

BILL NO. 3166

ORDINANCE NO. _____

AN ORDINANCE ANNEXING PROPERTY OWNED BY XYZ DEVELOPMENT COMPANY, INC., IDENTIFIED AS TANEY COUNTY ID# 18-2.0-03-000-000-034.000, INTO THE CITY OF BRANSON, MISSOURI.

WHEREAS, on October 24, 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 November 14, 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:

**XYZ DEVELOPMENT COMPANY, INC.
SCHAEFER DRIVE**

A TRACT OF LAND SITUATED IN LOT 1 OF THE NE1/4 OF SECTION 3, TOWNSHIP 22 NORTH, RANGE 22 WEST, IN TANEY COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING WAGON TIRE IRON AT THE SOUTHEAST CORNER OF SAID LOT 1 OF THE NE1/4 OF SECTION 3, THENCE NORTH 87°37'46"W ALONG THE SOUTH LINE OF SAID LOT 1, 875.00 FEET TO AN EXISTING REBAR AT THE POINT OF BEGINNING, THENCE CONTINUE NORTH 87°37'46"W, 186.31 FEET TO A SET REBAR ON THE EASTERLY R/W LINE OF MISSOURI STATE HIGHWAY #465, THENCE NORTH 02°06'31"E ALONG SAID R/W LINE 237.35 FEET TO AN EXISTING REBAR, THENCE NORTH 08°48'17"W, 250.75 FEET TO AN EXISTING REBAR, THENCE NORTH 00°01'08"W, 417.82 FEET TO A SET REBAR ON THE SOUTHERLY R/W LINE OF AN EXISTING FORTY (40.0) FOOT-WIDE ROADWAY EASEMENT, THENCE NORTH 81°59'16"E ALONG SAID R/W LINE 187.16 FEET, THENCE ALONG A SEGMENT OF A CURVE LEFT, HAVING A RADIUS OF 681.56 FEET, A DISTANCE OF 71.10 FEET TO AN EXISTING REBAR, THENCE LEAVE SAID R/W LINE SOUTH 02°21'36"W, 951.00 FEET TO THE POINT OF BEGINNING.

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.

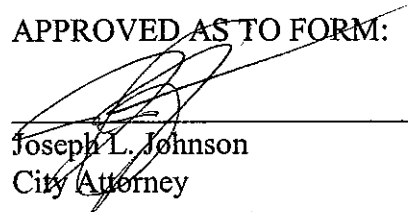
Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, on this _____ day of _____, 2005.

Louis E. Schaefer
Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa K Westfall
City Clerk

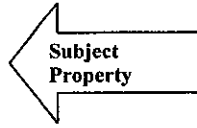


Joseph L. Johnson
City Attorney



XYZ DEVELOPMENT COMPANY, INC., APPLICANT
SCHAEFER DRIVE
ANNEXATION

Commercial



Planned Development

