creates adverse effects on general health and welfare:	<u>      </u>	<u>X</u>

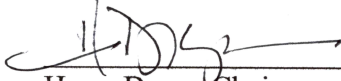
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

**THE ABOVE APPLICATION IS:**

- Approved**
- Disapproved**
- Approved with conditions specified below**

By a roll call of 7 ayes,      nays,      abstentions, and 2 absent this 7<sup>TH</sup> day of FEBRUARY 2024.


**CITY OF JACKSON, MISSOURI**

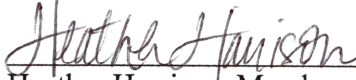
  
\_\_\_\_\_  
Harry Dryer, Chairman

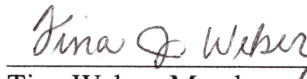
  
\_\_\_\_\_  
Tony Koeller, Secretary

\_\_\_\_\_  
Bill Fadler, Member

\_\_\_\_\_  
Beth Emmendorfer, Member

  
\_\_\_\_\_  
Eric Fraley, Member

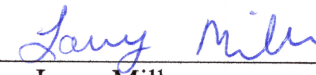
  
\_\_\_\_\_  
Heather Harrison, Member

  
\_\_\_\_\_  
Tina Weber, Member

  
\_\_\_\_\_  
Angelia Thomas, Member

  
\_\_\_\_\_  
Michelle Weber, Member

ATTEST:

  
\_\_\_\_\_  
Larry Miller,  
Building & Planning Manager

QUITCLAIM DEED

BOOK 401 PAGE 678

THIS INDENTURE, made this 15<sup>th</sup> day of March, 19 79,

between the STATE OF MISSOURI, acting by and through the STATE HIGHWAY COMMISSION OF MISSOURI, party of the first part and City of Jackson, Missouri, a Municipal Corporation

of the County of Cape Girardeau, State of Missouri, part y of the second part.

WITNESSETH, in consideration of the payment of the sum of (\$265,250.11)

TWO HUNDRED SIXTY FIVE THOUSAND, TWO HUNDRED FIFTY AND 11/100 - - - - - DOLLARS,

the receipt of which is hereby acknowledged, the said party of the first part does hereby REMISE, RELEASE, and FOREVER QUITCLAIM to the said part y of the second part, a tract of land, lying situated and being in the County of Cape Girardeau, State of Missouri, to-wit:

All that part of U.S.P. Survey No. 527, Township 31 North, Range 12 East, in the City of Jackson, Missouri, described as follows:

Start at the Northeast corner of U.S.P. Survey No. 527 and run south 71°15'59" west, 1871.10 feet for the point of beginning; thence north 7°52'47" East, 208.6 feet to the northeast corner of the City Cemetery; thence south 82°49' east, 124.8 feet to the intersection of the south line of Monroe Street with the west right-of-way line of Highway 61; thence south 7°55'42" west, 187.42 feet, thence south 32°21'45" west 84.55 feet; thence with the arc of 2°24'39" curve to the left (said curve having a long chord length of 340.57 feet and a bearing of S. 3°49'19" W.) for a distance of 166.76 feet to a point 85.0 feet westerly of and radial to Route 61 centerline Station 41+70; thence continuing left on the arc of said 2°24'39" curve for a distance of 174.24 feet to a point 85.0 feet westerly of and radial to Route 61 centerline Station 43+40.6, said last point also being at right angles to and 100.0 feet northerly of and at right angles to Route 72 centerline Station 675+69.1; thence N. 70°27' W. along the northerly right-of-way line of Route 72 a distance of 150.6 feet to a point 100' northerly of and at right angles to Route 72 centerline Station 674+18.5; thence N 70°27' W. along said right-of-way line 470.97 feet; thence north 4°06' east, 196.2 feet; thence south 45°25' east, 267.65 feet; thence south 17°04' west, 50.0 feet; thence with the arc of a 7°40' curve to the left (said last curve has a chord bearing of S. 76°42'06" E.) for a distance of 92.75 feet along the center of old mill switch as abandoned; thence north 7°52'47" east, 288.90 feet; thence south 82°49' east, 210.0 feet to the point of beginning, containing 3.83 acres, more or less.

Grantor specifically reserves all abutters' rights of direct access to the rights-of-way and roadways of Route 61 between Station 41+70 and Station 43+40.6 and Route 72(34) between Station 674+18.5 and Station 675+69.1 as said centerline Stations are identified and referenced herein.

