

BILL NO. _____

ORDINANCE NO. 24-1

AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF FREDERICKTOWN, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICKTOWN, MISSOURI; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF FREDERICKTOWN, MISSOURI, FROM UNZONED TO I-2 HEAVY INDUSTRIAL PER APPLICATION OF MISSOURI MINING INVESTMENTS, LLC, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKTOWN, MISSOURI.

WHEREAS, Missouri Mining Investments, LLC annexed a certain tract of land as hereinbelow described into the city limits of the City of Fredericktown, and said property requires zoning in accordance with the Code of Ordinances for the City of Fredericktown; and

WHEREAS, Missouri Mining Investments, LLC, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Fredericktown, Missouri, said properties being described as 1050 Madison 263, Fredericktown, Missouri, as set out in Exhibit 1 which is attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the City Planning and Zoning Commission has heretofore reported to the Board of Aldermen that it approved the requested zoning change; and,

WHEREAS, the City Planning and Zoning Commission and the Board of Aldermen have heretofore complied with all of the provisions of Chapter 405 of the Code of Ordinances of the City of Fredericktown, Missouri; and,

WHEREAS, the Board of Aldermen believes it is in the best interest of the citizens of the City of Fredericktown, Missouri, to rezone the aforesaid area as requested by the applicant.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICKTOWN, MISSOURI, AS FOLLOWS:

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Fredericktown, Missouri, are hereby amended insofar as they relate to the property described on Exhibit 1 which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from unzoned to I-2 Heavy Industrial.

Section 2. That the application for rezoning as submitted by the owner(s) is attached hereto, marked Exhibit 1 and incorporated herein as if fully set forth.

Section 3. That the City Clerk of the City of Fredericktown, Missouri, shall and is hereby directed to amend the "Official Zoning District Map" of the City of Fredericktown, Missouri, and to certify same and to keep said map on file in the office of the City Clerk and an updated copy shall be placed at City Hall, City of Fredericktown, Missouri.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. That this ordinance shall take effect and be in force from and after its passage and approval.

THIS ORDINANCE having been read by title only this 8th day of January, 2024, the Board of Aldermen voted as follows:

Long	<u>aye</u>	Brown	<u>aye</u>
Polete	<u>aye</u>	Miller	<u>aye</u>
Jones	<u>aye</u>	Shankle	<u>aye</u>

THIS ORDINANCE having been read by title only the second time on this 8th day of January, 2024, the Board of Aldermen voted as follows:

Long aye

Brown aye

Polete aye

Miller aye

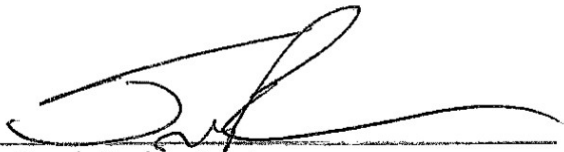
Jones aye

Shankle aye

PASSED AND APPROVED this 8th day of January, 2024, by 10 ayes, 0 nays, 0 abstentions and 0 absentees.

CITY OF FREDERICKTOWN, MISSOURI

(SEAL)

BY: 
Travis Parker, Mayor

ATTEST:



Theresa Harbison, City Clerk

Exhibit 1

REZONING APPLICATION FORM City of Fredericktown, Missouri

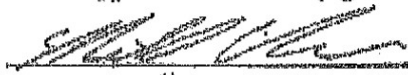
1. Names, addresses, and phone numbers of all legal property owners: _____
Missouri Mining Investments, Inc.
1530 S. Second St. ST. Louis Mo. 63104
573-561-8161
2. Street address, legal description, or other location description of property in question: _____
EASY MARVIN 1090 MADISON 263
PT SE COR SURVEY 2073
3. Present zoning classification of property: _____ NONE
4. Requested zoning class or action: _____ T-2
5. Name, address, and phone number of contact person for this application: _____
MIKE COLEMAN 314-220-7163
7733 FORSYTH BLVD CLAYTON MO. 63105
6. Is transfer of ownership of tract(s) pending outcome of this application?
Yes _____ No
If yes, state name, address, and phone number of intended new owner: _____

7. State the use for which this tract will be used if the applicant's request is granted: _____
MINING OPERATION
8. State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Fredericktown: _____
POTENTIAL JOBS
AND REVENUE FOR THE CITY OF FREDERICKTOWN

9. Additional items required:

- a. A copy of the most recent deed(s) for the property. If additional tracts are described on the deed, mark which tract is requested to be rezoned.
- b. Application fee of \$200.00.
- c. List of names and tax mailing addresses of property owners within 185 feet. List is available from the Madison Co Assessor office.
- d. Mailing envelopes, stamped and addressed to adjacent property owners.
- e. One (1) full size plat or survey of the property, if available.
- f. Upon request of City following review of Application by City staff, plat plan drawn to scale, showing boundary dimensions, adjoining streets, existing and proposed plans for the area requested to be rezoned, and references to adjoining property owners. Scaled plat may be required for such reasons as size of parcel, extent of demolition or construction planned, etc.

10. The undersigned certify upon our oaths that all of the information contained in this application is true: (signatures of all persons listed in No. 1 and No. 6)

 _____ Signature	<u>12/6/2023</u> _____ Date
_____ Signature	_____ Date
_____ Signature	_____ Date
_____ Signature	_____ Date

For City Use Only Below Line

Date complete application submitted: 12-6-23
Date initially submitted to Board of Aldermen: 12-6-23
Recommendation of P&Z Commission: Voted to Accept ZONING OF
I-2
Date of P&Z Recommendation: 12-8-23
Date recommendation presented to Board of Aldermen: _____
Date of Public Hearing: 1-8-24
Date of newspaper publication of public hearing: _____
Date notification of public hearing mailed to surrounding property owners: _____
Date of Board of Aldermen decision: _____
Decision of Board of Aldermen: _____
Ordinance Number: _____

MISSOURI MINING PROPERTIES:

- 1) 07-5.0-16-000-000-006.000
- 2) 07-5.0-21-000-000-002.000
- 3) 07-5.0-16-000-000-010.000
- 4) 07-5.0-15-000-000-006.000
- 5) 07-5.0-21-000-000-001.000
- 6) 07-4.0-20-000-000-65S.000
- 7) 07-8.2-28-000-000-003.000
- 8) 07-8.2-28-000-000-006.000
- 9) 07-8.1-27-000-000-006.000
- 10) 07-9.0-32-000-000-001.000

BILL NO. _____

ORDINANCE NO. 20-25

ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF FREDERICKTOWN, MISSOURI UNDER THE PROVISIONS OF MO. REV. STAT. §71.012.

WHEREAS, on July 29, 2020, a verified petition signed by all the owners of the real estate hereinafter described requesting annexation of said territory into the City of Fredericktown, Missouri, was filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Fredericktown, Missouri; and

WHEREAS, a public hearing concerning said matter was held via videoconference due to the Coronavirus pandemic at the City Hall in Fredericktown, Missouri, at the hour of 5:15 p.m. on August 24, 2020; and

WHEREAS, notice of said Public Hearing was given by publication of notice thereof, on August 12, 2020 in the Democrat-News, a weekly newspaper of general circulation located in the City of Fredericktown, State of Missouri; and

WHEREAS, at said Public Hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Fredericktown, Missouri within fourteen days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Fredericktown, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Fredericktown, Missouri as follows:

Section 1. Pursuant to the provision of MO.REV.STAT. §71.012 (2016 as amended), the real estate described in Exhibit A attached hereto and incorporated herein by reference is hereby annexed into the City of Fredericktown, Missouri.

Section 2. The boundaries of the City of Fredericktown, Missouri, hereby are altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

Section 3. The City Clerk of the City of Fredericktown hereby is ordered to cause three certified copies of this Ordinance to be filed with the Madison County Assessor and County Clerk.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THIS ORDINANCE having been read by title only the first time on this 14th day of September, 2020, the Board of Aldermen voted as follows:

Daytona Brown	<u>aye</u>	Paul Brown	<u>absent</u>
Polite	<u>aye</u>	Miller	<u>aye</u>
Jones	<u>aye</u>	Thomas	<u>aye</u>

THIS ORDINANCE having been read by title only the second time on this 14th day of September, 2020, the Board of Aldermen voted as follows:

Daytona Brown	<u>aye</u>	Paul Brown	<u>absent</u>
Polite	<u>aye</u>	Miller	<u>aye</u>
Jones	<u>aye</u>	Thomas	<u>aye</u>

PASSED AND APPROVED this 14th day of September, 2020, by 5 ayes, _____ nays, _____ abstentions and 1 absentees.



