

**ANNEXING PROPERTY OWNED BY  
TIMOTHY AND JANET SWOPE  
INTO THE CITY**

WHEREAS, on May 25, 2004, a verified petition (attached as Exhibit "1") requesting annexation into the City of Branson, Missouri, was filed with the City Clerk and presented to the Board of Aldermen, by all the owners of all fee interests of record in all real estate hereinafter described; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Branson, Missouri; and

WHEREAS, said petition was presented to the Board of Aldermen more than fourteen but less than sixty days prior to the public hearing thereon; and

WHEREAS, proper notice was published as least seven days prior to the public hearing; and

WHEREAS, a public hearing concerning said matter was held at the City Hall in Branson, Missouri, at the hour of 7:00 p.m. on June 28, 2004; and

WHEREAS, at said Public Hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Branson, Missouri within fourteen days after the public hearing; and

WHEREAS, the Board of Aldermen now desires to make a determination regarding annexation of said real estate.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF BRANSON, MISSOURI as follows:

SECTION 1: That, pursuant to the provisions of Section 71.012 RSMo as amended, the following described real estate is hereby annexed into the City of Branson, Missouri, to wit:

**214 SHADY DRIVE**

**ALL OF LOT 6 BLOCK 1 FIRST ADDITION TO RAINBOW SHOALS SUBDIVISION  
AS PER THE RECRDED PLAT THEREOF TANEY COUNTY RECORDERS OFFICE.  
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY**

SECTION II: That the City of Branson shall have no obligation to improve any public road, included as or serving any area that is included as part of this annexation and that has been previously dedicated to and accepted by another governmental entity, to a higher standard of quality or design than that level which exists at the time of this annexation, nor shall there be any obligation to maintain said road at an increased level of repair or maintenance.

SECTION III: That the Board of Aldermen, after holding the public hearing, hereby determines the above-described real estate is adjacent and contiguous to the present corporate limits of the City of Branson, Missouri, and the boundary of said real estate is found to comply with Section 71.012 RSMo, and that the annexation of said real estate is reasonable and necessary to the proper development of the City, and that the City has the ability to furnish normal municipal services to said real estate within a reasonable time.

SECTION IV: That the boundaries of the City of Branson, Missouri, are hereby altered so as to encompass said real estate lying adjacent and contiguous to the present corporate limits.

SECTION V: That Ordinance Number 642, and any amendments thereto, of the Branson Municipal Code, Wards, is hereby amended by placing said real estate into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

SECTION VI: That the Board of Aldermen hereby amends the official map of the City of Branson, Missouri, as set forth in Section 405.020 of the Branson Municipal Code, Zoning Map, by adding thereto said real estate, contiguous to the corporate limits, which shall be in addition to all territory included within the corporate limits of the City of Branson, Missouri.

SECTION VII: That the City administrative staff is hereby authorized and directed to conform all directories, drawings, plats, maps, and other appropriate documents to the altered corporate limits of the City of Branson as herein provided.

SECTION VIII: That the City Clerk of the City of Branson is hereby directed to: (1) file three certified copies of the annexation ordinance with the Clerk of Taney County; and (2) forward to the Missouri Director of Revenue by U. S. registered mail or certified mail a certified copy of the annexation ordinance, accompanied by a map of the city clearly showing the territory added thereto.

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

Read this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.


Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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

ATTEST:

\_\_\_\_\_  
Sandra L. Williams, C.M.C.  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel R. Wichmer  
City Attorney

**PETITION FROM PROPERTY OWNER REQUESTING ANNEXATION**

Petition Requesting Annexation to the City of Branson

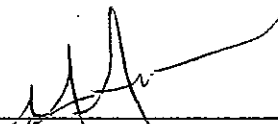
We, the undersigned TIMOTHY J. SWOPE and JANET L. SWOPE, (hereinafter "owners"), for our petition to the Board of Aldermen of the City of Branson state and allege as follows:

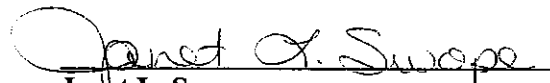
1. That we are the owners of all fee interest of record in the real estate in Taney County, Missouri, described as follows, to wit:

ALL OF LOT 6 BLOCK 1 FIRST ADDITION TO RAINBOW SHOALS SUBDIVISION AS PER THE RECORDED PLAT THEREOF, TANEY COUNTY RECORDERS OFFICE. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

2. That said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Branson, Missouri.
4. That we request that the said real estate to be annexed to, and be included within the corporate limits of, the City of Branson, Missouri, as authorized by the provisions of Section 71.012, RSMo.
5. That we request the Board of Aldermen of the City of Branson to cause the required notice to be published and to conduct the public hearing required by law and to thereafter adopt an ordinance extending the limits of the City of Branson to include the above described real estate.

This Petition Requesting Annexation, made this 05 day of May, 2004

  
\_\_\_\_\_  
Timothy J. Swope

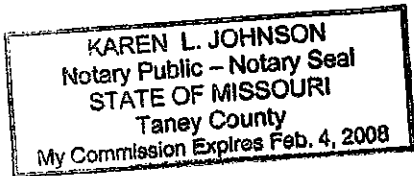
  
\_\_\_\_\_  
Janet L. Swope

ACKNOWLEDGMENT OF PROPERTY OWNERS

STATE OF MO )  
 ) SS.  
COUNTY OF Taney )

On this 25 day of May, 2004 before me personally appeared Timothy J Swepe and Janet L Swepe, to me known to be the persons described in and who jointly executed the foregoing Petition For Annexation, 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 5/25/2004 Taney Co the day and year first above written.



/s/ Karen L Johnson  
Notary Public

My term expires 2/4/2008

COPY

36889

**GENERAL WARRANTY DEED**  
*(With Statutory Acknowledgment)*

THIS DEED, Made and entered into this 30th day of DECEMBER, 20 02.

RALPH Z. (SKIP) MILLER III AND JANELLE R. MILLER, HUSBAND

by and between AND WIFE

as Grantor(s)

of the COUNTY of TANEY State of MISSOURI

party or parties of the first part,

and TIMOTHY J. SWOPE AND JANET L. SWOPE, HUSBAND AND WIFE

of the COUNTY of TANEY State of MISSOURI

party or parties of the second part, as Grantee(s), whose mailing address is:

214 Shady Drive

WITNESSETH, that the said party or parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM** unto the said party or parties of the second part, the following described Real Estate, situated in the County of TANEY and State of Missouri, to wit:

ALL OF LOT 6 BLOCK 1 FIRST ADDITION TO RAINBOW SHOALS SUBDIVISION AS PER THE RECORDED PLAT THEREOF, TANEY COUNTY RECORDERS OFFICE.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

18-1.0-12-003-006-001.001

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever.

The said party or parties of the first part hereby covenanting that said party or parties and their heirs, executors and administrators of such party or parties, shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party or parties of the first part has or have hereunto set their hand or hands the day and year first above written.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
RALPH Z. (SKIP) MILLER III

\_\_\_\_\_  
JANELLE R. MILLER

(PLEASE USE BLACK INK ONLY--Recorder's Requirement)

STATE OF MISSOURI,            )  
  ) ss.  
COUNTY OF TANEY            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 03, before me

personally appeared RALPH Z. (SKIP) MILLER III AND JANELLE R. MILLER, HUSBAND

AND WIFE

to me known to be the person or 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 in

\_\_\_\_\_ the \_\_\_\_\_ and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My term expires: \_\_\_\_\_

**SEAL**  
Within The Margins of This Box

# VICINITY MAP

Timothy and Janet Swope Property  
214 Shady Drive



 Subject Property

 Outside Branson  
City Limits

