

BILL NO. 2016-033

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF NIXA, MISSOURI
APPROVING THE ANNEXATION OF 33.26 ACRES OF LAND LOCATED
ON THE SOUTHWEST CORNER OF GREGG ROAD AND NORTHVIEW
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. March 21, 2016; 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 33.26 ACRE TRACT OF LAND LOCATED ON THE SOUTHWEST CORNER OF GREGG ROAD AND NORTHVIEW ROAD, NIXA, MISSOURI. SEE ATTACHED LEGAL DESCRIPTIONS.

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 II: This ordinance shall be in full force upon execution of the Annexation Agreement for said property described in Section I above.

All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.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 21ST DAY OF MARCH, 2016.

Presiding Officer

ATTEST:

City Clerk

APPROVED THIS _____ DAY OF MARCH, 2016.

Mayor

ATTEST:

City Clerk

PLANNING AND ZONING COMMISSION
COMMUNICATION



REQUESTED ACTION: Annexation Request
City of Nixa Park Land

MEETING DATES: P&Z Commission, February 1, 2016
City Council: February 16, 2016 (Public Hearing)
City Council: March 21, 2016 (Vote)

PREPARED BY: Travis Cossey, Planning & Development Dir.

TYPE OF ITEM: Resolution

STAFF RECOMMENDATION: Staff recommends the Planning and Zoning Commission forward a resolution of approval to the City Council with conditions of approval as presented in this report.



BACKGROUND INFORMATION:

The subject property is a 33.26 acre tract of land located on the Southwest corner of Gregg Rd. and Northview Rd. The property is currently vacant land lying adjacent to Gregg Rd. The property was purchased by the City of Nixa from the Nixa School District for the purpose of construction of a Nixa City Park. After two failed tax ballot issues aimed at funding improvement on the land the City Council has decided to offer the land for purchase. Mr. Stu Stenger of Stenger Development has made an offer that the City Council has accepted. The offer came with the understanding that the City of Nixa, as the owner, would annex and process a preliminary plat prior to closing. The annexation request is accompanied by a request for R1 (single family) zoning for 20.245 acres located on the west side of the property, and R3 (multi family) zoning for the eastern 13.015 acres.

APPLICANT CONTACT INFORMATION: City of Nixa
Brian Bingle, City Administrator
715 W. Mt. Vernon
Nixa, MO 65714
(417) 125-3785

REQUESTED ACTION:

The City of Nixa is requesting approval of an annexation petition for the inclusion of 33.26 acres of land into the corporate boundaries of the City of Nixa. The applicant is requesting R-1 (Single-Family) and R-3 (Multi-Family) zoning for the parcel.

TOPOGRAPHY:

The property is a 33.26 acre site with relatively flat terrain that gently slopes to the north. A storm water drainage travels from the south to the north in a ditch located in roughly the middle of the parcel.

SURROUNDING LAND USE:

- West:** Vacant land in the county
- South:** Single family homes in the city (Dogwood Estates)
- East:** Single family homes in the city (Parkmore Heights)
- North:** Single family homes in the county (Sleepy Hollow)

SETBACK REQUIREMENT:

R-1 (Single-Family)

Minimum Depth of Front Yard	25 feet
Minimum Depth of Either Side Yard	5 feet
Minimum Depth of Rear Yard	20 feet

R-3 (Multi-Family)

Minimum Depth of Front Yard	20 feet
Minimum Depth of Side Yard	8 feet
Minimum Depth of Rear Yard	12 feet

STATUTORY COMPLIANCE:

The annexation request meets Statutory Compliance which necessitates that a property be contiguous to existing city boundaries. The property obtains its adjacency to City boundaries by being contiguous to Dogwood Estates to the South and Parkmore Heights to the East.

UTILITY DELIVERY:

Water:

At the time of development water service shall be provided by the City of Nixa. Obtaining connection to the water system is the responsibility of the developer. The City currently has 8 inch water service available at the intersection of Gregg and Northview. This connection location is adequate to serve development of the property. Looping of the water system shall occur to ensure that water quality and pressure is maintained throughout the development.

Sewer:

Wastewater service shall be provided by the City of Nixa. An existing sewer main is located on the property. Due to the shallowness of the existing sewer system a lift station may be necessary on the northern portion of the site.

Electric:

Electric service shall be obtained from the City of Nixa. Existing service is provide along Gregg Rd. Adequate power is available to accommodate the needs of the 33.26 acre parcel.

TRANSPORTATION:

The subject property is located at the intersection of Gregg Rd. and Northview, lying west of Gregg Rd. The Nixa Comprehensive Transportation Plan identifies the extension of Northview from Gregg Rd. west eventually making connection to Nicholas Rd. At the time of development the applicant will be responsible for dedication of R.O.W. necessary to accommodate the extension of Northview along the properties northern property line to the western most side of the property. This will allow for the eventual extension further west ultimately making connection with Nicholas Rd. As agreed to by the City in the sale of the property, the applicant will be responsible for the construction of a 36' back of curb to back of curb "3 land road" with a center turn land and a sidewalk on one side. The City shall contribute funds towards the project as outlined in the contract for sale of the site.

