

**AN ORDINANCE ANNEXING CERTAIN REAL ESTATE, OWNED BY THE VINARDI TRUST, MARYVILLE, MISSOURI**

**WHEREAS**, there was presented to the City Council of the City of Maryville, Missouri, on the 14<sup>th</sup> 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 30<sup>th</sup> day of May, 2018, and caused notice of said hearing to be published in the Maryville Daily Forum on the 17<sup>th</sup> day of May 2018, said publications being evidenced by the publisher's Affidavits of Publication which are attached hereto as Exhibit "B" 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 27<sup>th</sup> day of June, 2018.



*Sheila Smail*  
Sheila Smail, City Clerk

*Rachael Martin*

Rachael Martin, Mayor

EXHIBIT A  
Ordinance No. 8102  
LEGAL DESCRIPTION  
63.66 ACRES, MORE OR LESS

A tract of land situate in the Northwest Quarter of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri, said tract being further described as follows: Commencing at the North Quarter Corner of said Section 29, thence along Quarter Section Line, South 01 degrees 45 minutes 07 seconds West 2647.69 feet to the center of said Section 29; thence along Quarter Section Line, North 88 degrees 32 minutes 52 seconds West 802.50 feet; thence along the existing fence recognized thru a Quitclaim Deed recorded in Book 351, Page 26, North 01 degrees 21 minutes 35 seconds East 1314.50 feet, thence continuing along said recognized fence, North 88 degrees 40 minutes 18 seconds West 1768.75 feet to where said line intersects the eastern right-of-way of Highway No. 71; thence along said right-of-way, North 01 degrees 46 minutes 31 seconds East 59.87 feet; thence South 88 degrees 40 minutes 18 seconds East 357.00 feet; thence North 01 degrees 46 minutes 31 seconds East 136.50 feet; thence North 88 degrees 37 minutes 27 seconds West 57.00 feet; thence North 01 degrees 46 minutes 31 seconds East 300 feet; thence North 88 degrees 37 minutes 27 seconds West 100.00 feet; thence North 01 degrees 46 minutes 31 seconds East 300.00 feet; thence North 88 degrees 37 minutes 27 seconds West 200.00 feet to the eastern right-of-way of said Highway 71; thence along said right-of-way, North 01 degree 46 minutes 31 seconds East 98.63 feet to Highway Station 102+68, 60.0 feet left of centerline; thence along said right-of-way, North 88 degrees 13 minutes 29 seconds West 5.00 feet to Highway Station 102+68, 55.0 feet left of centerline; thence continuing along said right-of-way, North 01 degrees 46 minutes 31 seconds East 171.51 feet to Highway Station 100+96.5; thence continuing along said right-of-way, North 00 degrees 56 minutes 31 seconds East 264.50 feet to where said right-of-way intersects the north side of Section 29; thence along the north side of Section 29, South 88 degrees 40 minutes 48 seconds East 2588.57 feet to the point of beginning, consisting of 98.73 acres, more or less: excluding tracts of land in the Northwest Quarter of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri, and described as follows:

Beginning at a found iron bar on the North line, 55.00 feet East of the Northwest corner of said Quarter Section, said iron bar being on the Easterly right-of-way line of Business Highway 71 (also Main Street), and said North line having an assumed bearing of South 88 degrees 13 minutes 26 seconds East; thence South 88 degrees 13 minutes 26 seconds East, along said North line, a distance of 1268.43 feet to a set iron bar with cap, said point being the Northeast Corner of the West half of said Quarter Section; thence South 02 degrees 09 minutes 34 seconds West, a distance of 834.50 feet along the East line of the West half of said Quarter Section to a set iron bar and cap; thence North 88 degrees 15 minutes 10 seconds West, a distance of 958.25 feet to a found iron bar with cap, said point being the Northeast corner of a tract described in Deed Book 396 at Page 39, Nodaway County Recorder's Office; thence North 88 degrees 15 minutes 10 seconds West, a distance of 100.43 feet to a found iron bar with cap, said point being Southeast corner of a tract described in Deed Book 528 at Page 56, Nodaway County Recorder's Office; thence North 02 degrees 19 minutes 29 seconds East, a distance of 300.56 feet to a found iron bar with cap, said point being the Northeast corner of a tract described in Deed Book 359 at Page 136, Nodaway County Recorder's Office; thence North 88 degrees 20 minutes 00 seconds West, a distance of 200.07 feet to a found iron bar, said point being on said Easterly right-of-way line of Business Highway 71; thence North 02 degrees 12 minutes 19 seconds East, along said right-of-way line, a distance of 99.05 feet to a found iron bar; thence North 89 degrees 18 minutes 49 seconds West, along said right-of-way line, a distance of 4.92 feet to a found iron bar; thence North 01 degrees 12 minutes 01 second East, along said right-of-way line a distance of 171.44 feet to a found iron bar; thence North 01 degrees 32 minutes 40 seconds East, along said right-of-way line, a distance of 264.46 feet to the Point of Beginning, containing 22.810 acres, more or less. Said tract is also described as follows: Commencing at the Northwest Corner of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Section Line, South 88 degrees 40 minutes 11 seconds East 55.00 feet to the easterly right-of-way of Highway 71 and the Point of Beginning; thence continuing along Section Line, South 88 degrees 40 minutes 11 seconds East 1268.32 feet to the North Quarter Corner of the Northwest 1/4 of said section 29; thence along Quarter Section Line, South 01 degrees 42 minutes 55 seconds West 834.51 feet; thence North 88 degrees 41 minutes 42 seconds West 958.28 feet to a found 1/2" bar and cap; thence North 88 degrees 26 minutes 14 seconds West 100.61 feet (100 feet record) to a found