Subject to all easements of record and all public utility facilities as now located.

TO HAVE AND TO HOLD THE SAME, with all and singular the rights, immunities, privileges, and appurtenances thereunto belonging, unto the said part y of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written:

ATTEST:  
Irene Wollenberg  
Secretary  
Irene Wollenberg

STATE OF MISSOURI, acting by and through the  
STATE HIGHWAY COMMISSION OF MISSOURI  
By: Jay B. Dillingham  
Chairman

Jay B. Dillingham

APPROVED AS TO FORM:  
Bruce A. Ring  
Attorney  
Bruce A. Ring

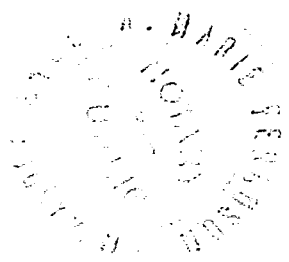
ACKNOWLEDGMENT

State of Missouri )  
County of Cole ) ss.

On this 15<sup>th</sup> day of March, 1979, before me personally appeared Jay B. Dillingham, to me personally known, who being by me duly sworn did say that he is Chairman of State Highway Commission of Missouri; that the seal affixed to the foregoing instrument is the official seal of said Commission; that said instrument was signed and sealed in behalf of said Commission by authority of said Commission, and that said Jay B. Dillingham acknowledged said instrument to be the free act and deed of said Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Cole County, the day and year first above written.

My Commission expires My Commission Expires September 21, 1980, 19    .



A. Marie Ferguson  
Notary Public  
A. Marie Ferguson

STATE OF MISSOURI }  
County of Cape Girardeau, } SS.

In the Recorder's Office

I, JANET ROBERT, Recorder of Said County, do hereby certify that the within instrument of writing was, at 1 o'clock and 42 minutes P. M., on the 10th day of September, A. D., 19 82 duly filed for record in my office, and is recorded in the records of this office, in book 401 at page 678.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jackson, Mo., the date first above written.

By \_\_\_\_\_, Deputy

*Janet Robert*  
JANET ROBERT Recorder

*City of Jackson  
Gale Brown, Mo.*

*Old file  
47.00  
1.000kg.*

**Filed for Record**  
SEP 10 1982  
JANET ROBERT, RECORDER  
CAPE GIRARDEAU COUNTY  
JACKSON, MO.

## Staff Report

**ACTION ITEM:** Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Reality Missouri, LLC.

**APPLICANT:** Trussworks Reality Missouri, LLC (Steven L. Stroder)

**APPLICANT STATUS:** Property Owner

**PURPOSE:** To rezone from an R-1 and R-2 Single-family residential district to a C-2 General commercial district.

**SIZE:** 1.45 acres (inside the city limits), 10.55 acres (in the process of annexation) 12 acres total.

**PRESENT USES:** Agricultural

**PROPOSED USE:** C-2 General commercial district.

**ZONING:** R-1 and R-2 Single-family residential district

**SURROUNDING LAND USE:** North – I-2 Heavy industrial district; South – C-2 General commercial district; East – C-2 General commercial district; West – R-1 Single-family residential district

**HISTORY:** This tract was part of the Larry D. Borgfield and Audrey Borgfield property before being sold to Trussworks Reality Missouri, LLC. A small portion of this tract was annexed into the city as part of a large voter-approved annexation that followed public survey lines.

**TRANSPORTATION AND PARKING:** All required street frontage exists.

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

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

**MAJOR STREET PLAN:** This does not conflict with the major street plan.

**FLOODPLAIN INFORMATION:** This property is not in a floodplain per FEMA panel 29031C0143E dated 9/29/11.

**PHYSICAL CHARACTERISTICS:** Various

**COMMENTS:** This rezoning is concurrent with annexing the land outside the city limits. Once the land is annexed, it will become an R-1 Single-family residential district. This rezoning will be for the 12 acres of Stroder's Industrial Park Subdivision, which is 12 acres.

**ACTION REQUIRED:** The Commission shall vote to recommend approving or denying this request and will need to make their recommendation contingent on the annexation of the 12 acres for Stroder's Industrial Park Subdivision. A public hearing at this level is optional but requires one at the Board of Aldermen level.