POLICE PROTECTION:

The proposed development is currently located within existing City patrol routes. Serving the needs of the subject property will necessitate the extension and enlargement of current patrol area.

FIRE PROTECTION:

Fire protection is provided to all areas located within the Emergency 911 district. This property is located within the Emergency 911 district.

COMPRIHENSIVE PLAN COMPLIANCE:

The subject property is included in Tier 1 of the Comprehensive Plan's 3 tier development map. This tier includes those areas where the City is providing, or intends to annex and provide in the immediate future, urban level services. This is the area where the City has identified the availability of urban level services and will encourage development.

Staff has found the application in conformance with Goal 1 objective 1.J of the Growth Management Chapter. This objective states that the City should consider annexation of land contiguous with the City of Nixa's existing City boundaries when property owners petition for annexation.

The application has also been found in conformance with Goal 4, objective 4.C. This objective establishes criteria that the City should use to maintain a holistic planning approach to assure that new development does not negatively impact existing land uses and positively provides a cost-effective benefit to the whole community.

Prior to annexation of the property, the applicant must dedicate all necessary perimeter easements and necessary R.O.W. through the annexation agreement form and recordation of a boundary survey plat.

STAFF RECOMMENDATION:

The annexation of this property is in conformance with the City's Zoning, Subdivision and Technical Specifications. Staff supports the request for annexation.

A Resolution of the Planning and Zoning Commission
Conditionally approving

The City of Nixa Park Land, 33.26 acres on the Southwest corner of Gregg and Northview
Drive.

WHEREAS, the Nixa Planning and Zoning Commission met on February 1, 2016 and reviewed the City of Nixa Park Land annexation, located on the Southwest corner of Gregg and Northview Dr., 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 and multi-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 _____ day of _____, 2016, by a vote of _____ to _____.

Chairman, Planning and Zoning Commission



Development Department P & Z Application

Application Date: 11-20-15

Project Type: _____ Title as it Appears on Plans: _____

<input checked="" type="checkbox"/>	Annexation, Zoning & Concept Plan	<input type="checkbox"/>	Board of Adjustments
<input type="checkbox"/>	Preliminary Plat	<input type="checkbox"/>	Exception to Subdivision Regulations
<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Zoning Code Amendment
<input type="checkbox"/>	Rezoning and Concept Plan	<input type="checkbox"/>	Vacation of Easement
<input type="checkbox"/>	Minor Subdivision (3 or less lots)	<input type="checkbox"/>	Vacation of Right-of-Way
<input type="checkbox"/>	Final Plat	<input type="checkbox"/>	Other _____

INFORMATION

Applicant's Name CITY OF NIXA Project Location SOUTHWEST CORNER OF GREGG + NORTHVIEW
 Applicant Address: 715 W. MT. VERNON Existing Use VACANT LAND
NIXA MO, 65714 Proposed Use R-1 & RESIDENTIAL
 Phone/Fax/Mobile 725-5850 Existing Zoning —
 Relationship to Owner CITY ADMINISTRATION Zoning R-1 (SINGLE FAMILY)

Legal Description of Property

33.26 ACRES, SOUTHWEST CORNER OF GREGG RD AND NORTHVIEW DR.

Pre-application conference was held with

PERSONS IN INTEREST

Name	Address	Zip	Phone/Fax/Mobile
PROPERTY OWNER(S) (Identify General Partners)			

Mortgages

Optionees



Development Department P & Z Application

CONSULTANTS

Name	Address	Zip	Phone/Fax/Mobile
SHAFFER & HINES	P.O. Box 493, NIXA		725-4663

CONTACT PERSON : BRIAN BINGE

Identify one person to serve as the contact for the Planning Department during the review process. This will be the only person notified by the Planning Department of meeting schedules. It will be his/her responsibility to notify the other parties who may be

Address P.O. Box 395
NIXA
Phone/Fax 725-5850

OWNER CERTIFICATION

I certify that I am a person in interest and the information and exhibits herewith are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge and consent of all persons in interest. Without the consent of persons in interest, the requested action cannot lawfully be accomplished.

