

**CITY OF LAKE OZARK**  
A Missouri Municipality of the 4th Class

**BILL NO.: 2023-29**

**ORDINANCE NO.: 2023-29**

**ORDINANCE ANNEXING A CERTAIN ADJACENT AND CONTIGUOUS  
UNINCORPORATED AREA INTO THE CITY OF LAKE OZARK, MISSOURI**

WHEREAS, on May 22, 2023, a verified Petition from Property Owner Requesting Annexation (the "Petition"), which was signed by an authorized officer of the Gier Oil Company, Inc., owner of the real property hereinafter described, was filed with the City Clerk and subsequently presented to the Board of Aldermen of the City of Lake Ozark requesting annexation of said real property into the City of Lake Ozark, Missouri; and,

WHEREAS, the real property sought to be annexed is unincorporated, and is adjacent, contiguous and compact to the existing corporate limits of the City of Lake Ozark, Missouri; and,

WHEREAS, a public hearing concerning the Petition was held by the Planning and Zoning Commission of the City of Lake Ozark, Missouri on July 5, 2023 at 5:00 p.m. at the City Hall in Lake Ozark, Missouri; and,

WHEREAS, notice of the public hearing was given at least seven (7) days before the hearing date by publication in the Lake Sun Leader, a newspaper of general circulation qualified to publish legal notices within the boundaries of the City of Lake Ozark, 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 Board of Aldermen of the City of Lake Ozark, Missouri within fourteen (14) days after the public hearing; and,

WHEREAS, the Board of Aldermen of the City of Lake Ozark, Missouri does find and determine that said annexation is reasonable and necessary to the proper development of the City of Lake Ozark, Missouri; and,

WHEREAS, the City of Lake Ozark, Missouri is able to furnish normal municipal services to the real property described herein within a reasonable time after annexation;

and,

WHEREAS, the Board of Aldermen of the City of Lake Ozark, Missouri finds that it is in the best interests of the City of Lake Ozark and its citizens to annex the real property described herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAKE OZARK, MISSOURI AS FOLLOWS:**

Section 1. Pursuant to § 71.012, RSMo, as amended, the following described real property, being an unincorporated area, is hereby annexed into the City of Lake Ozark, Missouri, to-wit:

See legal description attached hereto as Exhibit A and incorporated by this reference as if full set forth herein.

Section 2. The City of Lake Ozark, Missouri shall have no obligation to improve any public road, included as or serving any area that is included as part of this annexation and that has been previously dedicated to or accepted by another governmental entity, to a higher standard of quality or design than that level which exists at the time of this annexation, nor shall there be any obligation to maintain said road at an increased level of repair or maintenance.

Section 3. That the Board of Aldermen of the City of Lake Ozark, after the holding a public hearing by the Planning and Zoning Commission and with the recommendation thereof, hereby determines that the above-described real property is adjacent, contiguous and compact to the present corporate boundaries of the City of Lake Ozark, Missouri, and the boundary of said real property is found to comply with § 71.012, RSMo; that the annexation of said real property is reasonable and necessary to the proper development of the City of Lake Ozark; and that the City of Lake Ozark has the ability to furnish normal municipal services to said real property within a reasonable time.

Section 4. That the boundaries of the City of Lake Ozark, Missouri are hereby altered and extended so as to encompass the above-described real property which lies adjacent, contiguous, and compact to the existing corporate limits of the City of Lake Ozark, Missouri.

Section 5. That Ordinance 2023-29, and any amendments thereto, of the City of Lake Ozark, Missouri related to the boundaries of the wards of the City of Lake Ozark is hereby amended by placing said real property into the appropriate ward and precinct of the City of Lake Ozark, as determined in accordance with state law.

First Reading: July 25, 2023

Second Reading: July 25, 2023

**DULY READ AND APPROVED THIS 25th DAY OF July 2023.**


Alderman Ridgely	Aye
Alderman Jackson	Aye
Alderman Watts	Aye
Alderman Neels	Aye
Alderman Thompson	Aye
Alderman Denny	Aye

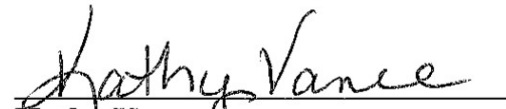
**APPROVE:**

**ATTEST:**

**MAYOR:**

**CITY CLERK**

  
Dennis Newberry

  
Kathy Vance



Section 6. That the Board of Aldermen hereby amends the official map of the City of Lake Ozark, Missouri as referenced in § 100.011 of the Lake Ozark Municipal Code by adding thereto said real property, contiguous to the corporate limits, which shall be in addition to all territory included within the corporate limits of the City of Lake Ozark, Missouri.

Section 7. That the City of Lake Ozark's administrative staff is hereby authorized and directed to conform all directories, drawings, plats, maps and other appropriate documents to the altered corporate limits of the City of Lake Ozark, Missouri as herein provided.

Section 8. That the City Clerk of the City of Lake Ozark, Missouri is directed to: (1) file three certified copies of this annexation ordinance with the County Clerk of Miller County, Missouri; and (2) forward to the Missouri Director of Revenue by U.S. registered or certified mail a certified copy of this annexation Ordinance, accompanied by a map of the City of Lake Ozark, Missouri clearly showing the territory added thereto.

Section 9. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

Section 10. This Ordinance shall be in full force and in effect from and after its passage by the Board of Aldermen of the City of the Lake Ozark and the approval of the Mayor.

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## EXHIBIT A

A tract of land located in the Northeast quarter of Section 19, Township 40 North, Range 15 West, Miller County, Missouri and being more particularly described as follows:

Beginning on the North line of said Section 19, at the northeast corner of the survey recorded county surveyor record book 12, page 58; thence from the point of beginning and with the North line of said Section 19, South 88 degrees 23 minutes 25 seconds East, 104.09 feet to the West line of the city limits of Osage Beach; thence leaving said North line and with the West line of said city limits, South 2 degrees 03 minutes 10 seconds West, 481.54 feet to the northerly right of way line of North Shore Drive; thence leaving said West line and with said northerly right of way line North 47 degrees 48 minutes 55 seconds West, 186.32 feet; thence leaving said northerly right of way line, North 44 degrees 33 minutes 45 seconds East, 59.53 feet; thence North 1 degree 44 minutes 30 seconds East, 129.78 feet to the East line of said survey recorded in county surveyor record book 12, Page 58; thence with the East line of said survey, North 1 degree 42 minutes 10 seconds East, 186.98 feet to the point of beginning and containing 1.07 acres.

