

BILL NO. 2017-064

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF NIXA, MISSOURI,
APPROVING THE ANNEXATION FOR DUANE MCDANIEL OF 85.009
ACRES OF LAND (KNOWN AS MEADOWBROOK) LOCATED ON THE
EAST SIDE OF NORTON ROAD INTO THE CORPORATE LIMITS OF
THE CITY OF NIXA, MISSOURI**

WHEREAS, a verified petition signed by all the owners of the real estate hereinafter described requesting annexation of said territory into the City of Nixa, Missouri, was filed with the planning and zoning commission, and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Nixa, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the City Hall in Nixa, Missouri, at the hour of 7:00 p.m., April 17, 2017; 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 City Council of the City of Nixa, Missouri within fourteen days after the public hearing; and

WHEREAS, the City Council of the City of Nixa, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the city; and

THEREFORE, be it ordained by the City Council of the City of Nixa, Missouri as follows:

SECTION I: The following described real estate is hereby approved for annexation into the corporate boundaries of the City of Nixa as described below:

A 85.009 ACRE TRACT OF LAND (MEADOWBROOK) LOCATED ON THE EAST SIDE OF NORTON ROAD IN NIXA, MISSOURI. SEE ATTACHED EXHIBIT A.

SECTION II: The boundaries of the City of Nixa, Missouri, upon such time as the state statutes allows, will be altered to encompass the above described tract of land.

SECTION III: This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

READ TWO (2) TIMES AND PASSED BY THE CITY COUNCIL FOR THE CITY OF NIXA, MISSOURI THIS 19TH DAY OF JUNE, 2017.

Presiding Officer

ATTEST:

City Clerk

APPROVED THIS _____ DAY OF JUNE, 2017.

Mayor

ATTEST:

City Clerk

A Resolution of the Planning and Zoning Commission
Conditionally approving

The Duane McDaniel 85.009 acre annexation proposal east of Norton Rd.

WHEREAS, the Nixa Planning and Zoning Commission met on April 3, 2017 and reviewed the Duane McDaniel 85.009 acre annexation, and finds the application meets the following review criteria:

1. The property's perimeter meets the Missouri State Statutes requirements for contiguity

The property is contiguous to existing city boundaries.

2. That such annexation is reasonable and necessary for the proper development of the City.

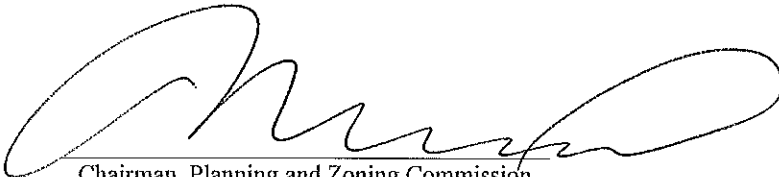
The annexation proposal is a logical extension of the City's incorporated boundary. The proposed use of this property as single-family residential complies with the City of Nixa's comprehensive Plan's land use designation map.

3. The ability of the City to furnish normal utilities and services

All City utilities and services are in the area and can be extended to serve the development of the land.

NOW, THEREFORE, be it resolved that the Nixa Planning and Zoning Commission hereby finds that the proposed Annexation meets the review criteria, and recommends approval of the annexation request.

Passed, adopted and recommended for approval this 3 day of APRIL, 2017, by a vote of 6 to 0.



Chairman, Planning and Zoning Commission

Attached Sheet A

Property Description

SOURCE OF DESCRIPTION: BOOK 2015 AT PAGE 6577

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4), A PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), AND A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) IN SECTION 23, TOWNSHIP 27 NORTH, RANGE 22 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING BRASS MONUMENT AT THE SOUTHWEST CORNER OF SAID SW1/4 OF THE SE1/4; THENCE S89°30'16"E, ALONG THE SOUTH LINE OF SAID SW1/4 OF THE SE1/4, A DISTANCE OF 15.00 FEET TO AN IRON PIN SET ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK RC1 AT PAGE 576 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE SAID POINT ALSO BEING THE EAST RIGHT-OF-WAY LINE OF NORTON ROAD AS IT NOW EXISTS FOR A POINT OF BEGINNING; THENCE N01°36'04"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1333.85 FEET TO AN IRON PIN SET ON THE NORTH LINE OF SAID SW1/4 OF THE SE1/4; THENCE CONTINUING N01°36'04"E, ALONG SAID EAST LINE, A DISTANCE OF 1333.85 FEET TO AN IRON PIN SET ON THE NORTH LINE OF SAID NW1/4 OF THE SE1/4; THENCE N01°30'42"E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1330.51 FEET TO AN IRON PIN SET ON THE NORTH LINE OF SAID SW1/4 OF THE NE1/4; THENCE N89°53'00"E, ALONG THE NORTH LINE OF SAID SW1/4 OF THE NE1/4, A DISTANCE OF 739.78 FEET TO AN IRON PIN SET; THENCE S01°25'13"E, A DISTANCE OF 2047.48 FEET TO AN IRON PIN SET; THENCE S41°41'20"E, A DISTANCE OF 837.50 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID SW1/4 OF THE SE1/4; THENCE S01°27'51"W, ALONG THE EAST LINE OF SAID SW1/4 OF THE SE1/4, A DISTANCE OF 1337.80 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID SW1/4 OF THE SE1/4; THENCE N89°30'16"W, ALONG THE SOUTH LINE OF SAID SW1/4 OF THE SE1/4, A DISTANCE OF 1321.53 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 90.000 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.