1/2" bar; thence North 01 degrees 54 minutes 47 seconds East 300.13 feet (300 feet record) to a found 1/2" bar; thence North 88 degrees 47 minutes 25 seconds West 200.08 feet (200 feet record) to a found 1/2" bar and cap on the easterly right-of-way of Highway 71; thence along said right-of-way North 01 degrees 45 minutes 02 seconds East 99.06 feet (98.63 feet record) to station 102+68/60 feet left; thence North 89 degrees 50 minutes 28 seconds West 5.00 feet to station 102+68/55 feet left; thence North 00 degrees 47 minutes 06 seconds East 171.51 feet to station 100+96.5/55 feet left; thence North 01 degrees 08 minutes 09 seconds East 264.36 feet (264.5 feet record) to the point of beginning, containing 22.81 acres, more or less; and

Commencing at the North Quarter Corner of the Northwest 1/4 of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Quarter Quarter Section Line, South 01 degrees 42 minutes 55 seconds West 834.51 feet to the Point of Beginning, said point being the Southeast Corner of a tract of land surveyed November 18, 1998 and filed for record December 4, 1998 in Survey Book 2, Page 46, Nodaway County Recorder's Office; thence continuing along Quarter Quarter Line, South 01 degrees 42 minutes 55 seconds West 496.75 feet; thence North 88 degrees 40 minutes 07 seconds West 1259.33 feet to the easterly right-of-way of Business Highway 71; thence along said right-of-way North 02 degrees 34 minutes 29 seconds East 59.84 feet; thence departing from said right-of-way South 88 degrees 40 minutes 23 seconds East 356.61 feet (357 feet record); thence North 01 degrees 51 minutes 32 seconds East 136.38 feet (136.5 feet record); thence North 88 degrees 42 minutes 38 seconds West 56.73 feet (57.0 feet record); thence North 01 degrees 42 minutes 03 seconds East 300.13 feet (300 feet record) to the South Line of said tract of land filed for record December 4, 1998 in Survey Book 2, Page 46, Nodaway County Recorder's Office; thence along said line, South 88 degrees 41 minutes 42 seconds East 958.28 feet to the point of beginning, containing 11.16 acres, more or less; and

Commencing at the Center of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Quarter Section Line, North 88 degrees 33 minutes 25 seconds West 593.87 feet to the Point of Beginning; thence continuing along said line, North 88 degrees 33 minutes 25 seconds West 208.71 feet to the Southwest Corner of a tract of land surveyed by John Teale, LS 1724 on March 14, 1997; thence along West Line of said survey, North 01 degrees 21 minutes 11 seconds East 228.71 feet; thence departing said survey, South 88 degrees 33 minutes 25 seconds East 208.71 feet; thence South 01 degrees 21 minutes 11 seconds West 228.71 feet to the point of beginning, containing 1.10 acres, more or less, inclusive of public road right-of-way.