Address P.O. Box 395
NIXA
Phone/Fax 725-5850
Name BRIAN BINGE

Owner's Signature [Signature]

Capacity CITY ADMINISTRATOR

STAFF USE ONLY APPLICATION ACCEPTED

Date 11-20-15

Time _____

By [Signature]

Fee Received NA

- Property Owners within 185 feet notified
- Application Requirements Complete



PO Box 395, 715 W. Mt. Vernon, Nixa, MO 65714
(Phone) 417-725-5850 (Fax) 417-725-6394

ANNEXATION PETITION

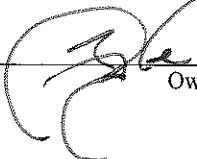
Come now CITY OF NIXA
Owner(s) Name(s) typed or printed

and petitions the Board of Aldermen of the City of Nixa, Missouri, to annex the following described unincorporated area which is contiguous to the existing corporate limits of the City of Nixa, Missouri:

SEE ATTACHED

Your Petitioner states that he is the owner in fee of all interests in the said tract of real property and requests that the Board of Aldermen hold a public hearing not fewer than fourteen (14) or more than more than sixty (60) days after receipt of this Petition and that said hearing be held not fewer than seven (7) days after notice of the hearing is published in a newspaper of general circulation, qualified to publish legal matters. Further, should the Board of Aldermen determine that the annexation reasonable and necessary to the property development of Nixa, Missouri has the ability to furnish normal municipal services to the area to annexed within a reasonable time, Petitioner requests that said Board of Aldermen thereafter annex the territory by ordinance without further action.

Should written objection to the proposed annexation be filed with the Board of Aldermen not later than fourteen (14) days after said public hearing, this Petitioner than requests the Board of Aldermen thereafter to petition the Circuit Court of Christian County, Missouri, for a declaratory judgment as to the reasonableness of such annexation.

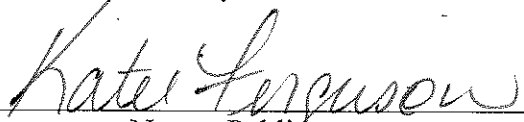
Owner Signature


Owner Signature

STATE OF MISSOURI
COUNTY OF CHRISTIAN

On this 24 day of November, 2015, before me personally appeared Brian Bingle to me known to be the person described in and who executed the foregoing instrument and acknowledges that he executed the same as his free act and deed and that the facts stated therein are true to the best of his knowledge and belief.

In testimony whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.



Notary Public

My Commission Expires: 10/29/2018



Applicant Name: CITY OF NIXA (C.O. BRIAN BINGLE) Phone: 417-725-5850

Applicant Mailing Address: 715 W. MT. VERNON (P.O. Box 395)
NIXA MO, 65714

SOURCE OF DESCRIPTION: BOOK 2012 AT PAGE 3965 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE.

THAT CERTAIN PARCEL OR TRACT OF LAND LOCATED IN SECTIONS 10, TOWNSHIP 27 NORTH, RANGE 22 WEST, AND SECTION 11, TOWNSHIP 27 NORTH, RANGE 22 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID SECTION 10; THENCE N89°44'55"W, ALONG THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 639.74 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE, N89°44'55"W, 696.97 FEET TO AN EXISTING IRON PIN; THENCE N00°04'12"E, 724.23 FEET TO AN EXISTING IRON PIN; THENCE N00°04'24"E, 612.22 FEET TO AN EXISTING IRON PIN; THENCE S89°43'58"E, 1334.99 FEET TO AN EXISTING IRON PIN ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHVIEW ROAD; THENCE S86°24'42"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 205.51 FEET TO AN EXISTING IRON POST ON THE WEST RIGHT-OF-WAY OF GREGG ROAD; THENCE S07°28'20"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 554.64 FEET TO AN EXISTING IRON PIN; THENCE N89°44'40"W, 312.98 FEET TO AN EXISTING IRON PIN; THENCE S00°01'43"W, 49.97 FEET TO AN EXISTING IRON PIN; THENCE S00°00'36"E, 222.96 FEET TO AN EXISTING IRON PIN; THENCE S86°18'15"W, 462.72 FEET TO AN EXISTING IRON POST; THENCE S00°15'04"E, 469.12 FEET TO THE POINT OF BEGINNING.

EXCEPT,

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 11, TOWNSHIP 27 NORTH, RANGE 22 WEST, AND PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 10, TOWNSHIP 27 NORTH, RANGE 22 WEST, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF THE SAID SW1/4 OF THE SW1/4; THENCE S86°23'53"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF NORTHVIEW ROAD AS IT NOW EXISTS, A DISTANCE OF 205.52 FEET, TO A EXISTING IRON CORNER POST ON THE WEST RIGHT-OF-WAY LINE OF GREGG ROAD AS IT NOW EXISTS; THENCE S07°29'03"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 34.11 FEET; THENCE WESTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 00°26'53", A CHORD BEARING OF S89°43'48"W, AN ARC LENGTH OF 4.14 FEET; THENCE S89°57'14"W, A DISTANCE OF 122.46 FEET; THENCE S40°44'26"W, A DISTANCE OF 55.16 FEET; THENCE SOUTHERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 21°57'50", A CHORD BEARING OF S22°47'10"E, AN ARC LENGTH OF 149.50 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 16°48'29", A CHORD BEARING OF S25°21'50"E, AN ARC LENGTH OF 149.61 FEET TO A POINT ON THE SAID WEST RIGHT-OF-LINE OF

