

AN ORDINANCE ANNEXING PROPERTY OWNED BY LMN CORPORATION, LOCATED SOUTH OF FALL CREEK ROAD AND EAST OF HUNTER AVENUE, IDENTIFIED AS TANEY COUNTY ID #18-1.0-12-003-001-027.003, INTO THE CITY OF BRANSON, MISSOURI

WHEREAS, on September 27, 2004, a verified petition 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 October 11, 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:

A Tract of Land situated in the W1/2 of the SW1/4 of Section 12, Township 22 North, Range 22 West, Taney County, Missouri, being more particularly described as follows: Beginning at the Northeast corner of said W1/2 of the SW1/4; thence South 00° 30' 45" East, along the East line of said W1/2 of the SW1/4 471.32 feet, to the POINT OF BEGINNING; thence continuing South 00° 30' 45" East, along said East line, 899.21 feet; thence South 67° 37' 21" West 816.83 feet (South 69° 47' 04" West 816.60 feet, by adjoining deed) to the Southeast corner of Lot 2, in Block 5, First Addition to RAINBOW SHOALS, a subdivision recorded in Plat Book 6, page 9, of the Taney County Recorder's Office, Taney County, Missouri; thence along the East line of said First Addition to RAINBOW SHOALS as follows: thence North 00° 04' 33" East, along the East line of Lots 1 and 2, of said Block 5, First Addition to RAINBOW SHOALS, 135.84 feet (136.00 feet plat); thence North 13° 43' 50" West, along the East line of said Lot 1, 103.88 feet (104.00 feet plat) to the Northeast corner of Lot 1, also being the Southeast corner of Lot 12, Block "C", RAINBOW SHOALS No. 1, a subdivision recorded in the Records of Taney County, Missouri, in Plat Book 5, at Page 81; thence along the East line of said Block "C", RAINBOW SHOALS No. 1 as follows: Thence North 03° 48' 03" West, 94.00 feet to the Northeast corner of Lot 12, said Block "C", thence North 06° 35' 35" East, along said East line 1093.99 feet (1116.50 feet plat) to the Northeast Corner of Lot 1 Block "C", RAINBOW SHOALS, No. 1, being a point on the South R/W line of FALL CREEK ROAD; thence along the South R/W line of FALL CREEK ROAD as follows: thence North 59° 20' 21" East 260.58 feet; thence Northeasterly along a 15.3290° segment of a curve to the right 121.22 feet (said segment having a chord bearing and distance of North 68° 73' 48" East, a distance of 120.69 feet and having a radius of 373.77 feet; thence South 00° 30' 45" East 386.83 feet; thence North 89° 29' 15" East 312.39 feet to the NEW POINT OF BEGINNING. Containing 20.30 acres more or less.

SECTION II: 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 III: 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 IV: 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 V: 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 VI: 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 VII: 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 VIII: 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:

APPROVED AS TO FORM:

Sandra L. Williams
City Clerk

DRW

Daniel R. Wichmer
City Attorney

Vicinity Map

