

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA APPROVING THE VOLUNTARY ANNEXATION OF APPROXIMATELY 4.29 ACRES OF RIGHT OF WAY OF MISSOURI ROUTE 14 LOCATED WEST OF CURRENT CITY LIMITS

Background:

The City of Nixa has been awarded a grant from the State of Missouri Division of Tourism for the design, fabrication, and installation of a "Welcome to Nixa" sign. The sign will be on the 72-acre solar farm property on the south side of Missouri Route 14. To ensure that the welcome sign is adjacent to the city limits of Nixa, we are requesting the voluntary annexation of the subject right of way.

Analysis:

The City of Nixa has contacted the Missouri Highways and Transportation Commission (MHTC) to request the voluntary annexation of approximately 4.29 acres of Missouri Route 14 rights of way. The request specifically includes the highway rights of way of Missouri Route 14 (West Mt. Vernon) from roughly the intersection of South Cedar Heights Drive and Missouri Route 14 to the west of the intersection of South Hazels Run and Missouri Route 14.

The MHTC has procedures that allow municipalities to request voluntary annexation of their rights of way. As part of this request, the City was required to notify all municipalities within a 5-mile radius of the subject rights of way. That included, Clever, Highlandville, Fremont Hills, Ozark, Springfield, and Christian County. The City of Nixa has received letters from these municipalities acknowledging that they do not have any objection to this annexation.

In effort to receive feedback, a legal ad was required to run for two consecutive weeks and all property owners within 185' of the right of way in question were notified by certified mail. The only feedback we received was a phone call from the property owner that the solar farm sits on, he is in favor of this annexation.

Planning and Zoning Commission:

A public hearing was held at the June 3rd meeting of the Planning and Zoning Commission. Nobody approached the Commission during the public hearing. With all things considered, the P&Z Commission voted 6-0 to recommend approval to City Council.

Recommendation:

Staff recommends approval of this annexation request. If approved, the signed ordinance will be sent to the MHTC and then the MoDOT Nixa sign will be moved to the correct location, close to the city's new welcome sign.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development
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1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA ANNEXING**
2 **APPROXIMATELY 4.29 ACRES OF REAL PROPERTY GENERALLY LOCATED**
3 **ALONG WEST HIGHWAY 14.**
4

5 **WHEREAS** an Annexation Petition (“Petition”) requesting annexation into the City
6 of Nixa, Missouri, has been submitted by the owners of all fee interests of record of the
7 real property generally located along west Highway 14; and
8

9 **WHEREAS** the Petition was received by the Director of Planning and Development
10 more than fourteen but less than sixty days prior to any public hearing regarding the
11 petition before the City Council; and
12

13 **WHEREAS** notice of a public hearing before the City Council concerning the
14 Petition was published at least seven days prior to the public hearing; and
15

16 **WHEREAS** City Council finds and determines that the annexation requested by
17 the Petition is reasonable and necessary to the proper development of the City, the City
18 is able to furnish municipal services to the area annexed herein within a reasonable time
19 after annexation, and the area annexed herein is contiguous and compact to the existing
20 boundaries of the City; and
21

22 **WHEREAS** the Planning and Zoning Commission held a public hearing on the
23 Application at the Commission’s June 3, 2025, meeting; and
24

25 **WHEREAS** the Commission, after considering the Application, staff’s
26 recommendation, and after holding a public hearing, issued a recommendation of
27 approval; and
28

29 **WHEREAS** the City Council, now having considered the Application, staff’s
30 recommendation, and after providing an opportunity for public comment, now desires to
31 annex the subject property; and
32

33 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
34 **NIXA, AS FOLLOWS, THAT:**
35

36 **SECTION 1:** City Council, after holding a public hearing on the matter, hereby
37 determines that the annexation of the property described as follows:
38

39 ALL OF STATE HIGHWAY 14 RIGHT-OF-WAY, LYING NORTH AND
40 SOUTH OF THE FOLLOWING DESCRIBED CENTERLINE, BEING A
41 PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST
42 QUARTER (NW1/4), A PART OF THE NORTHEAST QUARTER (NE1/4)
43 OF THE SOUTHWEST QUARTER (SW1/4), A PART OF THE
44 NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER
45 (SW1/4), A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE
46 NORTHWEST QUARTER (NW1/4) ALL IN SECTION 15, TOWNSHIP 27

47 NORTH, RANGE 22 WEST, AND ALSO A PART OF THE NORTHEAST
48 QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4), A PART
49 OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST
50 QUARTER (SE1/4), A PART OF THE SOUTHEAST QUARTER (SE1/4) OF
51 THE NORTHEAST QUARTER (NE1/4), A PART OF THE SOUTHWEST
52 QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4), ALL IN
53 SECTION 16, TOWNSHIP 27 NORTH, RANGE 22 WEST, CHRISTIAN
54 COUNTY, MISSOURI, THE CENTERLINE OF SAID STATE HIGHWAY
55 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

56
57 BEGINNING AT STATE HIGHWAY 14 CENTERLINE STATION 735+00;
58 THENCE N89°42'E, ALONG SAID STATE HIGHWAY 14 CENTERLINE TO
59 CENTERLINE STATION 745+68.3; THENCE N89°48'E, CONTINUING
60 ALONG SAID CENTERLINE OF STATE HIGHWAY 14 TO CENTERLINE
61 STATION 749+42.9 AT OR NEAR THE NORTHEAST CORNER OF SAID
62 NE1/4 OF THE SE1/4 OF SAID SECTION 16, ALSO BEING THE
63 NORTHWEST CORNER OF SAID NW1/4 OF THE SW1/4 OF SAID
64 SECTION 15; THENCE N89°58'E, CONTINUING ALONG THE
65 CENTERLINE OF SAID STATE HIGHWAY 14 CENTERLINE STATION
66 762+76 AT OR NEAR THE NORTHEAST CORNER OF SAID NW1/4 OF
67 THE SW1/4 OF SAID SECTION 15; THENCE CONTINUING N89°58'E,
68 ALONG SAID CENTERLINE OF SAID STATE HIGHWAY 14 TO STATION
69 766+15 FOR A POINT OF TERMINUS. CONTAINING 4.29 ACRES (MORE
70 OR LESS);

71
72 is reasonable and necessary to the proper development of the City, that the City is able
73 to furnish municipal services to the area to be annexed within a reasonable time after
74 annexation, and that the area is contiguous and compact to the existing boundaries of the
75 City.

76
77 **SECTION 2:** Pursuant to the provisions of Section 71.012 RSMo., the property
78 described in Section 1 is hereby annexed into the City of Nixa, Missouri. The boundaries
79 of the City of Nixa are hereby altered to encompass the property described in Section 1.
80

81 **SECTION 3:** The City Clerk, or designee, is hereby directed to provide certified
82 copies of this Ordinance to the Clerk of Christian County, the Assessor of Christian
83 County, and the Missouri Director of Revenue. The City Clerk, or designee, is further
84 authorized to perform any other administrative acts or provide any other documentation
85 to any other entity or party, provided such actions are consistent with the intent of this
86 Ordinance.

87
88 **SECTION 4:** This Ordinance shall be in full force and effect from and after its final
89 passage by the City Council and after its approval by the Mayor, subject to the provisions
90 of section 3.11(g) of the City Charter.
91
92

ADOPTED BY THE COUNCIL THIS 26th DAY OF August 2025.

ATTEST:

PRESIDING OFFICER

CITY CLERK

APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2025.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY