

Bill No. 2021-48

Ordinance No. 2498

**AN ORDINANCE EXTENDING LIMITS OF THE CITY OF WAYNESVILLE;
FIXING AN EFFECTIVE DATE
(16.50 ACRES M/L)**

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESVILLE AS FOLLOWS:

SECTION 1. That there has been heretofore presented to the City Council of the City of Waynesville a verified petition signed by the owner(s) of all fee interests of record in all tracts of real property located within the area described in such petition, which area is proposed to be annexed to the City of Waynesville and is commonly known and which area is hereinafter described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS DOCUMENT

SECTION 2. That, pursuant to a resolution heretofore adopted by the City Council of the City of Waynesville, a public hearing was held concerning the said proposed annexation on 18th, November, 2021.

SECTION 3. That notice of the said public hearing was given, as required by law and as provided in the resolution heretofore adopted by the City Council, by publication in the Dixon Pilot, a newspaper of general circulation in Pulaski County, Missouri and which is qualified to publish legal matters, and that the said notice was so published more than seven days prior to the date of said hearing.

SECTION 4. That no written objection to the proposed annexation has been filed with the City Council of the City of Waynesville, or with the City Clerk, and that more than fourteen days have now elapsed since the date of the said public hearing.

SECTION 5. That the City Council, after holding the said public hearing, has determined, and hereby determines, that the proposed annexation is reasonable and necessary to the proper development of the City of Waynesville, and that the City of Waynesville has the ability to furnish normal municipal services of the City to the area proposed to be annexed within a reasonable time after such annexation.

SECTION 6. That the limits of the City of Waynesville are hereby extended to include the territory described in the said petition, and that as so extended the limits of the City of Waynesville shall now include the territory in Pulaski County, Missouri which is commonly known and which area is hereinafter described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS DOCUMENT

SECTION 7. That the territory hereby annexed into the City Limits is hereby determined to be zoned as R1 (Single Family Residential).

SECTION 8. The City Clerk is directed to cause three certified copies of this Ordinance to be filed with the County Clerk of Pulaski County, Missouri and to cause one certified copy to be filed with the Recorder of Deeds of Pulaski County, Missouri.

SECTION 9. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 18th DAY OF NOVEMBER, 2021.


Dr. Jerry Brown, Mayor

ATTEST:



Tracey York, Deputy City Clerk

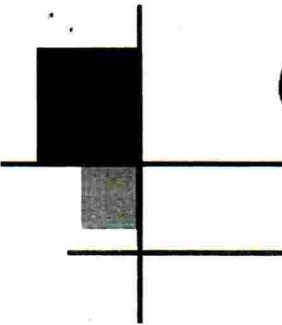


EXHIBIT A

TRACT 1: A tract of land being a part of a tract of land as described in Document 9402544, Pulaski County records, said tract being a part of the Southwest Quarter of the Southwest Quarter of Section 23, Township 38 N., Range 12 W., Pulaski County, Missouri, and being more particularly described as follows:

Commencing at an existing aluminum monument at the southwest corner of said Section 23; thence, N 01°16'07"E, along the west line of said Section 23, 44.14 feet, to an iron pin on the northerly line of Swedeborg Road, and the point of beginning; thence continuing N 01°16'07"E, along said west line 1281.21 feet, to an iron pin at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 23, thence S 88°34'48"E, along the north line of said quarter section, 674.66 feet, to an existing iron pin at the northwest corner of a tract of land as described in Book 414, at Page 4, Pulaski County records; thence S 01°14'20"W along the west line of said tract, 334.31 feet, to an iron pin; thence S 75°34'25"W 525.45 feet to an iron pin; thence S 14°25'35"E, 671.03 feet, to an iron pin on the northerly line of Swedeborg Road; thence along said northerly line the following courses; thence S 75°34'25"W tangent to a curve to the left, said curve having a radius of 1026.98 feet, and an arc length of 207.34 feet thence S 64°00'21"W, 168.66 feet; thence on a curve to the right, said curve having a radius of 240.0 feet and an arc length of 8.86 feet, to the point of beginning. Containing 11.0 acres, more or less.

TRACT 2: A part of the Southwest Quarter of the Southwest Quarter of Section 25, Township 36 North, Range 12 West of the 5th P.M. described as follows; Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 23 for the true place of beginning; thence S 01°01'04"W 366.91 feet along the East line of said Southwest Quarter of the Southwest Quarter; thence N 88°59'54"W 651.43 feet; thence N 01°00'32"E 34.33 feet; thence N 01°01'40"E 334.56 feet to the North line of said Southwest Quarter of the Southwest Quarter; thence S 88°49'24"E 651.38 feet along said North line to the true place of beginning. Subject to all easements of record.