# REZONING / SPECIAL USE PERMIT APPLICATION

## City of Jackson, Missouri

APPLICATION DATE: January 23, 2024

TYPE OF APPLICATION:  Rezoning  Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

Parcel Number's  
N. High St. 143080014001010000 & 099003600007000000

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

Property Owner Name(s): Trussworks Realty Missouri, LLC / Steve Stroder, President

Mailing Address: 2270 Greensferry Road

City, State ZIP: Jackson, MO 63755

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

### CONTACT PERSON HANDLING APPLICATION:

Contact Name: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

Email Address (if used): ckoehler@koehlerengineering.com

CURRENT ZONING: (check all that apply)

- |   |  |
|---|--|
| <input checked="" 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-4 (Planned Commercial)      |
| <input type="checkbox"/> MH-1 (Mobile Home Park)                    | <input type="checkbox"/> I-1 (Light Industrial)        |
| <input type="checkbox"/> O-1 (Professional Office)                  | <input type="checkbox"/> I-2 (Heavy Industrial)        |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)         | <input type="checkbox"/> I-3 (Planned Industrial Park) |



CURRENT USE OF PROPERTY: Agricultural

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**PROPOSED ZONING:** (check 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-4 (Planned Commercial)            |
| <input type="checkbox"/> MH-1 (Mobile Home Park)               | <input type="checkbox"/> I-1 (Light Industrial)              |
| <input type="checkbox"/> O-1 (Professional Office)             | <input type="checkbox"/> I-2 (Heavy Industrial)              |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)    | <input type="checkbox"/> I-3 (Planned Industrial Park)       |

PROPOSED USE OF PROPERTY: Commerical use

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**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):

see attached description

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**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

The majority of the property is in the County, which is unzoned and will be annexed and come into the city with a R-1 zoning. The property is along a commercial corridor which is developing commercially. The adjacent property and property across the street is zoned either C-2, I-1, or I-2. The owner intends the property for commercial use, and is requesting a C-2 zoning, which will be consistent with the use along the corridor and near by properties.

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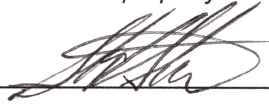
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**DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

**SURROUNDING PROPERTY OWNERS:** A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

**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.)*



Steven L. Stroder

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Please submit this application along with appropriate non-refundable application fee to:

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

573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[permits@jacksonmo.org](mailto:permits@jacksonmo.org)

