

Introduced by Hindman

First Reading 11/21/05
Third Reading 01/03/06
Fifth Reading 02/20/06

Ordinance No. 018963

Second Reading 12/05/05
Fourth Reading 02/06/06
Sixth Reading 03/20/06
Seventh Reading 04/03/06
Council Bill No. B 437-05 A

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the east side of Howard Orchard Road, north of State Route KK; directing the City Clerk to give notice of the annexation; placing the property annexed in District R-1; authorizing a development agreement; setting forth a condition of approval; directing the city clerk to have the development agreement recorded; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby finds that a verified petition was filed with the City on September 27, 2005, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. This petition was signed by George P. Wilson, trustee of the George P. Wilson trust, the sole owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on November 21, 2005. Notice of this hearing was published more than seven days prior to the hearing in two newspapers of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.169 of the Code of Ordinances of the City of

Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.169. April, 2006 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A tract of land located in the west fractional half of Section 5, Township 47 North, Range 13 West, in Boone County, Missouri and including Tract 1 of survey recorded in Book 636 at Page 465 of said county records and being further described as follows:

Beginning at the West Quarter Corner of said Section 5; thence with the quarter section line N89°25'20"E, 600.00 feet to the northwest corner of said Tract 1; thence along the boundary of said tract S2°49'40"E, 303.51 feet; thence S89°38'40"E, 693.93 feet to the westerly right-of-way of MO Route KK; thence with said right-of-way along a curve to the right having a radius of 411.97 feet for an arc length of 407.05 feet, the long chord bears N35°47'40"E, 390.70 feet; thence S89°25'20"W, 103.15 feet; thence leaving said boundary N0°08'00"E, 3442.05 feet; thence S89°43'00"W, 1433.88 feet to the west side of said Section 5; thence with said section line S0°08'20"W, 3449.38 feet to the Point of Beginning and containing 118.94 acres.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Fifth Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the property described in Section 4 will be zoned and become a part of District R-1 (One-Family Dwelling District).

SECTION 8. The City Manager is hereby authorized to execute a development agreement with James and Kathy Frech, Robert Conrad and the George P. Wilson Trust relating to the annexation of property located on the east side of Howard Orchard Road, north of State Route KK. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 9. The annexation and zoning of the property described in Section 4 are subject to the condition that all plats on this property shall be interconnected by streets.

SECTION 10. The City Clerk is authorized and directed to have a certified copy of the development agreement recorded in the office of the Boone County Recorder of Deeds.

SECTION 11. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of April, 2006.

ATTEST:

Sheela Amin
City Clerk

Darwin Hindman
Mayor and Presiding Officer

APPROVED AS TO FORM:

Fred Boeckmann
City Counselor