GREGG ROAD; THENCE S07°29'03"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 204.21 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 280 PAGE 4343 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE; THENCE N89°43'55"W, ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 14.43 FEET; THENCE NORTHERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 40°36'49", A CHORD BEARING OF N13°27'40"W, AN ARC LENGTH OF 318.98 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 24°21'44", A CHORD BEARING OF N21°35'13"W, AN ARC LENGTH OF 191.34 FEET; THENCE N49°15'34"W, A DISTANCE OF 54.61 FEET; THENCE S89°56'33"W, PARALLEL WITH THE SOUTH LINE OF SLEEPY HOLLOW SUBDIVISION, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI, A DISTANCE OF 4.34 FEET; THENCE N00°03'27"W, A DISTANCE OF 47.09 FEET TO A POINT ON THE NORTH LINE OF THE SE1/4 OF THE SE1/4, OF SAID SECTION 10 ; THENCE S89°44'23"E, ALONG SAID NORTH LINE, A DISTANCE OF 69.90 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 39,765 SQUARE FEET (MORE OR LESS), AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

ALSO EXCEPT,

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 11, TOWNSHIP 27 NORTH, RANGE 22 WEST, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF THE SAID SW1/4 OF THE SW1/4; THENCE S86°23'53"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF NORTHVIEW ROAD, AS AT NOW EXISTS, A DISTANCE OF 205.52 FEET TO AN EXISTING IRON CORNER POST ON THE WEST RIGHT-OF-WAY LINE OF GREGG ROAD, AS IT NOW EXISTS; THENCE S07°29'03"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 34.11 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE S07°29'03"W, A DISTANCE OF 316.30 FEET; THENCE NORTHWESTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 16°48'29", A CHORD BEARING OF N25°21'50"W, AN ARC LENGTH OF 149.61 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 21°57'50", A CHORD BEARING OF N22°47'10"W, AN ARC LENGTH OF 149.50 FEET; THENCE N40°44'26"E, A DISTANCE OF 55.16 FEET; THENCE N89°57'14"E, A DISTANCE OF 122.46 FEET; THENCE EASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 00°26'53", A CHORD BEARING OF N89°43'48"E, AN ARC LENGTH OF 4.14 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 27,939 SQUARE FEET (MORE OR LESS), AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

ABOVE DESCRIBED PROPERTY ALL CONTAINING 33.260 ACRES (MORE OR LESS).



Google earth





December 23, 2015

Dear Property Owner,

This letter is provided as a revision to the letter you received dated November 23, 2015. The City is still proceeding with the annexation of the 33.26 acres of property located on the Southwest corner of N. Gregg Rd. and Northview Dr. The request has been modified to include a request for both R-1 (single-family) zoning as well as R-3 (multi-family) zoning. Due to the change in the request zoning the City has postponed the hearing schedule by one month.

The annexation petition will be reviewed and voted on by the Planning & Zoning Commission and the Nixa City Council at the following meeting dates.

Monday, February 1, 2016. Planning & Zoning Commission Public Hearing and Vote.
Tuesday, February 16, 2016. City Council Public Hearing.
Monday, March 21, 2016. City Council Vote.

All meetings will be held at Nixa City Hall, 715 W. Mt. Vernon, Nixa, Missouri 65714 at 7:00 P.M.

Attached is a map reflecting the requested zoning. If you have questions you may contact me by phone at (417) 725-5850 or via email at tcossey@nixa.com

Respectfully,

A handwritten signature in black ink, appearing to read "Travis Cossey", is written over a light blue horizontal line.

