

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 287-16

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard; directing the City Clerk to give notice of the annexation; placing the property annexed in District R-1; authorizing a development agreement with Tompkins Homes and Development, Inc. and the Glen Smith Trust and Lillie Beatrice Smith Trust; 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 verified petitions were filed with the City on October 5, 2016, 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. The petitions were signed by Betty Gayle Smith, trustee for the Glen Smith Trust and Lillie Beatrice Smith Trust and Mike Tompkins, trustee for Tompkins Homes & Development Inc., the owners of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on November 7, 2016. Notice of this hearing was published more than seven days prior to the hearing in a newspaper 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. ___ **[number to be assigned by the City Clerk]** 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.____ [number to be assigned by the City Clerk]. November, 2016
Extension of Corporate Limits.

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

TRACT 1 (SOUTH 40 ACRE REMNANT)

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE TRUSTEES DEEDS RECORDED IN BOOK 1375, PAGE 385, BOOK 3188, PAGE 67, AND BOOK 3188, PAGE 69, AND BEING PART OF TRACT 1, AS SHOWN BY THE SURVEY RECORDED IN BOOK 3182, PAGE 105 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, AND THE SOUTHWEST CORNER OF STONERIDGE ESTATES, PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35, AND WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, N 83°11'40"W, 934.13 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE LEAVING THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 17 AND WITH THE LINES OF SAID TRACT 1, S 1°03'00"W, 1215.13 FEET; THENCE N 88°38'05"W, 371.63 FEET; THENCE S 34°29'15"W, 101.96 FEET; THENCE S 72°16'50"W, 78.46 FEET; THENCE N 72°02'30"W, 242.02 FEET; THENCE N 88°12'10"W, 520.15 FEET TO THE SOUTHEAST CORNER OF THE TRACT DESCRIBED BY THE TRUSTEES DEED RECORDED IN BOOK 4279, PAGE 143, THENCE LEAVING THE LINES OF SAID TRACT 1 AND WITH THE LINES OF THE TRACT DESCRIBED BY SAID TRUSTEES DEED RECORDED IN BOOK 4279, PAGE 143, N 37°27'35"E, 164.44 FEET; THENCE N 21°46'45"E, 188.56 FEET; THENCE N 2°52'10"E, 361.81 FEET; THENCE N 8°17'00"W, 361.83 FEET; THENCE N 14°09'15"W, 320.35 FEET; THENCE S 83°09'55"E, 657.19 FEET; THENCE N 6°50'05"E, 66.00 FEET; THENCE N 83°09'55"W, 777.69 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE LEAVING THE LINES OF THE TRACT DESCRIBED BY SAID TRUSTEES DEED RECORDED IN BOOK 4279, PAGE 143; AND WITH THE WEST LINE OF SAID SECTION 17, N 1°13'25"E, 1282.39 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE LEAVING THE WEST LINE OF SAID SECTION 17 AND WITH SAID NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, S 83°11'40"E, 266.53 FEET TO THE APPROXIMATE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39; THENCE WITH THE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39, S 72°29'10"E, 285.50 FEET; THENCE S 61°02'45"E, 467.55 FEET; THENCE S 53°27'30"E, 194.50 FEET; THENCE S 71°08'50"E, 191.80 FEET; THENCE N 73°57'40"E, 133.37 FEET; THENCE N 33°42'30"E, 57.10 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 690, PAGE 601; THENCE LEAVING SAID CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AS DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 3075,

PAGE 39, AND WITH THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, N 64°50'45"E, 420.12 FEET TO THE WESTERNMOST CORNER OF STONERIDGE ESTATES, PLAT 3-A, RECORDED IN PLAT BOOK 33, PAGE 65; THENCE LEAVING THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A, N 63°19'55"E, 119.74 FEET; THENCE S 31°30'45"E, 130.72 FEET TO THE WEST LINE OF STONERIDGE ESTATES PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35; THENCE LEAVING THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3, S 1°19'10"W, 578.48 FEET; THENCE S 83°13'10"E, 261.85 FEET; THENCE S 1°19'40"W, 659.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 90.80 ACRES.

