

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A SPECIAL WARRANTY DEED FOR A CERTAIN TRACT OF LAND AND DEDICATING SAID TRACT FOR PUBLIC RIGHT-OF-WAY PURPOSES, TO BE KNOWN AS VOLUNTEER AVENUE, AS IT RELATES TO SOUTHVIEW APARTMENTS, PHASE II, MARYVILLE, MISSOURI**

**WHEREAS**, the Public Works Director has inspected Volunteer Avenue as constructed with Southview Apartments, Phase II and hereby reports that said improvements have been are in satisfactory compliance with approved plans and specifications; and,

**WHEREAS**, the guarantee period under Section 410.190 of the Municipal Code of Maryville for said improvements in Southview Apartments, Phase II, has expired and any known repair have been addressed with the developer; and,

**WHEREAS**, the City Council of the City of Maryville, Missouri, pursuant to advice and recommendation of the Public Works Director, deems it necessary, advisable, and in the public interest to accept the real estate described in a Special Warranty Deed dated July 7, 2023, with legal description shown on Exhibit A hereto (hereinafter referred to as "Real Estate"), conveyed unto the City by Southview Apartments II, L.P., A Missouri Limited Partnership; and,

**WHEREAS**, this Special Warranty Deed was recorded in the Nodaway County Recorder of Deeds Office on July 25, 2023, in Book 1048, Page 135; and

**WHEREAS**, the City Council of the City of Maryville, Missouri wishes to dedicate said Real Estate for public right-of-way purposes, to be known as Volunteer Avenue;

**NOW, THEREOFRE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The City Council of the City of Maryville, Missouri, hereby authorizes the acceptance of a Special Warranty Deed recorded in the Nodaway County Recorder of Deeds Office on July 25, 2023, in Book 1048, Page 135.

**SECTION 2:** The City Council of the City of Maryville, Missouri, herby designates the Real Estate as public right-of-way, to be known as Volunteer Avenue in Maryville, Missouri.

**SECTION 3:** This Ordinance shall be in force and effect from and after its passage and adoption.

**PASSED AND ADOPTED** this 24<sup>th</sup> day of July, 2023.

  
Tye Parsons, Mayor

ATTEST:

  
Stacy Wood, City Clerk

## **Exhibit A”**

### **Tract 1**

Commencing at the North Quarter Corner Northwest Quarter Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Quarter Quarter Section Line, South 01 degrees 41 minutes 49 seconds West 1331.26 feet; thence departing said line, North 88 degrees 41 minutes 13 seconds West 408.71 feet to the Southeast Corner of a tract of land described in Book 863, Page 41 with the Nodaway County Recorder of Deeds and the Point of Beginning; thence along South Line of said deed, North 88 degrees 41 minutes 13 seconds West 370.00 feet; thence departing said line, North 01 degrees 41 minutes 49 seconds East 60.14 feet; thence South 88 degrees 40 minutes 43 seconds East 370.00 feet intersecting the East Line of said deed; thence along East Line, South 01 degrees 41 minutes 49 seconds West 60.08 feet to the point of beginning. The above described tract of land contains 0.51 acres, more or less.