

AGENDA ITEM

May 17, 2022

Subject: Nevada R-5 Property Annexation

Department: Administration

Annexation of property for the new R-5 Elementary School behind Walton Park.

Manager Notes:

RSMo 71.012 2(1) required that the public hearing be held **not less than 14** nor **more than 60 days** after a notarized petition is received and that a hearing be held **not less than 7 days** after notice of hearing is published in a newspaper of general circulation qualified to publish legal matters within the municipality

It is the responsibility of the City Council to determine after holding the hearing whether the annexation is reasonable and necessary to the proper development of the city and that the city has the ability to furnish municipal services to the area to be annexed within a reasonable time.

If no written objection to the proposed annexation is filed with the governing body no later than 14 days after the public hearing by at least 5% of the qualified voters of the City or two qualified voters of the area sought to be annexed, if the same contains two qualified voters, the provisions of Section 71.015, 71.860, and 71.920 shall be followed.

If no objection is filed, the city must extend its limits by ordinance to include the territory specifying with accuracy the new boundary lines to which the cities limits are extended.

The City must enact such and annexation ordinance and cause three certified copies to be filed with the Vernon County Assessor and the Clerk of the County Commission in Nevada, Missouri which will serve to provide a copy to the election authority having jurisdiction over the annexed area.

Action	Date
R-5 Board Meeting -	April 13, 2022
Resolution before Council	April 26, 2022
Public Hearing Notice in Paper	May 7, 2022
Public Hearing before Council & Ordinance	May 17, 2022
Second Reading Ordinance by Council	June 7, 2022
If Approved by Council, Filed at VC Court House	June 9, 2022

BILL NO. 2022-046

ORDINANCE NO.

A SPECIAL ORDINANCE ANNEXING A CERTAIN ADJACENT UNINCORPORATED AREA INTO THE CITY OF NEVADA, MISSOURI

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

WHEREAS, on April, 26, 2022, a verified petition, signed by all of the owners of the real estate described below and requesting annexation of the area into the City of Nevada, Missouri, was filed with the City Clerk; and

WHEREAS, the real estate is adjacent and contiguous to the present corporate limits of the City of Nevada, Missouri; and

WHEREAS, a public hearing concerning this matter was held at the City Council Chamber, 120 S Ash in Nevada, Missouri, at 7 p.m. on Tuesday, May 17, 2022; and

WHEREAS, notice of this public hearing was published on May 7, 2022, in the Nevada Daily Mail a weekly newspaper of general circulation in the County of Vernon, Missouri; and

WHEREAS, at the public hearing, all interested persons, corporations, and 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 Nevada, Missouri, within seven days after the public hearing; and

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

WHEREAS, the City is able to furnish normal municipal services to the area within a reasonable time after annexation; and

WHEREAS, the City Council of the City of Nevada finds that it is in the best interest of the City and its citizens to annex the property described in the verified Petition.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada, Missouri, as follows:

Section 1. Pursuant to § 71.012, RSMo 2000, the following-described real estate is hereby annexed into the City of Nevada, Missouri, to-wit:

Tract 1:

All of Lot Eight (8) in the Beller & Stuber Addition to the City of Nevada, Vernon County, Missouri.

Tract 2:

The North Half (N1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-Two (32) and the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-Three (33), except Lots One (1), Two (2), Three (3), Four (4), Five (5), Eight (8), Nine (9) and Ten (10) in Beller and Stuber Addition to the City of Nevada, Missouri, and except road off of East end and except 200 feet North and South by 330 feet East and West in the Northeast corner, all in Township Thirty-six (36), Range Thirty-one (31), Vernon County, Missouri; Also, the North Twenty (20) feet of the South Half (S1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section Thirty-three (33). The above-described property also includes all of McClain Davis Heights, recorded January 16, 1979 in Plat Book 6 at Pages 5 & 6 in the Recorder's Office, Vernon County, Missouri.

Tract 3:

All that part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-three (33), Township Thirty-six (36), Range Thirty-one (31) Vernon County, Missouri, described as follows: Commencing at the Southeast corner of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), thence North 87° 57'20" West along the South line of said Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) a distance of 251.40 feet to the point of beginning; thence continuing North 87°57'20" West a distance of 727.85 feet; thence North 02°15'53" East a distance of 442.63 feet; thence South 87°59'01" East a distance of 758.25 feet; thence South 02°29'30" West a distance of 167.84 feet; thence North 87°52'32" West a distance of 21.91 feet; thence South 02°16'36" West a distance of 80.05 feet; thence North 88°18'45" West a distance of 6.52 feet; thence South 02°17'13" West a distance of 100.03 feet; thence North 88°18'45" West a distance of 1.24 feet; thence South 02°16'10" West a distance of 95.06 feet to the point of beginning.

Tract 4:

All that part of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-Three (33), Township Thirty-six (36), Range Thirty-One (31), Vernon County, Missouri, **described as follows:** Commencing at the Northeast corner of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4), thence North 87°57'20" West along the North line of said Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) a distance of 251.40 feet **to the point of beginning**; thence South 02°10'56" West a distance of 200.04 feet; thence North 88°01'58" West a distance of 130.45 feet; thence North 02°10'56" East a distance of 200.21 feet to a point on said North line; thence South 87°57'20" East along said North line a distance of 130.45 feet to the point of beginning.

Section 2. The boundaries of the City of Nevada, Missouri, are hereby altered so as to encompass the above-described tract of land lying adjacent and contiguous to the present corporate limits.

Section 3. The City Clerk of the City of Nevada is hereby ordered to cause three certified copies of this ordinance to be filed with the Vernon County Clerk.

Section 4. The City Engineer, the City Manager, and other pertinent City personnel are hereby authorized and directed to conform all maps, directories, drawings, plats, and other appropriate documents to the altered corporate limits of the City of Nevada as herein provided.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they do conflict.

Section 6. This ordinance shall be in force and take effect from and after its passage and approval.

Read three times and passed by the City Council of the City of Nevada, Missouri, this ____ day of June, 2022.

George Knox, Mayor,

(seal)
Attest:

Stephanie M. Martin, City Clerk