

AN ORDINANCE ANNEXING PROPERTY OWNED BY DAILEY, L.L.C., AND WILLIAM AND JANET DAILEY, IDENTIFIED AS TANEY COUNTY ID# 18-1.0-02-004-011-002.000, INTO THE CITY OF BRANSON, MISSOURI

WHEREAS, on September 12, 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 September 26, 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:

DAILEY, L.L.C.
645 S. STATE HIGHWAY 165

TRACT 1: OWNED BY DAILEY, L.L.C.

A TRACT OF LAND SITUATED IN THE S1/2 OF THE SE1/4 OF SECTION 2, TOWNSHIP 22 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE S1/2 OF THE SE1/4 OF SAID SECTION 2; THENCE N89°24'20"E (MEASURED) EAST (DEED), ALONG THE NORTH LINE OF SAID S1/2 OF THE SE1/4, A DISTANCE OF 319.05 FEET; THENCE S15°70'19"E LEAVING SAID NORTH LINE, A DISTANCE OF 773.15 FEET; THENCE S89°27'19"E A DISTANCE OF 333.95 FEET, FOR A NEW POINT OF BEGINNING; THENCE N00°05'41"E, A DISTANCE OF 261.56 FEET; THENCE S89°54'19"E, A DISTANCE OF 543.67 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF M.S.H.D. #165; ALONG THE WESTERLY RIGHT-OF-WAY LINE OF M.S.H.D. #165 AS FOLLOWS: THENCE S05°10'19"E, A DISTANCE OF 121.77 FEET; THENCE N84°39'41"E, A DISTANCE OF 25.00 FEET; THENCE S05°10'19"E, A DISTANCE OF 147.96 FEET; THENCE N89°27'19"W, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 593.33 FEET, TO THE NEW POINT OF BEGINNING, CONTAINING 3.45 ACRES OF LAND, MORE OR LESS.

TRACT 2: OWNED BY WILLIAM & JANET DAILEY

A TRACT OF LAND SITUATED IN THE S1/2 OF THE SE1/4 OF SECTION 2, TOWNSHIP 22 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE S1/2 OF THE SE1/4 OF SAID SECTION 2; THENCE N89°24'20"E (MEASURED) EAST (DEED), ALONG THE NORTH LINE OF SAID S1/2 OF THE SE1/4, A DISTANCE OF 319.05 FEET; THENCE S15°20'19"E, LEAVING SAID NORTH LINE, A DISTANCE OF 250.14 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GREEN MOUNTAIN DRIVE, FOR A NEW POINT OF BEGINNING; THENCE N87°05'48"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 428.16 FEET; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG A 6.0311 DEGREE SEGMENT OF A CURVE TO THE RIGHT 47.85 FEET (SAID SEGMENT HAVING A CHORD BEARING AND DISTANCE OF N88°32'23"E, 47.85 FEET AND HAVING A RADIUS OF 950.00 FEET); THENCE S00°09'27"W, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 81.23 FEET; THENCE S85°25'53"W, A DISTANCE OF 2.20 FEET; THENCE S00°05'41"W, A DISTANCE OF 449.06 FEET; THENCE N89°27'19"W, A DISTANCE OF 333.95 FEET; THENCE N15°20'19"W, A DISTANCE OF 523.01 FEET, TO THE NEW POINT OF BEGINNING, CONTAINING 4.82 ACRES OF LAND, 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:

Lisa K Westfall
City Clerk

APPROVED AS TO FORM:



Joseph L. Johnson
City Attorney



Dailey, LLC and William and Janet Dailey Voluntary Annexation



- Dailey
- Planned Development
- Commercial
- Outside Branson City Limits
- Single-Family

Prepared by: Heather L. Doolin
Planning Technician

Scale 1" = 200'