EXHIBIT B

Ordinance No. 8102

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 tract of land situate in the Northwest Quarter of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri, said tract being further described as follows: Commencing at the North Quarter Corner of said Section 29, thence along Quarter Section Line, South 01 degrees 45 minutes 07 seconds West 2647.69 feet to the center of said Section 29; thence along Quarter Section Line, North 88 degrees 32 minutes 52 seconds West 802.50 feet; thence along the existing fence recognized thru a Quitclaim Deed recorded in Book 351, Page 26, North 01 degrees 21 minutes 35 seconds East 1314.50 feet, thence continuing along said recognized fence, North 88 degrees 40 minutes 18 sec

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

onds West 1768.75 feet to where said line intersects the eastern right-of-way of Highway No. 71; thence along said right-of-way, North 01 degrees 46 minutes 31 seconds East 59.87 feet; thence South 88 degrees 40 minutes 18 seconds East 357.00 feet; thence North 01 degrees 46 minutes 31 seconds East 136.50 feet; thence North 88 degrees 37 minutes 27 seconds West 57.00 feet; thence North 01 degrees 46 minutes 31 seconds East 300 feet; thence North 88 degrees 13 minutes 29 seconds West 5.00

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feet to Highway Station 102+68, 55.0 feet left of centerline; thence continuing along said right-of-way, North 01 degrees 46 minutes 31 seconds East 171.51 feet to Highway Station 100+96.5; thence continuing along said right-of-way, North 00 degrees 56 minutes 31 seconds East 264.50 feet to where said right-of-way intersects the north side of Section 29; thence along the north side of Section 29, South 88 degrees 40 minutes 48 seconds East 2588.57

feet to the point of beginning, consisting of 98.73 acres, more or less: excluding tracts of land in the Northwest Quarter of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri, and described as follows:

Beginning at a found iron bar on the North line, 55.00 feet East of the Northwest corner of said Quarter Section, said iron bar being on the Easterly

AFFIDAVIT OF PUBLICATION

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. 108 No. 020 17 day of May 20 18
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 \$ 361.00

[Signature] Publisher

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

[Signature] Notary Public

My commission expires March 20, 2020

Received of City of Maryville (Vinardi) the sum of \$ for publishing the attached notice.

right-of-way line of Business Highway 71 (also Main Street), and said North line having an assumed bearing of South 88 degrees 13 minutes 26 seconds East; thence South 88 degrees 13 minutes 26 seconds East, along said North line, a distance of 1268.43 feet to a set iron bar with cap, said point being the Northeast Corner of the West half of said Quarter Section; thence South 02 degrees 09 minutes 34 seconds West, a distance of 834.50 feet along the East line of the West half of said Quarter Section to a set iron bar and cap; thence North 88 degrees 15 minutes 10 seconds West, a distance of 958.25 feet to a found iron bar with cap, said point being the Northeast corner of a tract described in Deed Book 396 at Page 39, Nodaway County Recorder's Office; thence North 88 degrees 15 minutes 10 seconds West, a distance of 100.43 feet to a found iron bar with cap, said point being Southeast corner of a tract described in Deed Book

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at the Northwest Corner of Section 29, Township 64 North, Range 35 West, Nodaway County, Missouri; thence along Section Line, South 88 degrees 40 minutes 11 seconds East 55.00 feet to the easterly right-of-way of Highway 71 and the Point of Beginning; thence continuing along Section Line, South 88 degrees 40 minutes 11 seconds East 1268.32 feet to the North Quarter Corner of the Northwest 1/4 of said section 29; thence along Quarter Quarter Section Line, South 01 degrees 42 minutes 55 seconds West 834.51 feet; thence North 88 degrees 41 minutes 42 seconds West 958.28 feet to a found 1/2" bar and cap; thence North 88 degrees 26 minutes 14 seconds West 100.61 feet (100 feet record) to a found 1/2" bar; thence North 01 degrees 54 minutes 47 seconds East 300.13 feet (300 feet record) to a found 1/2" bar; thence North 88 degrees 47 minutes 25 seconds West 200.08 feet (200 feet record) to a found 1/2" bar and cap on the easterly right-of-way of Highway 71; thence along said right-of-way North 01 degrees 45 minutes 02 seconds East 99.06 feet (98.63 feet record) to station 102+68/60 feet left; thence North 89 degrees 50 minutes 28 seconds West 5.00 feet to station 102+68/55 feet left; thence North 00 degrees 47 minutes 06 seconds East 171.51 feet to station 100+96.5/55 feet left; thence North 01 degrees 08 minutes 09 seconds East 264.36 feet (264.5 feet record) to the point of beginning, containing 22.81 acres, more or less; and

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

Sheila Small  
City Clerk