

BILL NO. 2018'70

ORDINANCE NO. 8099

**AN ORDINANCE ANNEXING CERTAIN REAL ESTATE, OWNED BY THE NEW
NODAWAY HUMANE SOCIETY, A NONPROFIT CORPORATION,
MARYVILLE, MISSOURI**

WHEREAS, there was presented to the City Council of the City of Maryville, Missouri, on the 23rd day of April, 2018 a verified petition, requesting voluntary annexation and signed by the owners of all the interest of record in all tracts of real property located within the area proposed for annexation, said area being situate in Nodaway County, State of Missouri; and,

WHEREAS, the City Council held a public hearing concerning said annexation on the 14th day of May, 2018, and caused notice of said hearing to be published in the Maryville Daily Forum on the 26th day of April 2018, said publications being evidenced by the publisher's Affidavits of Publication which are attached hereto as Exhibit "A" and made a part hereof by reference; and,

WHEREAS, at said public hearing, evidence regarding the proposed annexation was presented by the persons entitled to present such evidence; and

WHEREAS, written objection to the proposed annexation, representing at least five percent 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, was not filed with the City Council of Maryville, Missouri; and

WHEREAS, the City Council of Maryville, Missouri, hereby finds that the proposed annexation is reasonable and necessary to the proper development of the City and the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, MISSOURI, as follows:

SECTION 1: The City limits of the City of Maryville, Missouri, are hereby extended to include the territory described above, the new boundary lines to which the corporate limits of the City of Maryville, Missouri, are now extended and incorporate the area being described as set out in attachment identified as "Exhibit B".

SECTION 2: That the Clerk of the City of Maryville, Missouri, is hereby authorized and directed to prepare three certified copies of this ordinance and to file said certified copies with the Clerk of the County of Nodaway, State of Missouri.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage and

PASSED AND ADOPTED this 30th day of May, 2018.



Sheila Smail
Sheila Smail, City Clerk

Rachael E. Martin
Rachael Martin, Mayor

EXHIBIT A
(Ordinance No. 8099)

AFFIDAVIT OF PUBLICATION

April 26, 2018

**NOTICE OF PUBLIC HEARING
PETITION FOR ANNEXATION**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of the City of Maryville, Missouri, on Monday, May 14, 2018 at 7:00 p.m. at City Hall, 415 North Market Street, Maryville, Missouri, concerning a proposed annexation of territory to the City of Maryville, Missouri, pursuant to a petition requesting annexation and signed by the owners of all fee interest of record in all tracts of real property located within the area proposed to be annexed, said are being situate in the County of Nodaway, State of Missouri, to-wit:

Commencing at the East Quarter Corner of Section Twenty (20), Township Sixty-four (64) North, Range Thirty-five (35) West, Nodaway County, Missouri; thence along Quarter Section line, North 88 degrees 21 minutes 02 seconds West 480.00 feet to the point of beginning, said point being on the Easterly right-of-way of the existing public road; thence along the continuation of said right-of-way North 01 degrees 01 minutes 52 seconds East 15.00 feet; thence North 88 degrees 21 minutes 02 seconds West 162.89 feet to a point 15 feet East and 15 feet North of the Southwest Corner of Lot Eleven (11) of Chamberlain's First Fruit Addition; thence along a line 15 feet East of and parallel to the West line of Lots Eleven (11) and Six (6) of said Addition, North 02 degrees 15 minutes

STATE OF MISSOURI)
COUNTY OF NODAWAY) SS.

I, Phil Cobb

being duly sworn according to law, state that I am Publisher of the Maryville Daily Forum, a daily newspaper of general circulation in the County of Nodaway where located; which newspaper has been admitted to the Post Office as second class matter in the City of Maryville, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bonafide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 1986. The affixed notice appeared in said newspaper in the following consecutive issues:

1st	Insertion Vol. <u>108</u>	No. <u>17</u>	<u>26</u> day of <u>Apr</u> 20 <u>18</u>
2nd	Insertion Vol.	No.	day of 20.....
3rd	Insertion Vol.	No.	day of 20.....
4th	Insertion Vol.	No.	day of 20.....
5th	Insertion Vol.	No.	day of 20.....
6th	Insertion Vol.	No.	day of 20.....
7th	Insertion Vol.	No.	day of 20.....
8th	Insertion Vol.	No.	day of 20.....
9th	Insertion Vol.	No.	day of 20.....
10th	Insertion Vol.	No.	day of 20.....
11th	Insertion Vol.	No.	day of 20.....
12th	Insertion Vol.	No.	day of 20.....
13th	Insertion Vol.	No.	day of 20.....
14th	Insertion Vol.	No.	day of 20.....
15th	Insertion Vol.	No.	day of 20.....
16th	Insertion Vol.	No.	day of 20.....
17th	Insertion Vol.	No.	day of 20.....
18th	Insertion Vol.	No.	day of 20.....
19th	Insertion Vol.	No.	day of 20.....
20th	Insertion Vol.	No.	day of 20.....