Travis Cossey
Planning & Development Director

COUSE TABLE

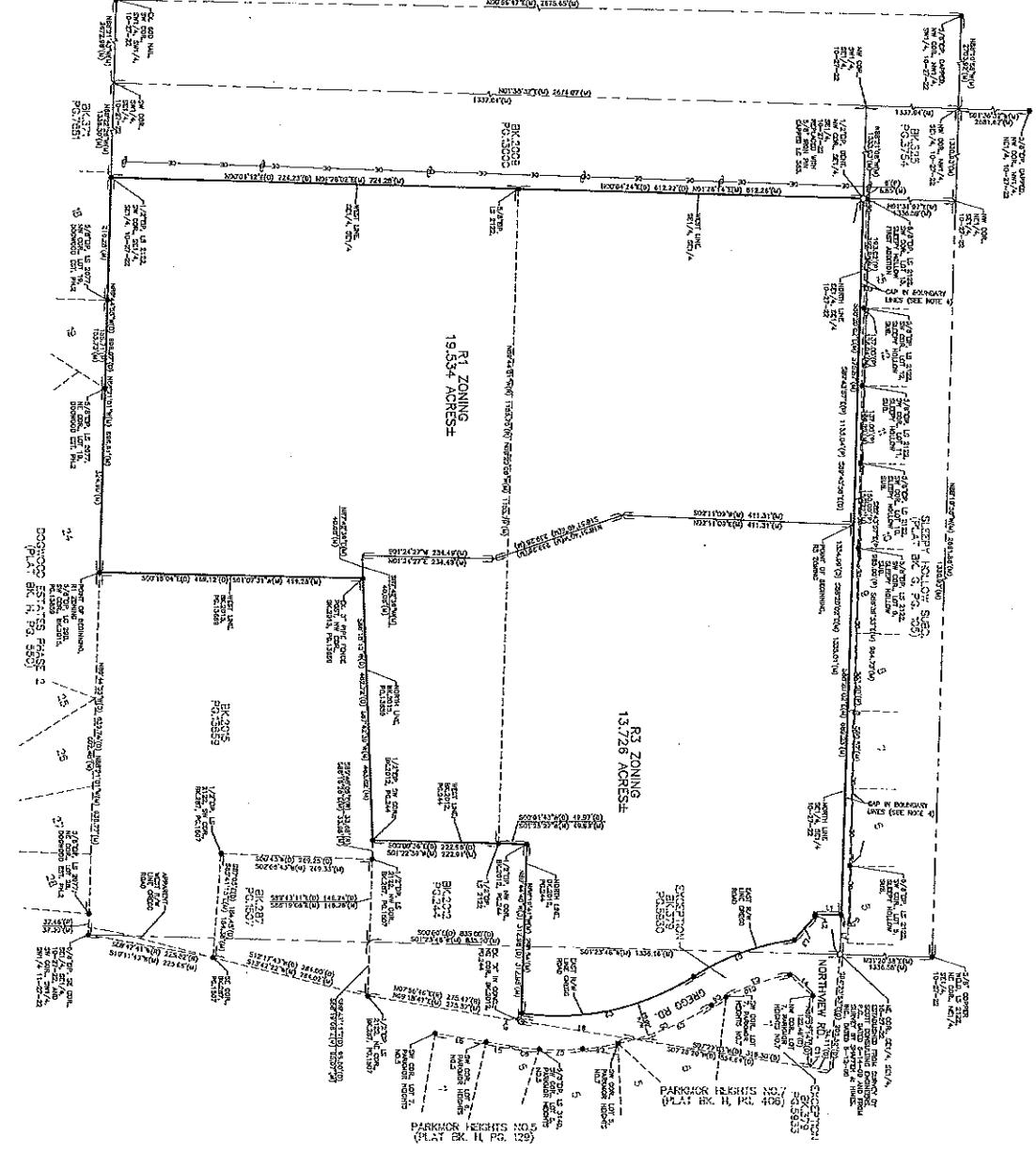
NO.	DATE	REVISION	BY	CHK.	REVISION
1	05/20/12		JK	JK	ISSUED FOR PERMIT
2	05/20/12		JK	JK	REVISIONS MADE
3	05/20/12		JK	JK	REVISIONS MADE
4	05/20/12		JK	JK	REVISIONS MADE
5	05/20/12		JK	JK	REVISIONS MADE
6	05/20/12		JK	JK	REVISIONS MADE
7	05/20/12		JK	JK	REVISIONS MADE
8	05/20/12		JK	JK	REVISIONS MADE
9	05/20/12		JK	JK	REVISIONS MADE
10	05/20/12		JK	JK	REVISIONS MADE

LAND TABLE

NO.	DATE	REVISION	BY	CHK.	REVISION
1	05/20/12		JK	JK	ISSUED FOR PERMIT
2	05/20/12		JK	JK	REVISIONS MADE
3	05/20/12		JK	JK	REVISIONS MADE
4	05/20/12		JK	JK	REVISIONS MADE
5	05/20/12		JK	JK	REVISIONS MADE
6	05/20/12		JK	JK	REVISIONS MADE
7	05/20/12		JK	JK	REVISIONS MADE
8	05/20/12		JK	JK	REVISIONS MADE
9	05/20/12		JK	JK	REVISIONS MADE
10	05/20/12		JK	JK	REVISIONS MADE

LEGEND:
 ■ ZONING DISTRICT
 ■ PROPERTY LINES
 ■ EASEMENTS
 ■ ENCUMBRANCES
 ■ CONVEYANCES
 ■ RECORDS
 ■ SURVEY DATA
 ■ ADJACENT PROPERTY
 ■ ADJACENT ZONING
 ■ ADJACENT BOUNDARIES
 ■ ADJACENT DISTRICTS

ZONING EXHIBIT

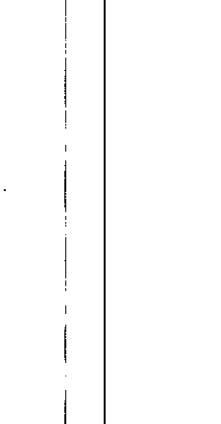


STATEMENT OF WORK
 This document is intended to provide information regarding the proposed zoning for the subject property. The information is based on the zoning map of the City of Nixa, Missouri, as of the date of this exhibit. The zoning map is subject to change and is not guaranteed to be accurate. The City of Nixa is not responsible for any errors or omissions in this document. The City of Nixa is not responsible for any consequences that may result from the use of this information. The City of Nixa is not responsible for any damages, including consequential damages, that may result from the use of this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information.

