

BILL NO. 3010

ORDINANCE NO. _____

ANNEXING PROPERTY OWNED BY MISSOURI PARTNERS, LOCATED ADJACENT TO STATE HIGHWAY 165, SOUTH OF FALL CREEK ROAD, BRANSON, MISSOURI, INTO THE CITY

WHEREAS, on March 28, 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 April 11, 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 I: That, pursuant to the provisions of Section 71.012 RSMo as amended, the real estate described on attached Exhibit 'A' is hereby annexed into the City of Branson, Missouri.

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.

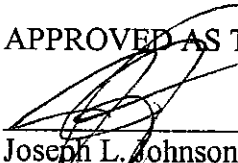
Read this first time on this _____ day of _____, 2005.

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

EXHIBIT "A"

A Tract of land situated in the SE1/4 of the NE1/4 of Section 14, Township 22 North, Range 22 West, Taney County, Missouri, being more particularly described as follows: Beginning at the Southeast corner of said SE1/4 of the NE1/4; thence North 88° 29' 44" West along the South line of said SE1/4 of the NE1/4, 470.40 feet for a NEW POINT OF BEGINNING; thence continuing North 88° 29' 44" West 831.04 feet to the Southwest corner of said SE1/4 of the NE1/4; thence North along the West line of said SE1/4 of the NE1/4 819.94 feet to a point of the Easterly right-of-way line of M.S.H.D. No. 165; thence along said Easterly right-of-way line as follows; thence Northerly along a 9.2193° segment of a curve to the left 9.78 feet (said curve having a chord bearing and distance of North 27° 31' 38" East, 9.78 feet, and having a radius of 621.47 feet); to station 114+00 40 left; thence South 62° 55' 24" East 20.00 feet; thence Northerly along a 8.9319° segment of a curve to the right 261.91 feet (said curve having a chord bearing distance of North 15° 22' 47" East 260.10 feet and having a radius of 641.47 feet); to the intersection of the Northerly right-of-way line of an existing 40.00 foot wide roadway, thence Southerly along the Northeasterly right-of-way line of said existing 40.00 foot wide roadway as follows; thence Southerly along a 44.3114° curve to the right 140.85 feet (said curve having chord bearing and distance of South 37° 13' 37" East 133.99 feet and having a radius of 129.30 feet); thence South 6° 01' 15" East 50.01 feet; thence North 34° 13' 45" East leaving said 40.00 foot wide roadway 74.65 feet; thence Easterly along a 194.8189° curve to the right 48.68 feet (said curve having a radius of 29.41 feet) thence South 50° 56' 25" East 45.52 feet; thence South 72° 37' 08" East 30.34 feet; thence South 10° 20' 20" West 157.78 feet; thence North 71° 55' 20" East 366.01 feet; thence South 12° 11' 14" East 195.44 feet to a point on the Northerly right-of-way line of the existing 40.00 foot wide road; thence along the Northerly and Easterly right-of-way line as follows; thence Southerly along 93.0950° segment of a curve to the right 74.67 feet (said curve having a chord bearing and distance of South 47° 56' 02" East 71.04 feet and having a radius of 61.55 feet); thence South 12° 11' 14" East 246.93 feet; thence Southerly along a 4.4593° curve to the right 111.63 feet (said curve having a radius of 1264.87 feet) thence along curve to the right 123.97 feet (said curve having a chord bearing and distance of South 4° 26' 33" East, 123.93 and a radius of 1264.87 feet) thence South 1° 40' 53" 191.18 feet to the NEW POINT OF BEGINNING, containing 16.10 acres of land more or less.

File No. 58020-04
Exhibit "A" Continued

TITLE NOTES:

1. THE ABOVE DESCRIBED LEGAL CONTAINS ALL OF THE FIRST ADDITION TO TANEYCOMO HEIGHTS, A SUBDIVISION PER THE RECORDED PLAT THEREOF, PLAT BOOK 17, PAGE 28.
2. UNDERLINED CALL HAS BEEN OMITTED FROM THE DEEDED LEGAL DESCRIPTION AND WAS TAKEN FROM THE SURVEY FILED IN PLAT BOOK/SLIDE C AT PAGE 589; . . .

AND ALSO

A Tract of land situated in the SE1/4 of the NE1/4 of Section 14, Township 22 North, Range 22 West, being more particularly described as follows: Beginning at the Southwest corner of said SE1/4 of the NE1/4; thence South 88° 29' 44" East along the South line of said SE1/4 of the NE1/4 831.04 feet to a point on the Easterly right-of-way line of an Existing road; thence North 1° 40' 53" West along said right-of-way line 191.18 feet; then along a 4.4593° curve to the left and along said right-of-way line 123.97 feet; thence North 87° 17' 58" East 141.54 feet for a NEW POINT OF BEGINNING; thence North 2° 41' 47" East 104.05 feet; thence North 87° 17' 58" East 150.33 feet to a point on the Westerly right-of-way line of an existing road; thence South 5° 59' 34" East along said right-of-way line 18.28 feet; thence South 1° 25' 26" East along said right-of-way line 85.82 feet; thence South 87° 17' 58" West 149.48 feet to the NEW POINT OF BEGINNING, containing 0.34 acres more or less.

AND ALSO







All that part of the SW1/4 of the NE1/4 of Section 14, Township 22, Range 22, described as follows: Beginning at the Southeast Corner of the SW1/4 of the NE1/4; thence North 418 feet; thence West 209 feet; thence South 418 feet; thence East 209 feet to the POINT OF BEGINNING.

AND ALSO

Heather Brooke Heights

400' scale



- | | | |
|---|---|--|
|  Heather Brooke Heights |  Two-Family |  Agricultural |
|  Single-Family |  Planned Development |  Outside Branson City Limits |