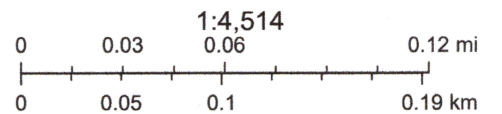
**APPLICATION FEE: \$200.00**

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# City of Jackson

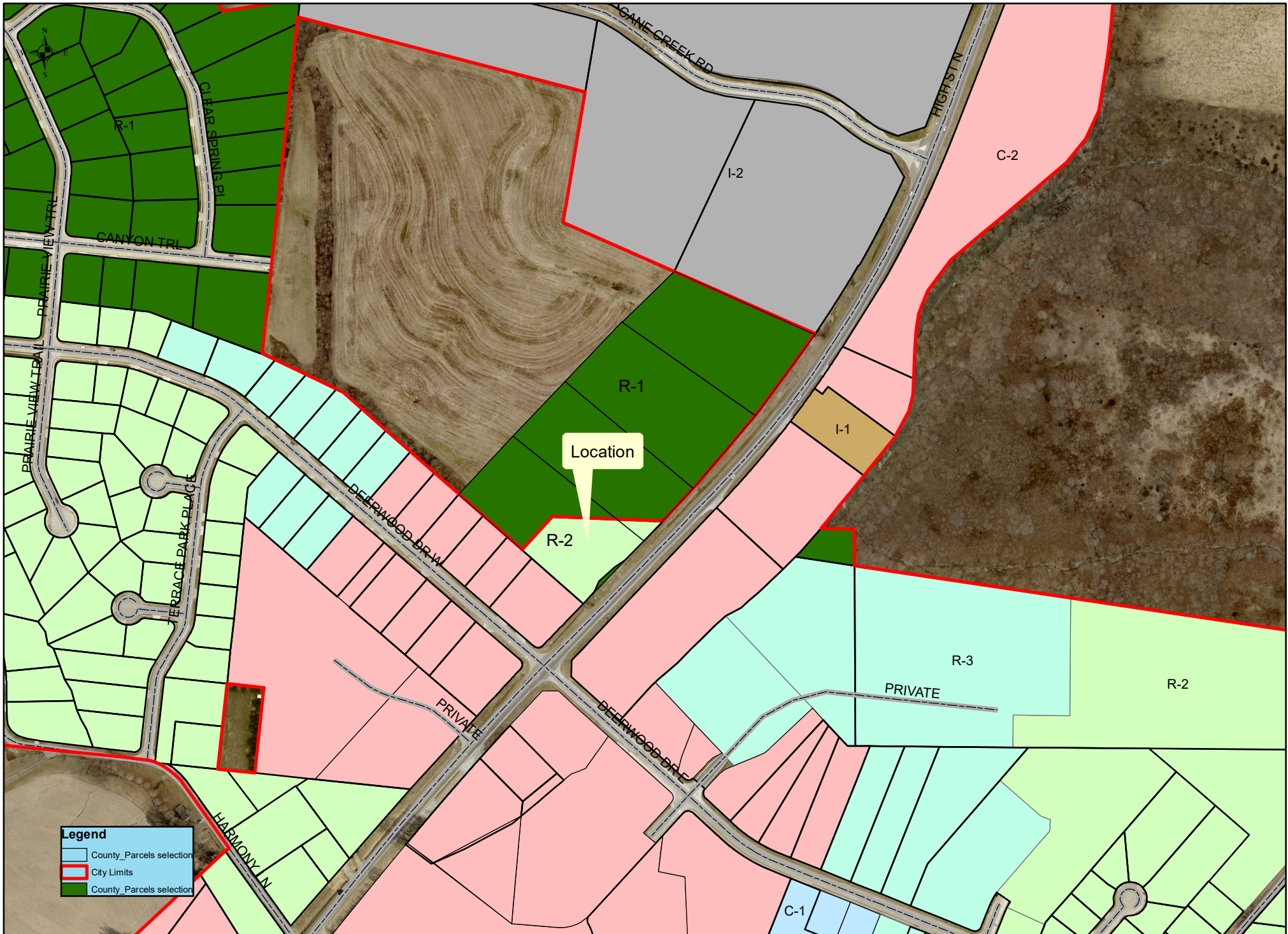


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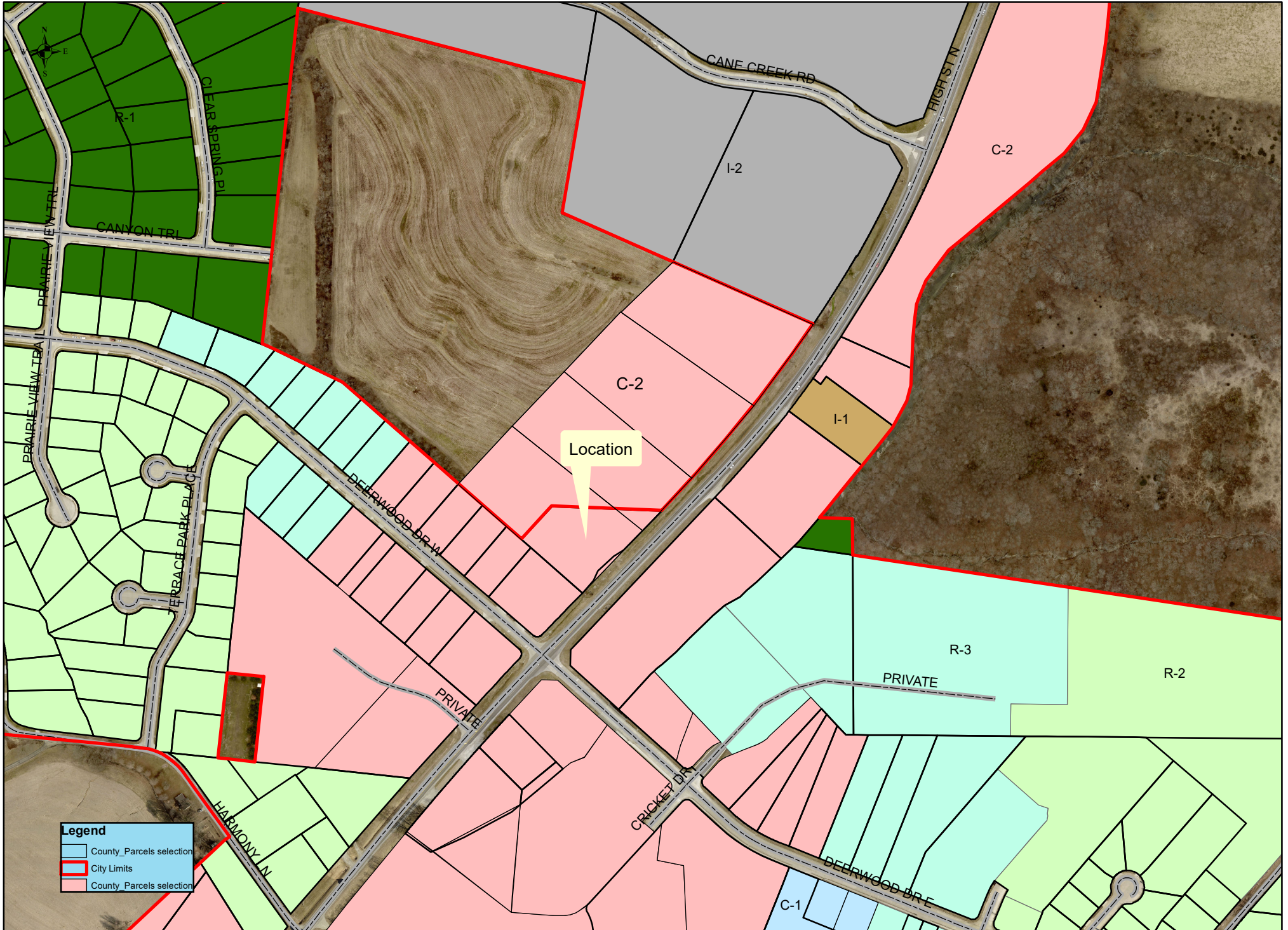


## LOCATION MAP

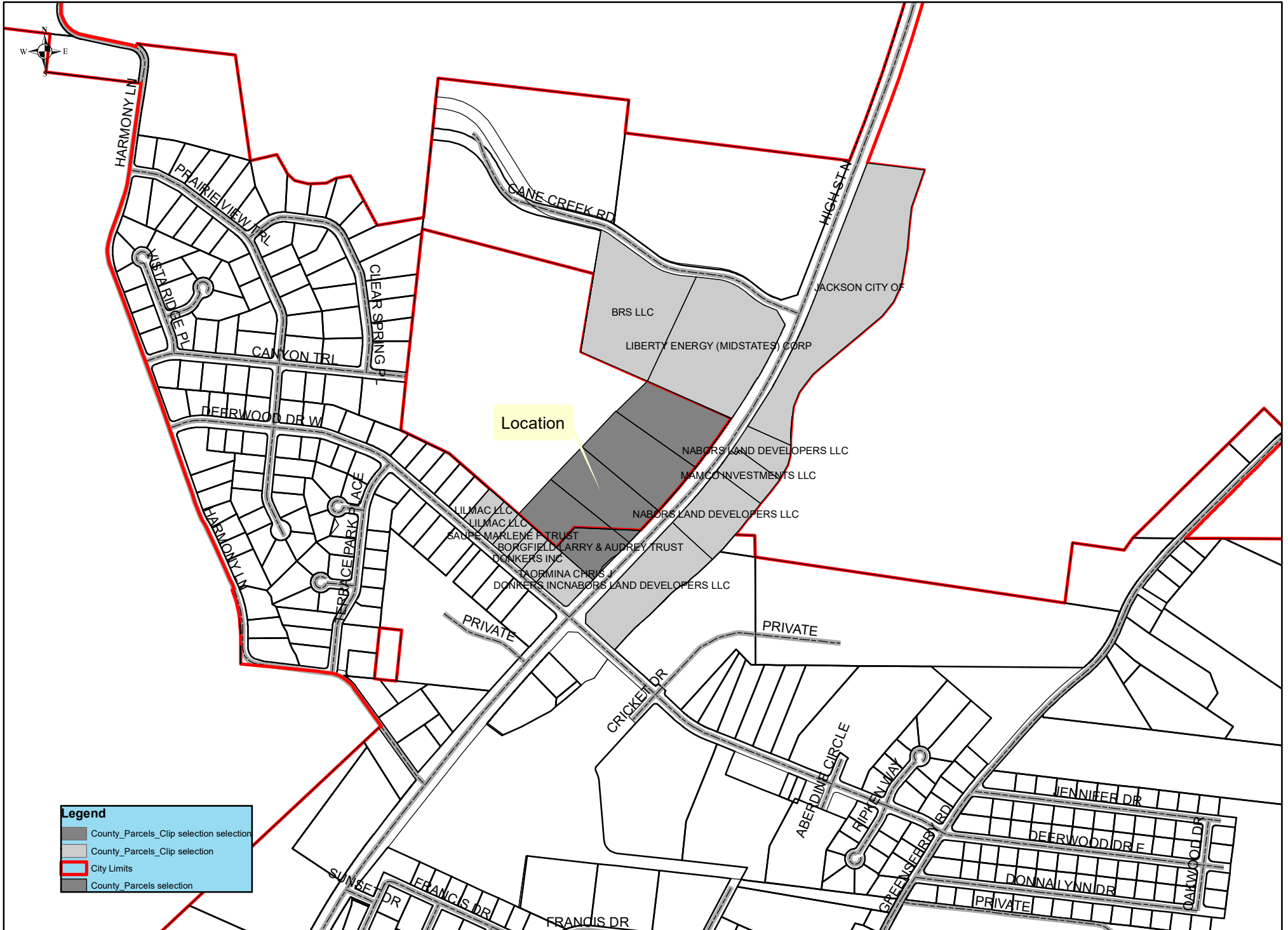
# Rezoning



# Rezoning



# Rezoning





# City of Jackson

## CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION REZONING: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on FEBRUARY 7, 2024, at a regular meeting in consideration of the following:

**Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Reality Missouri, LLC.**

Applicant: TRUSSWORKS REALITY MISSOURI, LLC  
Filing Date of Application/Fee: JANUARY 23, 2024  
Submission Date of Application to Commission: FEBRUARY 7, 2024  
Public Hearing Date: WAIVED

In examining this consideration, the following factors were considered and found as noted:

<u>Administrative Staff Findings:</u>	<u>Yes/</u>	<u>No</u>
1. Application provided all necessary information:	<u>X</u>	<u>      </u>
2. Generally conforms with City Comprehensive Plan:	<u>X</u>	<u>      </u>
3. Generally conforms with Major Street Plan:	<u>X</u>	<u>      </u>

<u>Planning &amp; Zoning Commission Findings:</u>	<u>Yes</u>	<u>/No</u>
1. Creates adverse effects on adjacent property:	<u>      </u>	<u>X</u>
2. Creates adverse effects on traffic movement or safety:	<u>      </u>	<u>X</u>
3. Creates adverse effects on fire safety:	<u>      </u>	<u>X</u>
4. Creates adverse effects on public utilities:	<u>      </u>	<u>X</u>
5. Creates adverse effects on general health and welfare:	<u>      </u>	<u>X</u>

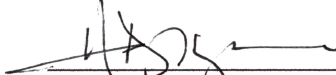
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

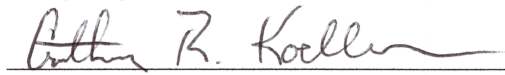
**THE ABOVE APPLICATION IS:**

- Approved**
- Disapproved**
- Approved with conditions specified below**

By a roll call of 7 ayes,      nays,      abstentions, and 2 absent this 7TH day of FEBRUARY 2024.

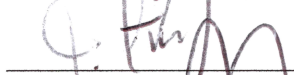
**CITY OF JACKSON, MISSOURI**

  
\_\_\_\_\_  
Harry Dryer, Chairman

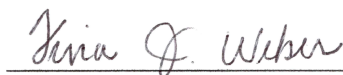
  
\_\_\_\_\_  
Tony Koeller, Secretary

\_\_\_\_\_  
Bill Fadler, Member

\_\_\_\_\_  
Beth Emmendorfer, Member

  
\_\_\_\_\_  
Eric Fraley, Member

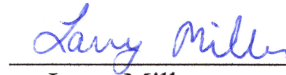
  
\_\_\_\_\_  
Heather Harrison, Member

  
\_\_\_\_\_  
Tina Weber, Member

  
\_\_\_\_\_  
Angelia Thomas, Member

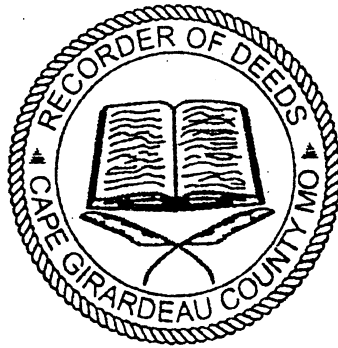
  
\_\_\_\_\_  
Michelle Weber, Member

ATTEST:

  
\_\_\_\_\_  
Larry Miller,  
Building & Planning Manager



eRecorded  
DOCUMENT #  
2023-09671



**ANDREW DAVID BLATTNER**  
**RECORDER OF DEEDS**  
**CAPE GIRARDEAU COUNTY, MO**  
**eRECORDED ON**  
**11/27/2023 10:42:35 AM**  
**REC FEE: 30.00**  
**PAGES: 3**

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## WARRANTY DEED

This Warranty Deed made and entered into this 24<sup>th</sup> day of November, 2023, by and between **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, hereinafter referred to as **GRANTOR**, and **Trussworks Realty Missouri, LLC, a Texas Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

2155 Greensferry rd. Jackson, MO 63755

**WITNESSETH:** The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee 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:

**SEE EXHIBIT "A"**

**Larry D. Borgfield** further states that he is the current acting trustee of the **Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, that said trust has not been amended or revoked, and that he has the authority, under of the terms of said trust, to convey the subject property.  
**Grantor further states Audrey Borgfield died on September 5, 2022.**

**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 Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

**GRANTOR:**

Larry D. Borgfield and Audrey Borgfield  
Joint Revocable Trust Agreement dated June  
6, 2017

BY: Larry D. Borgfield Trustee  
Larry D. Borgfield, Trustee

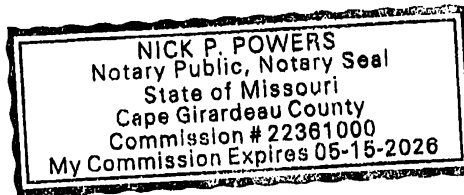
STATE OF MISSOURI )  
 ) ss.  
COUNTY OF CAPE GIRARDEAU )

On this 24<sup>th</sup> day of November, 2023, before me personally appeared **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, to me known to be the person described in and who executed the within Warranty Deed, and acknowledged to me that he executed the same as his free act and deed and in his capacity as Trustee and in behalf of the aforesaid Trust.

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

Nick P. Powers  
Notary Public  
My commission expires:

2309020



## EXHIBIT "A"

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 990.34 feet to the most easterly corner of said Terrace Park Estates, said point being also on the west right of way line of North High Street / US Highway '61', thence with said west right of way line of said US Highway '61', North 44°22'23" East, 525.25 feet; thence continuing along said west right of way, along the arc of a curve to the left having a radius of 3075.22 feet, a distance of 217.46 feet; thence along an offset in said west right of way, South 49°40'43" East, 10.00 feet; thence continuing along said west right of way line of US Highway '61', along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears North 36°58'15" East, 360.64 feet), to a point at the most southerly corner of a tract now or formerly held in title by Liberty Energy (Midstates) Corp., as conveyed in Document 2013-01838; thence with the South line of said tract, North 64°46'04" West, 476.81 feet to the most westerly corner of said Liberty Energy (Midstates) Corp tract and the most southerly corner of said Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 390.40 feet to the place of beginning and containing 38.18 acres, more or less

Description taken from Survey dated October 27, 2023 by Christopher L. Koehler, LS-2470, Koehler Engineering and Land Surveying, Inc.

2309020



**KOEHLER ENGINEERING & LAND SURVEYING, INC.**

194 COKER LANE  
CAPE GIRARDEAU, MO 63701  
PH: (573) 335-3026

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most easterly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, South 64°46'04" East, 476.81 feet, to the most easterly corner of Liberty Energy (Midstates) Corp tract, as conveyed in Document 2013-01838; thence leaving said easterly corner and along the west right of way line of U.S. Highway 61, along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears South 36°58'15" West, 360.64 feet); thence along an offset in said west right of way, North 49°40'43" West, 10.00 feet; thence continuing along said west right of way, along the arc of a curve to the right having a radius of 3075.22 feet, a distance of 217.46 feet (the chord across said arc bears South 42°20'50" West, 217.42 feet); thence South 44°22'23" West, 525.25 feet to a point on the most easterly corner of lot 73 of Terrace Park Estates, said plat being recorded in Document 2006-06668, thence North 48°46'04" West, 520.15 feet; thence North 45°39'09" East, 972.22 feet; thence South 64°46'04" East, 3.22 feet to the place of beginning and containing 12.00 acres, more or less, and being subject to any easements of record.