City of Waynesville

Preserving the Past - Planning for the Future

100 Tremont Center Waynesville, MO. 65583

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Waynesville City Council at the Council Chambers in City Hall, 100 Tremont Center, Waynesville on November 18, 2021 at 5:30 p.m.

The purpose of this hearing is to consider a Petition Requesting Annexation for Phase 1A of Pinnacle at The Summit as a R-1 (Residential) zoned area.

Any person interested in the matter may appear at the Public Hearing and present testimony or other evidence.

Michele Brown
City of Waynesville
City Clerk



PETITION REQUESTING ANNEXATION BY
CITY OF WAYNESVILLE

Mark Rowden Homes, LLC of the State of Missouri, hereinafter referred to as Petitioner(s), for a voluntary petition to the City Council of the City of Waynesville, Missouri, and state and allege as follows:

1. That they are the owner(s) of the entire fee interest of record in the real estate in Pulaski County, Missouri described as on the attached Exhibit "A":
2. That the said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Waynesville, Missouri.
4. That the Petitioners request that the said real estate be annexed to, and be included within the corporate limits of, the City of Waynesville, Missouri, as authorized by the provisions of Section 71.012, RSMo.
5. That the Petitioners request the City Council of the City of Waynesville to cause the required notice to be published and to conduct the public hearing required by law and to thereafter adopt an ordinance extending the limits of the City of Waynesville to include the above described real estate.

Dated this 14th day of September, 2021^{MR}.

Mark Rowden

Jamie Rowden



STATE OF MISSOURI
COUNTY OF PULASKI

On this 20th day of September, 2021, before me, a Notary Public in and for the State of Missouri, personally appeared Mark Rowden Homes, LLC, a limited liability company, known to me to be the person who executed the within Petition for Annexation in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated. Mark & Jane Rowden acknowledged said instrument to be the free act and deed of said limited liability company and said that said Mark Rowden Homes LLC has no corporate seal. Mark & Jane Rowden further acknowledged that he executed said document individually as his free act and deed for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in St. Robert, Missouri, the day and year first above written.

Vinita Foote
Notary Public

My commission expires: 8/4/2025



PROPERTY DESCRIPTION

A part of the Southwest Quarter of the Southwest Quarter of Section 23, Township 36 North, Range 12 West of the 5th P.M., described as follows: Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 23 for the true place of beginning; thence S 01°01'04" W 366.91 feet along the East line of said Southwest Quarter of the Southwest Quarter; thence N 88°59'54" W 651.43 feet; thence N 01°00'32" E 34.33 feet; thence N 01°01'40" E 334.56 feet to the North line of said Southwest Quarter of the Southwest Quarter; thence S 88°49'24" E 651.38 feet along said North line to the true place of beginning. Subject to all easements of record.

SURVEYOR'S NOTES:

1. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
2. PARENT DEED RECORDED IN PULASKI COUNTY DEED INSTRUMENT NO. 202109276, IN THE RECORDER'S OFFICE OF PULASKI COUNTY, MISSOURI.

CARMACK SURVEYING, INC.
 1007 N. W. 11th St.
 MOBY, MO. 65557
 PH: 417-468-1798

SURVEYOR'S CERTIFICATION

I, LOUIE E. CARMACK JR., MISSOURI REGISTERED LAND SURVEYOR, NUMBER 80114, HAVE PERSONALLY AND INDEPENDENTLY EXAMINED THIS PLAN, WAS MADE BY ME OR UNDER MY DIRECTION, AND IS CERTIFIED TO BE IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

C. OF A. NO. 2009021547.

DATE FIELD WORK COMPLETED: 7/6/2021

LOUIE E. CARMACK JR.