DEPARTMENT OF SURVEYING
 This map was prepared by the Department of Surveying, City of Nixa, Missouri. The map is based on the zoning map of the City of Nixa, Missouri, as of the date of this exhibit. The zoning map is subject to change and is not guaranteed to be accurate. The City of Nixa is not responsible for any errors or omissions in this document. The City of Nixa is not responsible for any consequences that may result from the use of this information. The City of Nixa is not responsible for any damages, including consequential damages, that may result from the use of this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information. The City of Nixa is not responsible for any actions taken by anyone in reliance on this information.

DECLARATION BY SURVEYOR
 I, the undersigned, being a duly qualified and licensed surveyor in the State of Missouri, do hereby certify that I am the author of the foregoing map and that the same was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Missouri. I have personally examined the map and the same is a true and correct copy of the original map on file in my office. I have also examined the original map and the same is a true and correct copy of the original map on file in my office. I have also examined the original map and the same is a true and correct copy of the original map on file in my office. I have also examined the original map and the same is a true and correct copy of the original map on file in my office. I have also examined the original map and the same is a true and correct copy of the original map on file in my office. I have also examined the original map and the same is a true and correct copy of the original map on file in my office.

ADDRESS:
 ALL DISTRICTS ARE BASED ON GRID NORTH AND ARE SUBJECT TO THE STATE SURVEY BOARD'S REGULATION OF DISTRICTS. DISTRICTS ARE SUBJECT TO CHANGE AND ARE NOT GUARANTEED TO BE ACCURATE. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY CONSEQUENCES THAT MAY RESULT FROM THE USE OF THIS INFORMATION. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, THAT MAY RESULT FROM THE USE OF THIS INFORMATION. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY ACTIONS TAKEN BY ANYONE IN RELIANCE ON THIS INFORMATION. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY ACTIONS TAKEN BY ANYONE IN RELIANCE ON THIS INFORMATION. THE CITY OF NIXA IS NOT RESPONSIBLE FOR ANY ACTIONS TAKEN BY ANYONE IN RELIANCE ON THIS INFORMATION.



A Resolution of the Planning and Zoning Commission
Conditionally approving

The City of Nixa Park Land, 33.26 acres on the Southwest corner of Gregg and Northview Drive.

WHEREAS, the Nixa Planning and Zoning Commission met on February 1, 2016 and reviewed the City of Nixa Park Land annexation, located on the Southwest corner of Gregg and Northview Dr., 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.

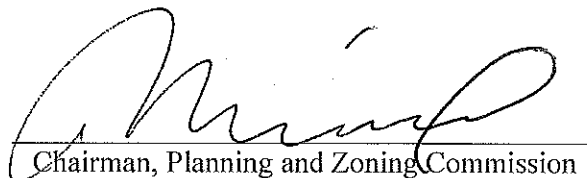
The annexation proposal is a logical extension of the City's incorporated boundary. The proposed use of this property as single-family and multi-family residential complies with the City of Nixa's comprehensive Plan's land use designation map.

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 1 day of FEBRUARY, 2016, by a vote of 6 to 0.


