

RESOLUTION NO. 2016-101

**A RESOLUTION OF THE CITY COUNCIL OF NIXA, MISSOURI,
APPROVING THE STATUTORY COMPLIANCE FOR VOLUNTARY
ANNEXATION OF 48.96 ACRES OF LAND KNOWN AS IRISH HILLS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NIXA, MISSOURI,
AS FOLLOWS:

Section 1: That there has been presented, on this date, to the City Council of the City of Nixa, a verified petition signed by the owners of all fee interests of record in all tracts of real property located within the area described in the petition, which area is proposed to be annexed to the City of Nixa, and which petition requests annexation of such area into the City Limits of the City of Nixa, Missouri; a copy of which petition is attached hereto and made a part hereof.

Section 2: That no part of the said real property is now included in any incorporated municipality.

Section 3: That the said real property is contiguous to the existing corporate limits of the City of Nixa, Missouri.

Section 4: That, in accordance with Section 71.012, RSMo, a public hearing was held concerning the matter, and this public hearing was held on the 17th day of October, 2016, at 7:00 p.m. at the City Hall in Nixa, Missouri.

Section 5: A notice of such hearing was published at least seven days prior to the date of said public hearing in a newspaper of general circulation in Christian County, Missouri, which is qualified to publish legal matters.

This Resolution shall be in force from and after the date of its passage.

Passed and approved this 17th day of October, 2016.

Mayor

ATTEST:

City Clerk

ANNEXATION PETITION

Comes now James River Sports, Inc. and petitions the Board of Aldermen of the City of Nixa, Missouri, to annex the following described unincorporated area which is contiguous to the existing corporate limits of the City of Nixa, Missouri:

Property Description

SOURCE OF DESCRIPTION: BOOK 336 AT PAGE 8014

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) AND ALL OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4) AND A PART OF THE NORTH ONE-HALF (N1/2) OF THE NORTHWEST FRACTIONAL QUARTER (NW.FRAC.1/4) IN SECTION 18, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING ALUMINUM MONUMENT STAMPED "LS 2122" AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF SAID NE1/4; THENCE N88°25'51"W, ALONG THE NORTH LINE OF SAID NE1/4 OF THE NE1/4, A DISTANCE OF 1320.86 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE CONTINUING N88°25'51"W, ALONG THE NORTH LINE OF NW1/4 OF THE NE1/4, A DISTANCE OF 330.35 FEET TO AN EXISTING IRON PIN ON AT THE NORTHEAST CORNER OF THE WEST THREE-FOURTHS (WEST 3/4THS) OF THE SAID NW1/4 OF NE1/4 FOR A POINT OF BEGINNING; THENCE S01°25'16"W (S00°13'32"E DEED), ALONG THE EAST LINE OF THE SAID WEST 3/4THS OF THE NW1/4 OF THE NE1/4, A DISTANCE OF 1320.07 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF SAID WEST 3/4THS OF THE NW1/4 OF THE NE1/4; THENCE N88°17'14"W (N89°56'16"W DEED), ALONG SOUTH LINE OF THE NW1/4 OF THE NE1/4, A DISTANCE OF 330.04 FEET (329.99' DEED) TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4; THENCE S01°27'52"W (S00°11'21"E DEED), ALONG THE EAST LINE OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4, A DISTANCE OF 660.18 FEET (660.22' DEED) TO AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4; THENCE N88°16'04"W (N89°54'30"W DEED), ALONG THE SOUTH LINE OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4, A DISTANCE OF 659.82 FEET (660.03' DEED) TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4; THENCE N01°26'29"E (N00°11'20"W DEED), ALONG THE WEST LINE OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4, A DISTANCE OF 659.95 FEET (659.79' DEED) TO AN EXISTING IRON PIN AT

