

RESOLUTION NO. 2016-021

**A RESOLUTION OF THE CITY COUNCIL OF NIXA, MISSOURI,
APPROVING THE STATUTORY COMPLIANCE FOR VOLUNTARY
ANNEXATION OF 33.26 ACRES OF PROPERTY (KNOWN AS EAGLE
PARK)**

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 16th day of February, 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 16th day of February, 2016.

Mayor

ATTEST:

City Clerk

CITY COUNCIL COMMUNICATION

Meeting Date: February 16, 2016

Subject: Eagle Park, 33.26 acres (City Park Land)

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

Suggested Action: Approval of a resolution of compliance for the annexation of 33.26 acres of property known as the Eagle Park Annexation.

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**Annexation Review Schedule**

|                                                        |         |
|--------------------------------------------------------|---------|
| Public hearing and resolution on petition’s compliance | 2-16-16 |
| Planning and Zoning Commission hearing                 | 2-1-16  |
| Second hearing of Annexation Petition                  | 3-21-16 |

**BACKGROUND**

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.

**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