Chairman, Planning and Zoning Commission

EAGLE PARK - DESCRIPTION

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) IN SECTION 10 AND A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) IN SECTION 11 ALL IN TOWNSHIP 27 NORTH, RANGE 22 WEST, IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID SE1/4 OF THE SE1/4 IN SECTION 10; THENCE N88°21'01"W, ALONG THE SOUTH LINE OF SAID SE1/4 OF THE SE1/4, A DISTANCE OF 639.77 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2015 AT PAGE 13659 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE FOR A POINT OF BEGINNING; THENCE N88°21'01"W, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 696.91 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SE1/4; THENCE N01°28'02"E, ALONG THE WEST LINE OF SAID SE1/4 OF THE SE/4, A DISTANCE OF 724.28 FEET TO AN EXISTING IRON PIN; THENCE N01°28'14"E, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 532.26 FEET TO AN EXISTING IRON PIN; THENCE S88°20'02"E, A DISTANCE OF 1308.33 FEET TO AN EXISTING IRON PIN ON THE WEST RIGHT-OF-WAY LINE OF GREGG ROAD AS IT NOW EXISTS; THENCE ALONG SAID WEST RIHGT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) THENCE S48°04'56"E, A DISTANCE OF 3.55 FEET TO AN EXISTING IRON PIN; 2) THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 24°22'47", A CHORD BEARING OF S20°10'44"E, AN ARC LENGTH OF 191.48 FEET TO AN EXISTING IRON PIN; 3) THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 40°38'21", A CHORD BEARING OF S12°03'49"E, AN ARC LENGTH OF 319.18 FEET TO AN EXISTING IRON PIN ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2012 AT PAGE 244 IN SAID CHRISTIAN COUNTY, RECORDER'S OFFICE; THENCE N88°19'41"W, ALONG THE NORTH LINE OF SAID TRACT OF LAND, A DISTANCE OF 298.54 FEET TO AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF SAID TRACT OF LAND; THENCE S01°25'27"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 49.98 FEET TO AN EXISTING IRON PIN; THENCE S01°22'39"W, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 222.91 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID TRACT OF LAND, SAID POINT BEING ON THE NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 2015 AT PAGE 13659; THENCE S87°42'39"W, ALONG SAID NORTH LINE, A DISTANCE OF 463.02 FEET TO AN EXISTING 3 INCH PIPE FENCE POST AT THE NORTHWEST CORNER OF SAID TRACT OF LAND; THENCE S01°07'31"W, ALONG THE WEST LINE OF SAID TRACT OF LAND, A DISTANCE OF 469.28 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 30.919 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

CURVE TABLE:

Table with columns: CURVE, RADIUS, LENGTH, TANGENT, CHORD, DELTA, CHORD BEARING. Contains data for curves C1 through C11.

LINE TABLE:

Table with columns: LINE, LENGTH, BEARING. Contains data for lines L1 through L9.

LEGEND:

- Legend items: EXISTING IRON PIN FOUND, CAPPED 'C' 3/8", 5/8" IRON PIN SET, PERMANENT MON. SET, PLATTED DATA, MEASURED DATA, DEEDED DATA, BUILDING SETBACK LINE, DRAIN, EXISTING IRON PIN FOUND, UTILITY, EASEMENT, NORTH, SOUTH, EAST, WEST, EXISTING CHAIN LINK FENCE, EXISTING BOARD FENCE, EXISTING WIRE FENCE.

ZONING EXHIBIT

DESCRIPTION:

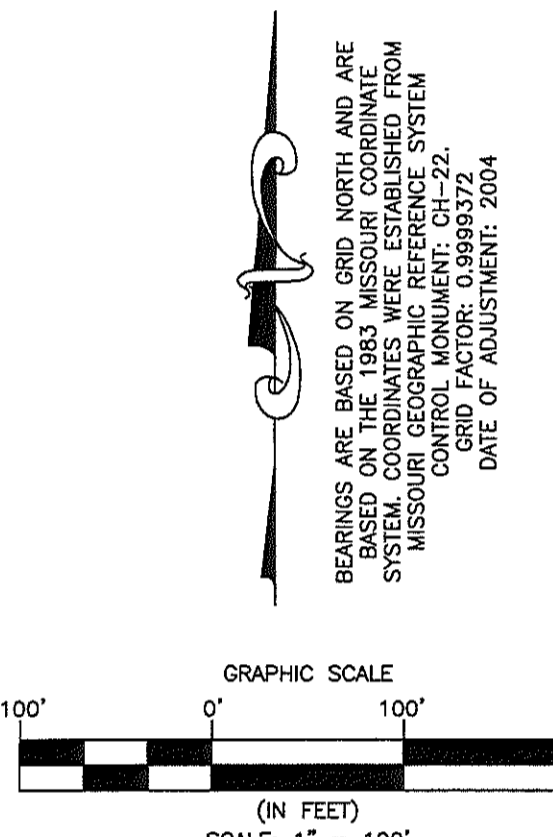
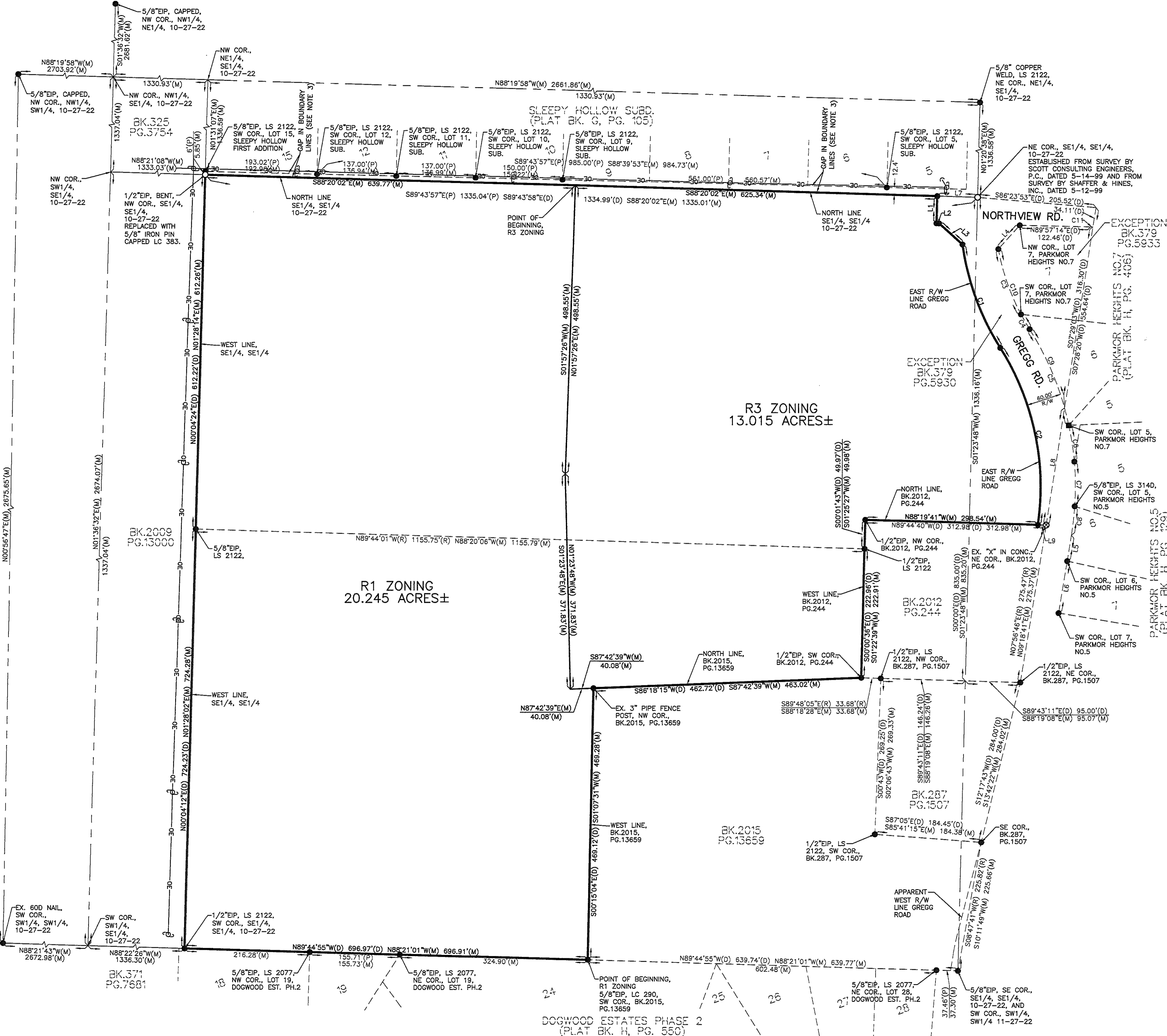
SOURCE OF DESCRIPTION: BOOK 2012 AT PAGE 3965 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE.

R1 ZONING DESCRIPTION:

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SE1/4) IN SECTION 10, TOWNSHIP 27 NORTH, RANGE 22 WEST, IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SE1/4...

R3 ZONING DESCRIPTION:

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SE1/4) IN SECTION 10, TOWNSHIP 27 NORTH, RANGE 22 WEST, AND A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) IN SECTION 11, TOWNSHIP 27 NORTH, RANGE 22 WEST, ALL IN THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID SE1/4 OF THE SE1/4 IN SAID SECTION 10...



NOTES: 1. SOURCE OF SURVEY: FINAL PLAT OF PARKMOR HEIGHTS NO. 7; FINAL PLAT OF PARKMOR HEIGHTS NO. 5; FINAL PLAT OF SLEEPY HOLLOW SUBDIVISION; SURVEY BY TODD SURVEYING DATED 03-18-1987; SURVEY BY GUNTER & ASSOCIATES, INC., DATED 10-11-1999; SURVEY BY SCOTT CONSULTING ENGINEERS, P.C., DATED 03-14-1999; SURVEY BY SHAFER & HINES, INC., DATED 05-12-1998; THE FINAL PLAT OF DOGWOOD ESTATES PHASE 2; SURVEY BY SHAFER & HINES, INC., PROJECT NO. 112011, DATED 02-14-2012; SURVEY BY SHAFER & HINES, INC., PROJECT NO. 150042, DATED 08-18-2016.

DECLARATION BY SURVEYOR: I HEREBY DECLARE TO THE CITY OF NIXA: THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN, WHICH WAS PERFORMED TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE CURRENT JOINT STANDARDS FOR PROPERTY SURVEYS AS PUBLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND BASED ON INFORMATION PROVIDED BY THE CITY OF NIXA.

Professional seal for Shanel Machin, Registered Professional Land Surveyor, Missouri, No. 2005019223. Includes date and signature.

Vertical sidebar containing: Date, Revision/Issue, No., Prepared For (City of Nixa), and Sheet number (152012, 1 of 1).