Publication Fee \$ 133⁰⁰

[Signature]
Publisher

Subscribed and sworn to before me this 26 day of Apr 2018

[Signature]
Notary Public

My commission expires March 20, 2020
Received of City of Maryville - Human Society the sum

of \$ 133.00 for publishing the attached notice.

RITA RIVERAL Notary Public - Notary Seal STATE OF MISSOURI Nodaway County Commission # 12414670 My Commission Expires: 03-20-2020

OVER 1

EXHIBIT A (cont.)
(Ordinance No. 8099)

34 seconds East 432.68 feet; thence South 89 degrees 58 minutes 36 seconds East 8.13 feet to the apparent Easterly right-of-way of the existing public road; thence South 62 degrees 35 minutes 15 seconds East 345.59 feet; thence South 84 degrees 23 minutes 20 seconds East 323.59 feet to the Section line common to Sections Twenty (20) and Twenty-one (21) of Township Sixty-four (64) North, Range Thirty-five (35) West; thence South 84 degrees 23 minutes 20 seconds East 79.94 feet to the intersection of Highway 71 Bypass Westerly right-of-way; thence along said right-of-way South 09 degrees 00 minutes 54 seconds West 44.50 feet to station 224+00/200 feet right; thence continuing along said right-of-way South 01 degrees 07 minutes 43 seconds West 218.00 feet; thence South 52 degrees 35 minutes 08 seconds West 713.83 feet; thence North 87 degrees 59 minutes 45 seconds West 32.23 feet to the West line of the East 15 acres off the East side of the Northeast One-fourth of the Southeast One-fourth of said Section Twenty (20); thence along said line North 02 degrees 00 minutes 16 seconds East 441.99 feet to Quarter Section line; thence South 88 degrees 21 minutes 02 seconds East 23.99 feet to the point of beginning.

At said public hearing, any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

Sheila Smail
City Clerk

EXHIBIT B
(Ordinance No. 8099)

Commencing at the East Quarter Corner of Section Twenty (20), Township Sixty-four (64) North, Range Thirty-five (35) West, Nodaway County, Missouri; thence along Quarter Section line, North 88 degrees 21 minutes 02 seconds West 480.00 feet to the point of beginning, said point being on the Easterly right-of-way of the existing public road; thence along the continuation of said right-of-way North 01 degrees 01 minutes 52 seconds East 15.00 feet; thence North 88 degrees 21 minutes 02 seconds West 162.89 feet to a point 15 feet East and 15 feet North of the Southwest Corner of Lot Eleven (11) of Chamberlain's First Fruit Addition; thence along a line 15 feet East of and parallel to the West line of Lots Eleven (11) and Six (6) of said Addition, North 02 degrees 15 minutes 34 seconds East 432.68 feet; thence South 89 degrees 58 minutes 36 seconds East 8.13 feet to the apparent Easterly right-of-way of the existing public road; thence South 62 degrees 35 minutes 15 seconds East 345.59 feet; thence South 84 degrees 23 minutes 20 seconds East 323.59 feet to the Section line common to Sections Twenty (20) and Twenty-one (21) of Township Sixty-four (64) North, Range Thirty-five (35) West; thence South 84 degrees 23 minutes 20 seconds East 79.94 feet to the intersection of Highway 71 Bypass Westerly right-of-way; thence along said right-of-way South 09 degrees 00 minutes 54 seconds West 44.50 feet to station 224+00/200 feet right; thence continuing along said right-of-way South 01 degrees 07 minutes 43 seconds West 218.00 feet; thence South 52 degrees 35 minutes 08 seconds West 713.83 feet; thence North 87 degrees 59 minutes 45 seconds West 32.23 feet to the West line of the East 15 acres off the East side of the Northeast One-fourth of the Southeast One-fourth of said Section Twenty (20); thence along said line North 02 degrees 00 minutes 16 seconds East 441.99 feet to Quarter Section line; thence South 88 degrees 21 minutes 02 seconds East 23.99 feet to the point of beginning.