Kelly Korokis
Kelly Korokis, Mayor

Belinda Lopez
Belinda Lopez, City Clerk

EXHIBIT A

PROPERTY DESCRIPTION

A tract of land being part of Fractional Sections 15, 16, 20, 21 and 28, part of Sections 27 and 32, and part of U.S. Surveys 2073, 3089 and 3171, all located in Township 33 North, Range 7 East of the Fifth Principal Meridian, Madison County, Missouri and being more particularly described as follows:

Beginning at a cut stone with cross on top marking the common corner to Fractional Sections 15, 16 and 21 and Section 22 of above-said Township 33 North, Range 7 East; thence along the line between said Fractional Section 21 and Section 22 the following courses and distances: South $00^{\circ}16'33''$ West, 194.19 feet to a cut stone stamped "NAL"; South $00^{\circ}18'08''$ West, 1208.60 feet to a cut stone stamped "NAL"; South $00^{\circ}11'27''$ West, 1386.22 feet to an iron pipe with steel cap and PK nail found for the East Quarter Corner of said Section 21; and South $00^{\circ}07'38''$ East, 870.04 feet to a cut stone with aluminum disk being the northeast corner of a tract of land conveyed to Aurella Hartenberger by document recorded in Deed Book 166, Page 464 of the Madison County, Missouri records; thence leaving last said line and along the north line of said Hartenberger tract, North $89^{\circ}27'04''$ West, 1327.48 feet to a cut stone stamped "NAL" with an aluminum disk at the northwest corner of said Hartenberger tract; thence leaving said north line and along the west line of said Hartenberger tract, South $00^{\circ}54'21''$ East, 2059.79 feet to a concrete monument with disk on the south line of said Fractional Section 21, also being the southwest corner of said Hartenberger tract; thence leaving said west line and along said south line of Fractional Section 21, North $89^{\circ}59'03''$ West, 1331.16 feet to a disk monument in concrete-filled iron pipe at the northeast corner of above-said U.S. Survey 3171, from which an old stone with cross bears South $88^{\circ}14'26''$ East, 0.82 feet; thence leaving said south line of Fractional Section 21 and along the east line of said U.S. Survey 3171, South $00^{\circ}12'58''$ West, 2685.11 feet to a disk set in concrete monument on the east-west centerline of above-said Fractional Section 22, from which a small nail bears South $53^{\circ}30'29''$ West, 0.88 feet; thence leaving said east line and along said east-west centerline of Fractional Section 28, South $89^{\circ}37'10''$ East, 2681.01 feet to a point being the East Quarter Corner of said Fractional Section 28, also being the West Quarter Corner of above-said Section 27; thence leaving said east-west centerline and along the east-west centerline of said Section 27, South $89^{\circ}36'10''$ East, 1297.98 feet to an old oak; thence continuing along last said east-west centerline, North $89^{\circ}20'44''$ East, 1345.86 feet to an old oak marking the center of said Section 27; thence leaving last said east-west centerline and along the north-south centerline of said Section 27, South $00^{\circ}55'38''$ East, 1166.80 feet to a point; thence continuing along said north-south centerline, South $00^{\circ}30'35''$ East, 1317.77 feet to an old oak marking the South Quarter Corner of said Section 27; thence leaving said north-south centerline and along the south line of said Section 27, South $87^{\circ}54'09''$ West, 1354.61 feet to an iron rod with broken cap found in a rock pile marking the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 27; thence leaving last said south line and along the east line of said Southwest Quarter of the Southwest Quarter of Section 27, North $00^{\circ}20'35''$ East, 1321.86 feet to a small nail in a rock pile marking the northeast corner of said Southwest Quarter of the Southwest Quarter of Section 27; thence leaving last said east line and along the north line of said Southwest Quarter of the Southwest Quarter of Section 27, South $88^{\circ}30'48''$ West, 1363.67 feet to a PK nail set in concrete-filled iron pipe on the west line of said Section 27, also being the northeast corner of the Southeast Quarter of the Southeast Quarter of said Fractional Section 28; thence leaving last said north line and along the north line of said Southeast Quarter of the Southeast Quarter of Fractional Section 28, South $89^{\circ}27'29''$ West, 1298.61 feet to the northeast corner of the Southwest Quarter of the Southeast Quarter of Fractional Section 28; thence leaving last said north line and along the north line of said Southwest Quarter of the Southeast Quarter of Fractional Section 28, South $88^{\circ}52'29''$ West, 1362.24 feet to a PK nail set in concrete-filled iron pipe at the northwest corner of said Southwest Quarter of the Southeast Quarter of Fractional Section 28; thence leaving last said north line and along the west line of said Southwest Quarter of the Southeast Quarter of Fractional Section 28,

South 00°11'50" West, 1342.96 feet to a disk monument in concrete-filled iron pipe in the south line of said Fractional Section 28; thence leaving last said west line and along said south line of Fractional Section 28, South 88°00'35" West, 683.25 feet to a disk set in concrete monument marking the southeast corner of said U.S. Survey 3171; thence leaving last said south line and along the south line of said U.S. Survey 3171, South 88°57'22" West, 1103.35 feet to a nail with washer set in concrete-filled iron pipe marking the southeast corner of a tract of land conveyed to James R. Holman by document recorded in Deed Book 207, Page 523 of said records; thence leaving last said south line and along the east, north and west lines of said Holman tract the following courses and distances: North 08°09'51" West, 318.81 feet to a PK nail set in concrete-filled iron pipe; North 86°57'12" West, 630.64 feet to a PK nail set in concrete-filled iron pipe; and South 08°08'21" East, 308.04 feet to a nail with washer set in concrete-filled iron pipe on said south line of U.S. Survey 3171; thence leaving last said east, north and west lines and along said south line of U.S. Survey 3171, South 80°46'07" West, 173.21 feet to a nail with washer stamped "23 26 32 83" set in concrete-filled iron pipe marking the northeast corner of above-said Section 32; thence leaving last said south line and along the east line of said Section 32, South 00°45'52" West, 439.00 feet to a point; thence leaving last said east line, North 80°08'21" West, 166.00 feet to a point; thence North 09°29'07" East, 1799.34 feet to an iron rod set in concrete-filled iron pipe at the northeast corner of a tract of land conveyed to Kristen L. Brunk, Trustee, by document recorded in Deed Book 465, Page 925 of said records; thence North 87°47'30" West, 947.99 feet to a point, from which a 2-inch diameter iron pipe bears North 71°21'43" West, 2.66 feet; thence North 71°21'49" West, 303.00 feet to disk monument set in concrete-filled iron pipe on the west line of said U.S. Survey 3171, from which an old stone bears South 00°11'12" West, 0.92 feet; thence along said west line of U.S. Survey 3171, North 04°43'43" East, 1671.41 feet to a disk monument set in concrete-filled iron pipe at the northeast corner of a tract of land conveyed to Gary E. King and Carol A. King, husband and wife by document recorded in Deed Book 198, Page 146 of said records; thence continuing along last said west line and its prolongation, North 03°09'10" East, 2501.75 feet to an old stone with cross marking the northeast corner of U.S. Survey 350, from which a disk monument set in concrete-filled iron pipe bears South 73°41'05" West, 0.91 feet; thence leaving last said line and along the north line of said U.S. Survey 350, North 81°51'42" West, 190.43 feet to a disk monument set in concrete-filled iron pipe; thence leaving last said north line, North 00°18'34" East, 1261.30 feet to a disk monument set in concrete-filled iron pipe; thence North 89°43'09" East, 412.44 feet to the southwest corner of a tract of land conveyed to George D. Torrez and Joyce M. Torrez, husband and wife, by document recorded in Deed Book 252, Page 164 of said records, from which a 1-1/2 inch diameter iron rod bears North 82°19'19" West, 1.95 feet; thence along the south line of said Torrez tract and its prolongation, North 88°21'39" East, 007.60 feet to an iron pipe with steel cap and square nail on the west line of said Fractional Section 21; thence leaving last said south line and its prolongation, North 80°12'02" East, 2034.20 feet to the centerline of Old Bloomfield Road (also known as County Road 233); thence along the centerline of said Old Bloomfield Road the following courses and distances: North 45°43'23" West, 291.08 feet; North 43°15'23" West, 281.66 feet; North 40°05'07" West, 229.51 feet; North 51°17'24" West, 538.76 feet; North 40°28'23" West, 215.69 feet; and North 39°46'40" West, 403.00 feet to a point on the east-west centerline of said Fractional Section 21; thence leaving said centerline of Old Bloomfield Road and along said east-west centerline of Fractional Section 21, North 38°00'17" East, 1104.47 feet to a PK nail set in concrete-filled iron pipe on the south line of above-said U.S. Survey 3088; thence leaving last said east-west centerline and along said south line of U.S. Survey 3088, North 81°46'08" West, 927.97 feet to an iron rod in the east right-of-way line of said Old Bloomfield Road; thence leaving last said south line and along said east right-of-way line, North 36°58'21" West, 310.33 feet to an iron rod on the south line of a tract of land conveyed to Madison County Saddle Club, Inc. by document recorded in Deed Book 114, Page 110 of said records; thence leaving said east right-of-way line and along the south, east and north lines of said Saddle Club tract the following courses and distances: South 81°54'52" East, 683.52 feet to an iron rod with brass cap stamped "1"; North 07°17'12" East, 669.23 feet to an iron rod with brass cap stamped "2"; and North 81°25'27" West, 661.30 feet to a point being the northwest corner of said Saddle Club tract, from which point an iron rod with brass cap stamped "3" bears South 43°38'30" East, 0.26 feet; thence leaving last said south, east and north lines, North 07°21'04" East, 780.00 feet to a disk monument set in concrete-filled iron pipe at the northeast corner of a tract of land conveyed to