THE NORTHWEST CORNER OF SAID NW1/4 OF THE SW1/4 OF THE NE1/4; THENCE N88°21'14"W (S89°59'54"W DEED), ALONG THE SOUTH LINE OF THE NORTH ONE-HALF (N1/2) OF SAID NW.FRAC.1/4, A DISTANCE OF 396.42 FEET TO AN IRON PIN SET AT THE SOUTHEAST OF LOT 3-B IN THE FINAL PLAT OF THE REPLAT OF LOT 3 IRISH HILLS PHASE ONE, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI; THENCE N09°36'02"W (N11°19'06"W DEED), ALONG THE EAST LINE OF SAID LOT 3-B, A DISTANCE OF 211.18 FEET (211.08' DEED) TO AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF LOT 2 IN IRISH HILLS PHASE ONE, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI; THENCE N05°03'01"E (N03°26'07"E DEED), ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 167.66 FEET (167.86' DEED) TO AN EXISTING IRON PIN; THENCE N02°30'08"W (N04°08'36"W DEED), CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 195.91 FEET TO AN EXISTING IRON PIN ON THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2008 AT PAGE 8225 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE; THENCE N37°47'41"E (N36°08'46"E DEED), ALONG THE SOUTH LINE OF SAID TRACT OF LAND AND THE EASTERLY LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2008 AT PAGE 10100 IN SAID CHRISTIAN COUNTY RECORDER'S OFFICE, A DISTANCE OF 286.89 FEET (286.86' DEED) TO AN EXISTING IRON PIN; THENCE N16°14'01"E (N14°35'16" DEED), CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 171.56 FEET (171.58' DEED) TO AN EXISTING IRON PIN; THENCE N42°53'26"E (N41°14'19"E DEED), CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 465.64 FEET (465.72' DEED) TO AN EXISTING IRON PIN SET AT THE NORTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 2008 AT PAGE 10100, SAID POINT BEING ON THE NORTH LINE OF SAID NW1/4 OF THE NE1/4; THENCE S88°25'51"E (N89°55'17"E DEED), ALONG THE NORTH LINE OF SAID NW1/4 OF THE NE1/4, A DISTANCE OF 907.34 FEET (907.35' DEED) TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 48.960 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

AND ALSO;

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) AND A PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) IN SECTION 18, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING ALUMINUM MONUMENT STAMPED "LS 2122" AT THE NORTHEAST CORNER OF SAID NE1/4 OF THE NE1/4; THENCE N88°25'51"W, ALONG THE NORTH LINE OF SAID NE1/4 OF THE NE1/4, A DISTANCE OF 1270.24 FEET FOR A POINT OF BEGINNING; THENCE S01°34'09"W, A DISTANCE OF 40.00 FEET; THENCE N88°25'51"W, A DISTANCE OF 325.48 FEET; THENCE S46°29'43"W, A

DISTANCE OF 21.24 FEET; THENCE S01°25'16"W, A DISTANCE OF 154.96 FEET; THENCE N88°25'51"W, A DISTANCE OF 40.35 FEET TO A POINT ON THE EAST LINE OF THE WEST THREE-FOURTHS (W3/4) OF SAID NW1/4 OF THE NE1/4; THENCE N01°25'16"E, ALONG SAID EAST LINE, A DISTANCE OF 210.00 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID W3/4 OF THE NW1/4 OF THE NE1/4; THENCE S88°25'51"E, ALONG THE NORTH LINE OF SAID NW1/4 OF THE NE1/4, A DISTANCE OF 330.35 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE CONTINUING S88°25'51"E, ALONG THE NORTH LINE OF SAID NE1/4 OF THE NE1/4, A DISTANCE OF 50.62 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 22,209 SQUARE FEET (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

(BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.)

Your Petitioner states that he is the owner in fee of **all** interests in the said tract of real property and requests that the City Council hold a public hearing not fewer than fourteen (14) or more than sixty (60) days after receipt of this Petition and that said hearing be held not fewer than seven (7) days after notice of the hearing is published in a newspaper of general circulation, qualified to publish legal matters. Further, should the City Council determine that the annexation reasonable and necessary to the property development of Nixa, Missouri has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, Petitioner requests that said City Council thereafter annex the territory by ordinance without further action.

P & Z Annex Form (1994)

Should written objection to the proposed annexation be filed with the City Council not later than fourteen (14) days after said public hearing, this Petitioner then requests the City Council thereafter to petition the Circuit Court of Christian County, Missouri, for a declaratory judgment as to the reasonableness of such annexation.

Christopher R. Moore

Christopher R. Moore, President

Deborah L. Moore

Deborah L. Moore, Secretary

STATE OF MISSOURI
COUNTY OF CHRISTIAN

On this 12 day of August, 2016, before me personally appeared Christopher R. Moore and Deborah L. Moore to me known to be the person described in and who and that the facts stated therein are true to the best of his knowledge and belief.

In testimony whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.

Rebekka Coffey

Notary Public

My Commission Expires: 7-18-20



REBEKKA COFFEY
My Commission Expires
July 18, 2020
Stone County
Commission #16879102

Applicant Name: James River Sports, Inc.

Dated: 8/12/16 Phone: (417) 725-3458

Applicant Mailing Address: 1957 W. MacKenzie's Way.
Nixa, MO 65714