

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE, OWNED BY THE NODAWAY COUNTY, MISSOURI, MARYVILLE, MISSOURI

WHEREAS, there was presented to the City Council of the City of Maryville, Missouri, on the 14th day of May, 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 30th day of May, 2018, and caused notice of said hearing to be published in the Maryville Daily Forum on the 17th day of May 2018, said publications being evidenced by the publisher's Affidavits of Publication which are attached hereto as "Exhibit C" 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 A".

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 adoption.

PASSED AND ADOPTED this 27th day of June, 2018.



Attest:

Rachael E. Martin
Rachael Martin, Mayor

Sheila Smail
Sheila Smail, City Clerk

"Exhibit A"

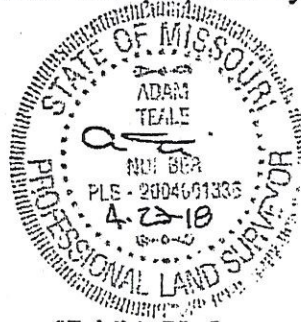
A part of a 5.40 acre tract of land as surveyed by John Teale, LS 1724 on February 22, 2002 and recording as Document #750-26981 as more particularly described as follows: Commencing at the West Quarter Corner Section 21, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Section Line, North 02 degrees 15 minutes 49 seconds East 382.80 feet to the Point of Beginning; thence continuing along Section Line, North 02 degrees 15 minutes 49 seconds East 640.26 feet (record = 640.86 feet) intersecting the North Line of John Teale survey; thence along said North Line, South 88 degrees 29 minutes 53 seconds East 25.88 feet to the intersection of the westerly right-of-way of the former Burlington Northern Railroad; thence along said right-of-way southeasterly 480.56 feet by arc distance along a 11509.12 feet radius curve to the left to where said right-of-way intersects the westerly right-of-way of Highway 71; thence along said right-of-way, South 09 degrees 11 minutes 47 seconds West 25.70 feet to station 220+75/135 feet right; thence continuing along said right-of-way, South 36 degrees 09 minutes 04 seconds West 140.23 feet to station 222+00/200 feet right; thence continuing along right-of-way, South 08 degrees 53 minutes 35 seconds West 42.06 feet to the South Line of a tract of land as conveyed by Deed Book 412, Page 285, Nodaway County Recorder's Office; thence along the South Line of said tract, North 88 degrees 29 minutes 53 seconds West 92.41 feet to the point of beginning.

The above described tract of land contains 1.63 acres, more or less, exclusive of public road right-of-way and is subject to recorded and unrecorded easements, restrictions and right-of-ways.

I hereby certify that the above description was prepared by me to be in compliance with RSMo 327.272.

By: Adam Teale
 Adam Teale
 MO PLS 2004001336

Title: Professional Land Surveyor



NOTE #1: Area to be annexed is highlighted in yellow on "Exhibit B". Surveyors certification is void if both "Exhibit A" and "Exhibit B" are not included with the annexation documents.


SHEET No. 1 of 1	PREPARED FOR: CITY OF MARYVILLE	 MIDLAND SURVEYING Midland Surveying, Inc. Missouri State Certificate of Authority #1000120	LAND SURVEYORS - PLANNERS 501 North Market, Maryville, MO 64468 ph. (660)582-8633 fax(660)582-7173
DATE: 04/23/2018	S-21, T-64N, R-35W MARYVILLE, MISSOURI		4784 Frederick Blvd, St. Joseph, MO 64506 ph. (816) 233-7980 fax(816) 233-4852

EXHIBIT C

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI) Ordinance No. 8100
COUNTY OF NODAWAY) SS.

May 17, 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 Wednesday, May 30, 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:

A part of a 5.40 acre tract of land as surveyed by John Teale, LS 1724 on February 22, 2002 and recording as Document #750-26981 as more particularly described as follows: Commencing at the West Quarter Corner Section 21, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Section Line, North 02 degrees 15 minutes 49 seconds East 382.80 feet to the Point of Beginning; thence continuing along Section Line, North 02 degrees 15 minutes 49 seconds East 640.26 feet (record = 640.86 feet) intersecting the North Line of John Teale survey; thence along said North Line, South 88 degrees 29 minutes 53 seconds East 25.88 feet to the intersection of the westerly right-of-way of the former Burlington Northern Rail road; thence along said right-of-way southeasterly 480.56 feet by arc distance along a 11509.12 feet radius curve to the left to where said right-of-way intersects the westerly right-of-way of Highway 71; thence along said right-of-way, South 09 degrees 11 minutes 47 seconds West 25.70 feet to station 220+75/135 feet right; thence continuing along said right-of-way, South 36 degrees 09 minutes 04 seconds West 140.23 feet to station 222+00/200 feet

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:

Table with 3 columns: Issue Number (1st to 20th), Insertion Vol., No., and day of. Handwritten entries: 1st Insertion Vol. 108 No. 020 17 day of May 2018; 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 \$ 100.00

Handwritten signature of Phil Cobb, Publisher

Subscribed and sworn to before me this 17th day of May 2018

Handwritten signature of Rita Piveral, Notary Public

My commission expires March 20, 2020 Received of City of Maryville (Nod. County) the sum of \$

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

right; thence continuing along right-of-way, South 08 degrees 53 minutes 35 seconds West 42.06 feet to the South Line of a tract of land as conveyed by Deed Book 412, Page 285, Nodaway County Recorder's Office; thence along the South Line of said tract, North 88 degrees 29 minutes 53 seconds West 92.41 feet to the point of beginning. The above described

tract of land contains 1.63 acres, more or less, exclusive of public road right-of-way and is subject to recorded and unrecorded easements, restrictions and right-of-ways.

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

Sheila Smail City Clerk