EXCEPTING FROM THE ABOVE DESCRIBED TRACT: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE DEEDS RECORDED IN BOOK 4569, PAGES 80 AND 81 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, AND THE SOUTHWEST CORNER OF STONERIDGE ESTATES, PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35, AND WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, N 83°11'40"W, 934.13 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 17, N 83°11'20"W, 312.53 FEET; THENCE LEAVING SAID NORTH LINE, N 4°00'10"E, 251.59 FEET; THENCE N 7°21'50"E, 60.46 FEET; THENCE N 82°55'35"W, 220.00 FEET; THENCE S 6°48'20"W, 29.80 FEET; THENCE N 87°47'10"W, 180.74 FEET; THENCE N 70°40'30"W, 672.79 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE WITH THE WEST LINE OF SAID SECTION 17, N 1°13'25"E, 899.65 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE LEAVING THE WEST LINE OF SAID SECTION 17 AND WITH SAID NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, S 83°11'40"E, 266.53 FEET TO THE APPROXIMATE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39; THENCE WITH THE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39, S 72°29'10"E, 285.50 FEET; THENCE S 61°02'45"E, 467.55 FEET; THENCE S 53°27'30"E, 194.50 FEET; THENCE S 71°08'50"E, 191.80 FEET; THENCE N 73°57'40"E, 133.37 FEET; THENCE N 33°42'30"E, 57.10 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 690, PAGE 601; THENCE LEAVING SAID CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AS DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39, AND WITH THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, N 64°50'45"E, 420.12 FEET TO THE NORTHWEST CORNER OF

STONERIDGE ESTATES, PLAT 3-A, RECORDED IN PLAT BOOK 33, PAGE 65; THENCE LEAVING THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A, N 63°19'55"E, 119.74 FEET; THENCE S 31°30'45"E, 130.72 FEET TO THE WEST LINE OF STONERIDGE ESTATES PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35; THENCE LEAVING THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3, S 1°19'10"W, 578.48 FEET; THENCE S 83°13'10"E, 261.85 FEET; THENCE S 1°19'40"W, 659.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 50.23 ACRES. THIS REMAINING TRACT CONTAINING 40.57 ACRES.

TRACT 2 (NORTH 50 ACRES)

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE DEEDS RECORDED IN BOOK 4569, PAGES 80 AND 81 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, AND THE SOUTHWEST CORNER OF STONERIDGE ESTATES, PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35, AND WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, N 83°11'40"W, 934.13 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 17, N 83°11'20"W, 312.53 FEET; THENCE LEAVING SAID NORTH LINE, N 4°00'10"E, 251.59 FEET; THENCE N 7°21'50"E, 60.46 FEET; THENCE N 82°55'35"W, 220.00 FEET; THENCE S 6°48'20"W, 29.80 FEET; THENCE N 87°47'10"W, 180.74 FEET; THENCE N 70°40'30"W, 672.79 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE WITH THE WEST LINE OF SAID SECTION 17, N 1°13'25"E, 899.65 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE LEAVING THE WEST LINE OF SAID SECTION 17 AND WITH SAID NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, S 83°11'40"E, 266.53 FEET TO THE APPROXIMATE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39; THENCE WITH THE CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AND THE SOUTH LINE OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39, S 72°29'10"E, 285.50 FEET; THENCE S 61°02'45"E, 467.55 FEET; THENCE S 53°27'30"E, 194.50 FEET; THENCE S 71°08'50"E, 191.80 FEET; THENCE N 73°57'40"E, 133.37 FEET; THENCE N 33°42'30"E, 57.10 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 690, PAGE 601; THENCE LEAVING SAID CENTER OF THE MAIN CHANNEL OF PERCHE CREEK AS DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 3075, PAGE 39, AND WITH THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, N 64°50'45"E, 420.12 FEET TO THE NORTHWEST CORNER OF STONERIDGE ESTATES, PLAT 3-A, RECORDED IN PLAT BOOK 33, PAGE 65;

THENCE LEAVING THE LINES OF THE TRACT DESCRIBED BY SAID WARRANTY DEED RECORDED IN BOOK 690, PAGE 601, AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A, N 63°19'55"E, 119.74 FEET; THENCE S 31°30'45"E, 130.72 FEET TO THE WEST LINE OF STONERIDGE ESTATES PLAT 3, RECORDED IN PLAT BOOK 33, PAGE 35; THENCE LEAVING THE LINES OF SAID STONERIDGE ESTATES PLAT 3-A AND WITH THE LINES OF SAID STONERIDGE ESTATES PLAT 3, S 1°19'10"W, 578.48 FEET; THENCE S 83°13'10"E, 261.85 FEET; THENCE S 1°19'40"W, 659.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 50.23 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 and three certified copies with the Assessor 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 Fourth 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 Tompkins Homes and Development, Inc. and the Glenn Smith Trust and Lillie Beatrice Smith Trust. The form and content of the agreement shall be substantially in the same form as set forth in "Attachment A" attached hereto.

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

PASSED this _____ day of _____, 2016.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor