

RESOLUTION \_\_\_\_\_

**A RESOLUTION APPROVING A PRELIMINARY SUBDIVISION PLAT FOR TINKER COMMERCIAL CORNER**

**WHEREAS**, the property owner has petitioned the City of Branson for approval of a preliminary plat of Tinker Commercial Corner; and,

**WHEREAS**, on June 7, 2005, the Planning and Zoning Commission for the City of Branson reviewed the application for the Preliminary Plat of Tinker Commercial Corner, and recommends approval; and,

**WHEREAS**, the Board of Aldermen for the City of Branson find that such Preliminary Plat is reasonable and necessary.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

**Section 1:** The Board of Aldermen for the City of Branson hereby approves the Preliminary Plat for Tinker Commercial Corner, attached hereto as Exhibit 'B' and legally described as shown on Exhibit 'A'.


**Section 2:** Severability Clause. If any section, subsection, clause or phrase of this resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or major sections, sentences, clauses or phrases be declared invalid.

**Section 3:** This resolution shall be in full force and effect for a period not to exceed two (2) years from and after its passage by the Board of Aldermen and approval by the Mayor.

Read, passed and truly agree to by the Board of Aldermen of the City of Branson, Missouri, on this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Louis E. Schaefer  
Mayor

ATTEST:

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Matthew K. Thompson  
Assistant City Attorney

\_\_\_\_\_  
Lisa K Westfall  
City Clerk

**EXHIBIT 'A'**  
**Legal Description**

**A tract of land situated in the NW ¼ of the SW ¼ of Section 29, Township 23 N. Range 21 W. being more particularly described as follow: Beginning at the Southwest Corner of said NW ¼ of SW ¼; thence N 0°04'45" W along the West Line of said NW ¼ of SW ¼, 601.90 feet; thence S 83°58'28" E. 33.95 feet for a new point of beginning; thence N 0°04'45" W. 400.00 feet to a point on the Southerly R/W Line of MSH 248; thence S 83°58'28' E along said R/W Line 525.00 feet; thence S 0°04'45" E 400.00 feet; thence N 83°58'28" W, 525.00 feet to the new point of beginning.**

**Subject to all restrictions and easements of record.**

TINKER LIVING TRUST, dated March 25, 1997, does hereby certify that it is the owner in fee simple of the following described tract of land:

A tract of land situated in the NW1/4 of the SW1/4 of Section 29, Township 23 N, Range 21 W, being more particularly described as follows: Beginning at the Southwest Corner of said NW1/4 of the SW1/4; thence N 0°04'45" W along the West Line of said NW1/4 of SW1/4, 601.50 feet; thence S 83°32'28" E, 315.95 feet for a new point of beginning; thence N 0°04'45" W, 400.00 feet to a point on the Southern R/W Line of M&ST 245; thence S 83°32'28" E along said N/W Line 224.00 feet; thence S 0°04'45" E, 400.00 feet; thence N 83°32'28" W, 224.00 feet to the new point of beginning, at the City of Branson, Taney County, Missouri.

**DEDICATION:**

The undersigned, owner of the property described herein have the same to be subdivided in the manner shown upon this plat and said property shall hereinafter be known as TINKER COMMERCIAL CORNER.

It shall be sufficient description of the lots on this plat to hereafter designate the same by the number appearing near the corner of the lot followed by the words, TINKER COMMERCIAL CORNER.

An easement or license is hereby granted to the City of Branson, Missouri, to locate, construct and maintain, and to authorize the location, construction, operation, use of conduits, for all and any purpose, water, gas, and sewer mains, poles, wires, anchors and appurtenances thereto, or any or all of them over, under and along the strip of land outlined on this plat and designated "Utility Easement" or "Util. Emt."

An easement or license is hereby granted to the City of Branson, Missouri, to locate, construct and maintain, and to authorize the location, construction, maintenance, and use of surface drainage ways and installations, and underground drainage conduits and appurtenances for drainage purposes on and along the strip of land outlined on this plat designated "Drainage Easement" or "D.E."

Streets and/or additional rights-of-way shown on this plat and not heretofore dedicated to the public are hereby so dedicated.

Building lines or setback lines are hereby established as shown on this plat and no building or portion thereof shall be built or otherwise located between this line and the lot or street line, designated "Building Setback" or "Setback."

IN TESTIMONY WHEREOF, The undersigned Manager has hereunto set his hand on this 13 day of May, 2005.

TINKER LIVING TRUST

*Carl J. Tinker*  
 Carl J. Tinker, Trustee  
 STATE OF MISSOURI  
 COUNTY OF TANNEY

On this 13 day of May, 2005, before me, a Notary Public in and for said state, appeared Carl J. Tinker, to me personally known, who, being by me duly sworn did say that the foregoing document was signed and sealed in behalf of the TINKER LIVING TRUST, dated March 25, 1997, in his capacity of Trustee thereof. I have the full knowledge and belief that the document was signed by the free and legal mind of said Carl J. Tinker, and that the document was signed and sealed as hereinbefore set forth, which has never been revoked or amended except as hereinbefore set forth.

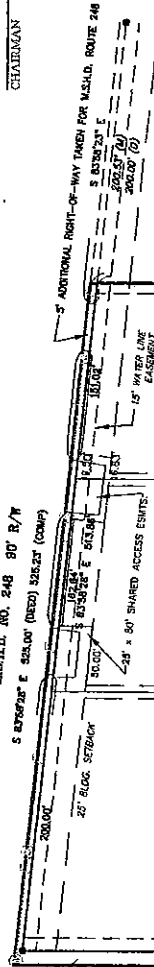
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notary seal at my office in said county and state the day and year last above written.

Notary Public  
*John R. Hargy*  
 John R. Hargy  
 Notary Public - Notary Seal  
 STATE OF MISSOURI  
 Taney County  
 My Commission Expires Oct. 15, 2007  
 My commission expires \_\_\_\_\_

**PRELIMINARY PLAT OF  
 TINKER COMMERCIAL CORNER  
 LOCATED IN THE NW1/4 OF THE SW1/4 OF  
 SECTION 29, TOWNSHIP 23 NORTH, RANGE 21 WEST  
 IN THE CITY OF BRANSON, TANNEY COUNTY, MISSOURI**

OWNED AND SUBDIVIDED BY:  
 THE TINKER LIVING TRUST  
 P.O. BOX 5078  
 BRANSON, MISSOURI

M.S.D. NO. 248 80' R/W  
 5 835'28" E 524.00' (DEED) 32523' (COMP)



**CITY OF BRANSON APPROVAL:**

Approved by the Board of Aldermen of the City of Branson, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

ORDINANCE NO. \_\_\_\_\_

LOUIS E. SCHAEFER, Mayor

LISA K. WESTFALL, City Clerk

DAVID H. MELLER, City Engineer

CHAIRMAN \_\_\_\_\_

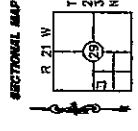
PLANNING AND ZONING APPROVAL:  
 Approved by the Planning and Zoning Commission of the City of Branson, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

ALL PLATS THAT DO NOT SHOW A SEAL HERETOIN ARE VOID UNTIL THE SURVEYOR HAS BEEN RE-QUALIFIED BY THE PROFESSIONAL BOARD OF SURVEYORS. ANY PLAT WHICH DOES NOT SHOW A SEAL HERETOIN IS VOID.

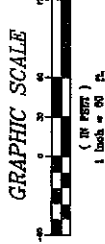
I HEREBY CERTIFY THAT AT THE REQUEST OF CARL J. TINKER I HAVE MADE AN ACTUAL AND ACCURATE SURVEY OF THE LAND DESCRIBED HEREON AND THE CONDUITS TO BE AS INDICATED. IN MY OPINION THIS SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

RECORD TITLE SOURCES:  
 Quit Claim Deed Book 314, at Page 954

CLASSIFICATION OF SURVEY:  
 "Urban" Property



**LEGEND**  
 ● - EXISTING 1/2" IRON PIN  
 ○ - SET 1/2" IRON PIN  
 □ - EXISTING STONE  
 △ - CORPS MONUMENT  
 ○ - P.G. P.I. or P.L. MONUMENTS  
 ASSUMED NORTH BASED ON DEED RECORD DESCRIPTION  
 SCALE 1" = 60'



QUAKE KEY RECORD L.S. 9484  
 KENNETH J. ROZELL L.S. 8340, P.L.S. 1907

SURVEYED FOR:

**ROZELL SURVEY CO.**

Diane Kay Diebold, L.S.  
 Kenneth J. Branson, L.S.

204 STATE HWY. 276 STE. 4  
 BRANSON, MISSOURI 65609 PHONE (417) 531-1144  
 FAX (417) 531-4118

DATE: 04-28-05 P.L.S. 14402



# TINKER COMMERCIAL CORNER



Tinker Commercial Corner



Outside Branson City Limits



Single-Family



Commercial



Planned Development

SCALE 1" = 200'

PREPARED BY: HEATHER L. DOOLIN  
PLANNING TECHNICIAN