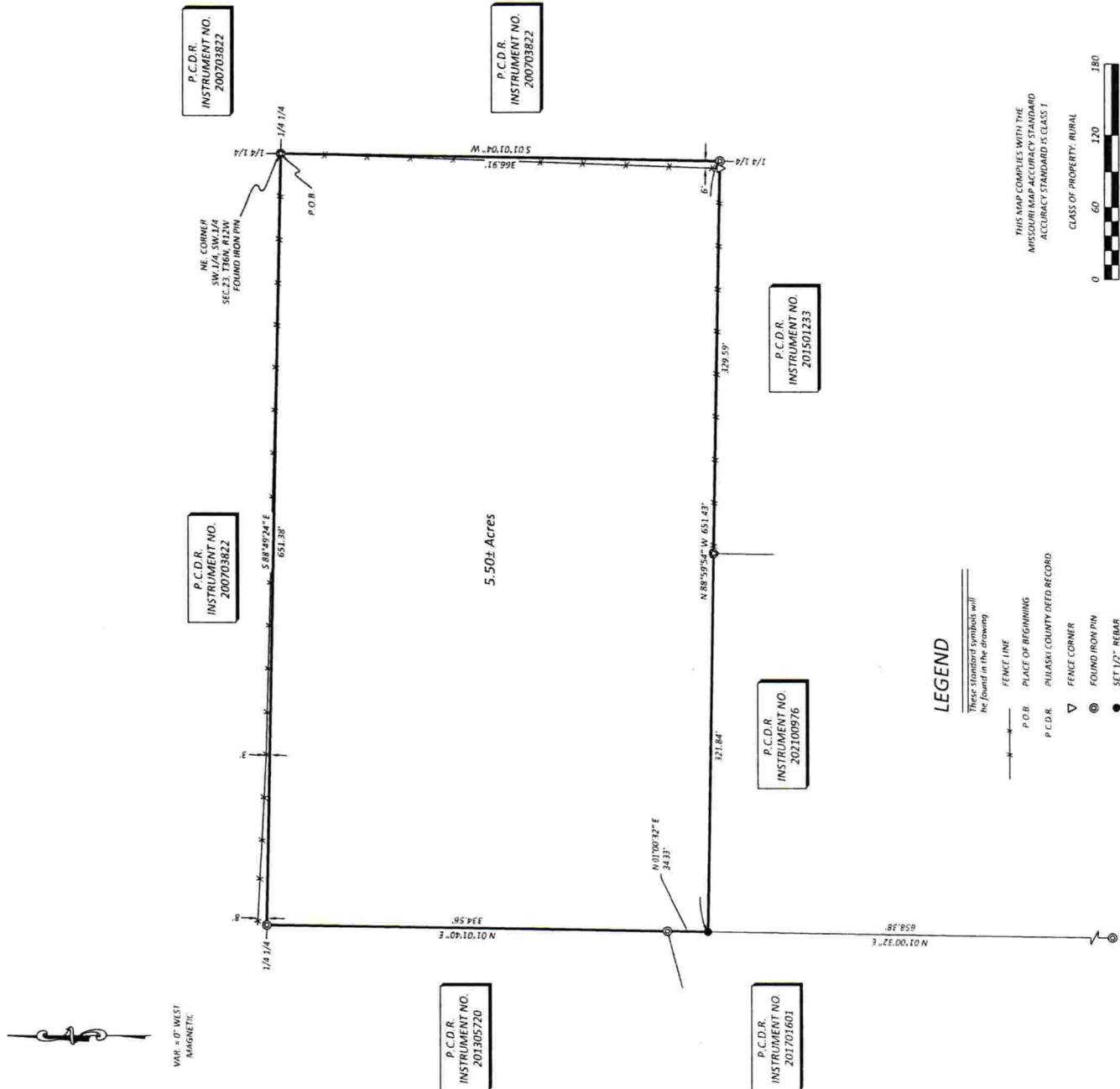
LOUIE E. CARMACK JR.

CARMACK JR.



SURVEY FOR MARK ROWDEN

DRAWN	DATE	PULASKI COUNTY, MO.
RLS	07/19/21	SEC. 23
APPROVED	DATE	T36N, R12W
LEC	07/19/21	SHEET
SCALE	SHEET	PROJECT NO.
1" = 60'	1 OF 1	C-9340A



THIS MAP COMPLIES WITH THE MISSOURI MAP ACCURACY STANDARD ACCURACY STANDARD IS CLASS 1



LEGEND

- These standard symbols will be found in the drawing.
- FENCE LINE
 - P.O.B. PLACE OF BEGINNING
 - P.C.D.R. PULASKI COUNTY DEED RECORD
 - FENCE CORNER
 - FOUND IRON PIN
 - SET 1/2" REBAR

PLAT OF SURVEY

CERTIFICATION: This is to certify that I, Donald B. Mayhew, PLS, at the direction of Mr. Donald Gann, have executed a survey of the tract of land shown and described hereon, and that said survey was, to the best of my knowledge and belief, executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys, and that the results of said survey are shown hereon.

Donald B. Mayhew, PLS, PE
 PLS #2389
 10/6/01

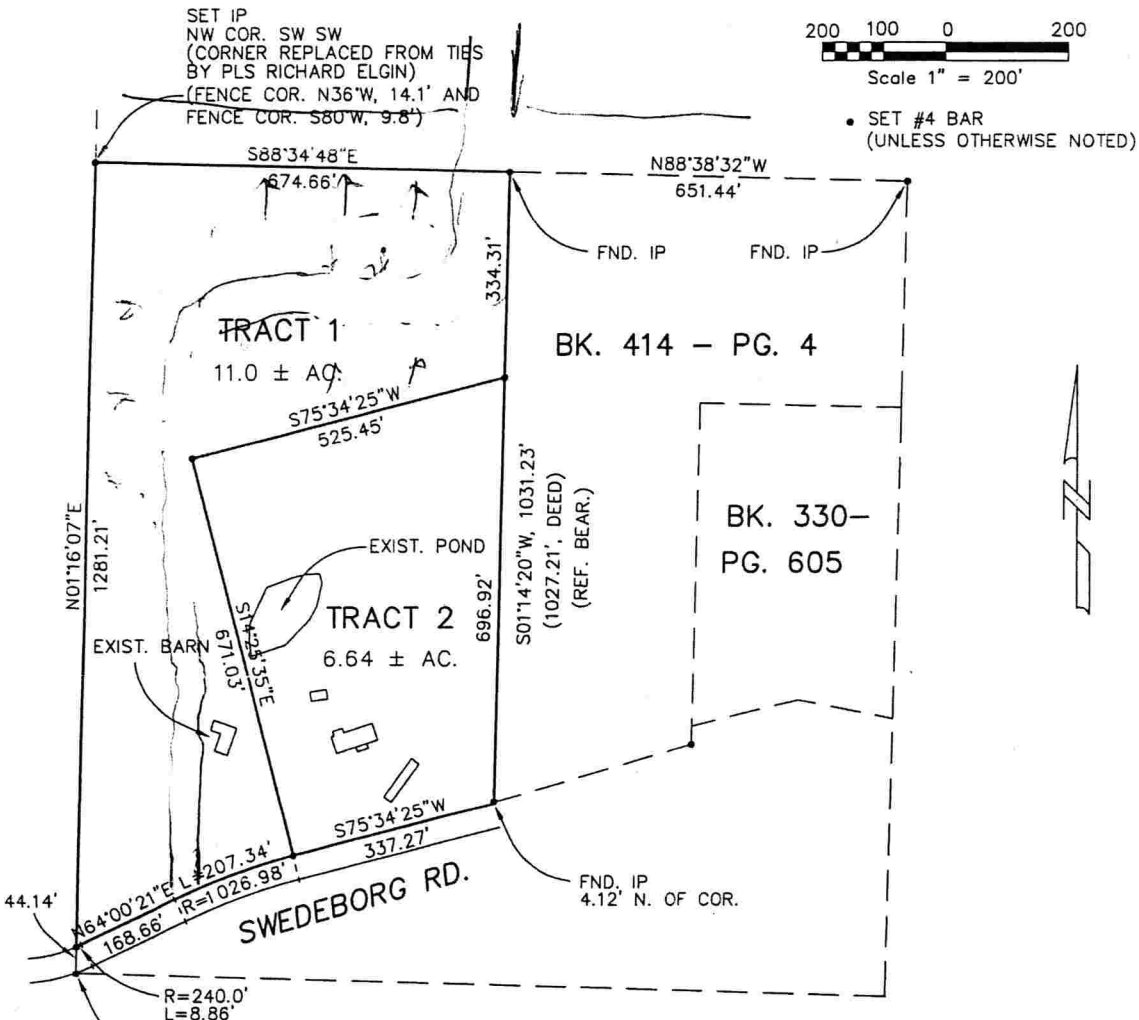
THIS DRAWING HAS BEEN TRANSMITTED VIA ELECTRONIC MEANS AND IS PROVIDED FOR REFERENCE ONLY FOR THE CONVENIENCE OF THE RECEIVER. THIS IS NOT AN OFFICIAL COPY. AN OFFICIAL COPY MUST CONTAIN THE ORIGINAL SEAL AND SIGNATURE. IT IS NOT POSSIBLE TO SIGN AND SEAL ELECTRONIC COPIES. IF AN OFFICIAL COPY IS REQUIRED ONE CAN BE PROVIDED UPON REQUEST AND WILL BE SUBJECT TO ADDITIONAL FEES. THIS DRAWING IS FOR USE OF THE PERSON TO WHOM SENT. IT CANNOT BE GIVEN, SOLD, TRANSFERRED, TRANSMITTED OR COMMUNICATED IN ANY WAY TO ANY OTHER PERSON. RECEIVER AGREES BY RECEIPT AND USE OF THIS DRAWING THAT THEY ACCEPT ANY AND ALL LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS DRAWING AND THAT THEY WILL INDEMNIFY, DEFEND AND HOLD HARMLESS MAYHEW SURVEYING AND ENGINEERING, INC., FROM ALL CLAIMS WHATSOEVER THAT MAY ARISE OUT OF RECEIVER'S USE OF THIS DRAWING.

