

RESOLUTION NO. 2016-013

**A RESOLUTION OF THE CITY COUNCIL OF NIXA, MISSOURI,
APPROVING THE STATUTORY COMPLIANCE FOR VOLUNTARY
ANNEXATION OF 77.49 ACRES OF PROPERTY (KNOWN AS
CHEYENNE VALLEY)**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NIXA, MISSOURI,
AS FOLLOWS:

Section 1: That there has been presented, on this date, to the City Council of the City of Nixa, a verified petition signed by the owners of all fee interests of record in all tracts of real property located within the area described in the petition, which area is proposed to be annexed to the City of Nixa, and which petition requests annexation of such area into the City Limits of the City of Nixa, Missouri; a copy of which petition is attached hereto and made a part hereof.

Section 2: That no part of the said real property is now included in any incorporated municipality.

Section 3: That the said real property is contiguous to the existing corporate limits of the City of Nixa, Missouri.

Section 4: That, in accordance with Section 71.012, RSMo, a public hearing was held concerning the matter, and this public hearing was held on the 19th day of January, 2016, at 7:00 p.m. at the City Hall in Nixa, Missouri.

Section 5: A notice of such hearing was published at least seven days prior to the date of said public hearing in a newspaper of general circulation in Christian County, Missouri, which is qualified to publish legal matters.

This Resolution shall be in force from and after the date of its passage.

Passed and approved this 19th day of January, 2016.

Mayor

ATTEST:

City Clerk

CITY COUNCIL COMMUNICATION

Meeting Date: January 19, 2016

Subject: Cheyenne Valley, 77.49 acres (James Randall McCauley)

Type of Item: Resolution **Presented by:** Travis Cossey

Suggested Action: Approval of a resolution of compliance for the annexation of 77.49 acres of property known as the Cheyenne Valley Annexation.

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**Annexation Review Schedule**

|                                                        |         |
|--------------------------------------------------------|---------|
| Public hearing and resolution on petition’s compliance | 1-19-16 |
| Planning and Zoning Commission hearing                 | 1-4-16  |
| Second hearing of Annexation Petition                  | 2-16-16 |

**BACKGROUND**

The subject property is a 77.49 acre tract of land located on the Southeast corner of Cheyenne Rd. and North St. The property is currently vacant land lying adjacent to two Collector status streets. The southwest corner of the 77.49 acres is adjacent to Daisy Falls Subdivision. The applicant is requesting three zonings for the property, 59.325 acres of R-1 (single-family); 8.473 acres of R-3 (multi-family) and 9.696 acres of GC (general commercial). Along with the annexation the property owner has received approval from P&Z for a Minor Subdivision for the creation of two lots. Lot 1 is 67.798 acres that will be the residential component of the development. The commercial portion of the land shown as Lot 2 is 9.696 acres in size.

**STATUTORY COMPLIANCE**

Staff has completed review of the petition and finds that it meets the requirements of the Missouri Revised Statutes for annexation eligibility as follows:

- The proposed territory for annexation is “contiguous and compact” to the existing boundaries of the City of Nixa.
- One hundred percent of the landowners of the property have petitioned the city for annexation.

- The annexation petition has been properly executed. The names and signatures of all landowners, a legal description of the property, and a boundary survey have been submitted.

## **RESOLUTION OF COMPLIANCE**

A Resolution has been prepared finding the annexation petition in compliance with the Missouri Revised Statutes annexation procedures. Approval of the resolution is appropriate unless one or more of the above criteria are not met. Approval of the Resolution finds that the petition is in compliance with the Missouri Revised Statutes and that the property is eligible for annexation.

**Approval of the Resolution does not annex the property or require the City Council to annex the property.**

## **STAFF RECOMMENDATION**

Staff recommends approval of the Resolution finding the annexation petition in compliance with the Missouri Revised Statutes.

Attachments

1. Resolution