

BILL NO. 3055

ORDINANCE NO. _____

AN ORDINANCE ANNEXING PROPERTY OWNED BY GARY CHAFFIN, IDENTIFIED AS TANEY COUNTY ID# 08-9.0-29-000-000-011.001 & 08-9.0-29-000-000-012.000, INTO THE CITY OF BRANSON, MISSOURI.

WHEREAS, on May 31, 2005 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 June 27, 2005; 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:

GARY R. CHAFFIN
452 Bird Road

All that part of the SW¼ of the NE¼ in Section 29, Township 23, Range 21, lying North and East of the County Road as now located, and being more particularly described as follows: beginning at the Southwest corner of said SW¼ of the NE¼, thence South 89° 57' 41" East a distance of 1310.84 feet to the Southeast corner of said SW¼ of the NE¼; thence North 0° 05' 06" East, along the East line of said SW¼ of the NE¼, a distance of 787.00 feet to a point on the Easterly right of way line of Bird Road for a new point of beginning; thence along the East and North right of way line of said Bird Road as follows: thence North 23° 29' 47" West, a distance of 500.66 feet; thence Northwesterly along a 35.78258° curve to the left, 94.88 feet (said curve having a radius of 160.12 feet) to the point on the North line of said SW¼ of the NE¼; thence South 89° 50' 37" East, along said North line, a distance of 261.08 feet to the Northeast corner of said SW¼ of the NE¼; thence South 0° 05' 06" West along the East line of said SW¼ of the NE¼, a distance of 529.56 feet to the new point of beginning, containing 1.42 acres, more or less.

ALSO, a tract of land situated in the SW¼ of the NE¼ of Section 29, Township 23 North, Range 21 West, Taney County, Missouri, being more particularly described as follows: Beginning at the Southwest corner of said SW¼ of the NE¼, thence South 89° 57' 41" East, a distance of 1310.84 feet to the Southeast corner of said SW¼ of the NE¼; thence North 00° 05' 06" East, along the East line of said SW¼ of the NE¼, a distance of 687.01 feet to a point on the Westerly right of way line of Bird Road; thence North 23° 29' 47" West along the Westerly right of way line a distance of 53.14 feet to the new point of beginning; thence South 81° 01' 53" West, a distance of 112.99 feet (deeded South 81° 01' 48" West, 113.40 feet); thence South 69° 23' 05" West (deeded South 69° 23' West), a distance of 265.02 feet; thence South 60° 15' 17" West (deeded South 60° 15' 12" West), a distance of 105.00 feet; thence North 00° 08' 35" East, a distance of 729.42 feet (deeded North 0° 01' 07" West, 736.56 feet) to a point on the South right of way line of said Bird Road; thence along the South and Westerly right of way line as follows: thence North 89° 52' 12" East, a distance of 123.62 feet (deeded South 89° 57' 16" East, 123.15 feet); thence Easterly along a 47.69799° curve to the right, 139.70 feet (deeded 153.18 feet) (said curve having a radius of 120.12 feet/measured, 130.79 feet/deeded); thence South 23° 29' 47" East, a distance of 539.15 feet (deeded South 22° 51' 02" East, 535.36 feet) to the new point of beginning, containing 4.90 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 and upon certification to the City Clerk from the City Engineer that city sewer is available to the property, including but not limited to, all necessary easements having been acquired and recorded, and all regulatory and governmental permits have been issued and obtained for the proposed sewer extending from the existing interceptor sewer lines to the subject property.

Read this first time on this _____ day of _____, 2005.


Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, on this _____ day of _____, 2005.

Louis E. Schaefer
Mayor

ATTEST:

Sandra L. Williams
City Clerk

APPROVED AS TO FORM:



Matthew K. Thompson
Assistant City Attorney



GARY R. CHAFFIN ANNEXATION

452 BIRD ROAD



 GARY CHAFFIN  Commercial  Planned Development

PREPARED BY: HEATHER L. DOOLIN
PLANNING TECHNICIAN

SCALE 1" = 200'