TRACT 1: A tract of land being a part of a tract of land as described in Document 9402544, Pulaski County records, said tract being a part of the Southwest Quarter of the Southwest Quarter of Section 23, Township 36 N., Range 12 W., Pulaski County, Missouri, and being more particularly described as follows:

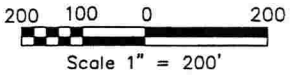
Commencing at an existing aluminum monument at the southwest corner of said Section 23; thence N01°16'07"E, along the west line of said Section 23, 44.14 feet, to an iron pin on the northerly line of Swedeborg Road, and the point of beginning; thence continuing N01°16'07"E, along said west line, 1281.21 feet, to an iron pin at the northwest corner of the Southwest Quarter of said Section 23; thence S88°34'48"E, along the north line of said quarter quarter section, 674.66 feet, to an existing iron pin at the northwest corner of a tract of land as described in Book 414, at Page 4, Pulaski County records; thence S01°14'20"W, along the west line of said tract, 334.31' feet, to an iron pin; thence S75°34'25"W, 525.45 feet, to an iron pin; thence S14°25'35"E, 671.03 feet, to an iron pin on the northerly line of Swedeborg Road; thence along said northerly line the following courses: thence S75°34'25"W, tangent to a curve to the left, said curve having a radius of 1026.98 feet, and an arc length of 207.34 feet; thence S64°00'21"W, 168.66 feet; thence on a curve to the right, said curve having a radius of 240.0 feet, and an arc length of 8.86 feet, to the point of beginning. Containing 11.0 acres, more or less.

TRACT 2: A tract of land being a part of a tract of land as described in Document 9402544, Pulaski County records, said tract being a part of the Southwest Quarter of the Southwest Quarter of Section 23, Township 36 N., Range 12 W., Pulaski County, Missouri, and being more particularly described as follows:

Commencing at an existing aluminum monument at the southwest corner of said Section 23; thence N01°16'07"E, along the west line of said Section 23, 44.14 feet, to an iron pin on the northerly line of Swedeborg Road; thence continuing N01°16'07"E, along said west line, 1281.21 feet, to an iron pin at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 23; thence S88°34'48"E, along the north line of said quarter quarter section, 674.66 feet, to an existing iron pin at the northwest corner of a tract of land as described in Book 414, at Page 4, Pulaski County records; thence S01°14'20"W, along the west line of said tract, 334.31' feet, to an iron pin, and the point of beginning; thence S75°34'25"W, 525.45 feet, to an iron pin; thence S14°25'35"E, 671.03 feet, to an iron pin on the northerly line of Swedeborg Road; thence along said northerly line N75°34'25"E, 337.27 feet; thence N01°14'20"E, along the west line of said tract described in Book 414, at Page 4, 696.92 feet, to the point of beginning. Containing 6.64 acres, more or less.



SET IP
 NW COR. SW SW
 (CORNER REPLACED FROM TIES
 BY PLS RICHARD ELGIN)
 (FENCE COR. N36°W, 14.1' AND
 FENCE COR. S80°W, 9.8')



• SET #4 BAR
 (UNLESS OTHERWISE NOTED)

FND. TYPE A MON.
 SW COR.
 SECTION 23, T36N, R12W

MAYHEW SURVEYING AND ENGINEERING
 PO BOX 418
 CROCKER, MO 65452
 573-736-2482

Recorded in Pulaski County, Missouri



Recording Date/Time: 12/03/2021 at 11:06:51 AM
Instr #: 202108164

Type: ORDIN
Pages: 9
Fee: \$70.00 N

Rachelle Beasley
Rachelle Beasley, Recorder of Deeds



RECORDER OF DEEDS CERTIFICATE
NON-STANDARD DOCUMENT

This document has been recorded and you have been charged the
\$25 non-standard fee pursuant to RSMo 59.310.3
and this certificate has been added to your document
in compliance with the laws of the State of Missouri.

Rachelle Beasley
Recorder of Deeds
Pulaski County

THIS PAGE HAS BEEN ADDED AS THE FIRST PAGE OF YOUR DOCUMENT
DO NOT REMOVE THIS PAGE

pg 9 \$70.00 C&W 1940