David A. Hanshaw and Valerie D. Hanshaw, husband and wife, by document recorded in Deed Book 480, Page 757 of said records; thence South 80°55'54" East, 854.57 feet to a point; thence North 20°25'41" East, 1014.75 feet to a hexagonal drill steel; thence North 18°47'38" East, 600.08 feet to a 2-1/2 inch diameter iron pipe; thence North 18°08'27" East, 1005.19 feet to the southernmost corner of a tract of land conveyed to Kenneth R. Lashley and Julia A. Lashley, husband and wife, by document recorded in Deed Book 157, Page 740 of said records; thence along the east line of said Lashley tract, North 17°58'27" East, 419.99 feet to a t-post at the easternmost corner of said Lashley tract; thence along the northeast lines of said Lashley tract the following courses and distances: North 46°17'14" West, 811.48 feet to a t-post; North 08°37'36" West, 398.54 feet to a t-post on the north line of said U.S. Survey 3059; North 00°14'57" East, 392.70 feet to a t-post; and North 49°41'07" West, 131.03 feet to a t-post; thence continuing along said northeast line of said Lashley tract and its prolongation, North 08°24'48" West, 723.15 feet to a point on the south line of Lot 4 of "Fredericktown Industrial Park Plat #1", a subdivision according to the plat thereof recorded in Plat Book 5, Page 20 of said records, from said point a t-post marking the northeast corner of said Lashley tract bears South 08°24'48" East, 40.53 feet; thence leaving last said northeast line and its prolongation and along the south line of said Lot 4, South 88°43'05" East, 702.69 feet to a point on the west line of a tract of land conveyed to Mark Steven Frazier by document recorded in Deed Book 247, Page 350 of said records; thence leaving last said south line and along the west line of said Frazier tract, South 66°58'24" East, 950.23 feet to a brass cap stamped "DPC-8" set in concrete on the east line of above-said U.S. Survey 2073 at the southwest corner of a tract of land conveyed to Gary Jones by document recorded in Deed Book 468, Page 292 of said records; thence leaving last said west line and along the south, east and north lines of said Jones tract the following courses and distances: North 48°58'24" East, 253.77 feet to a brass cap set in concrete; South 48°39'35" East, 297.31 feet to a brass cap stamped "DPC-8" set in concrete; North 34°43'33" East, 414.22 feet to a brass cap stamped "T-12" set in concrete; North 29°17'13" West, 934.33 feet to a brass cap stamped "T-13" set in concrete; and South 56°07'04" West, 127.43 feet to brass cap set in concrete on said east line of U.S. Survey 2073; thence leaving last said south, east and north lines and along said east line of U.S. Survey 2073, North 07°11'50" East, 56.79 feet to an iron rod at the northwest corner of a tract of land conveyed to the City of Fredericktown by document recorded in Deed Book 190, Page 348 of said records; thence leaving last said east line and along the south line of said City of Fredericktown tract and its prolongation, being the south line of a tract of land conveyed to Dolly Rhodes, Trustee by document recorded in Deed Book 239, Page 336 of said records, South 89°52'32" East, 1235.42 feet to a concrete monument with drill hole at the southeast corner of said Rhodes tract; thence leaving last said line and along the east line of said Rhodes tract, North 00°04'21" West, 892.30 feet to an old stone with punch hole at the southeast corner of a tract of land conveyed to John Menendez and Jennifer White by document recorded in Deed Book 265, Page 678 of said records; thence leaving last said east line and along the south line of said Menendez and White tract, South 89°57'42" East, 1319.79 feet to a 2 inch diameter iron pipe on the east line of above-said Fractional Section 16, from which an old stone stamped "NAL" bears North 20°47'41" West, 1.15 feet, also being the southwest corner of a tract of land conveyed to Joan C. Kelley and Robert J. Halcomb, Jr. by document recorded in Deed Book 466, Page 202 of said records; thence leaving last said south line and along its south line of said Kelley and Halcomb tract and its prolongation, South 89°20'42" East, 1907.25 feet to a point on the east right-of-way line of State Highway Z; thence leaving last said south line and its prolongation and along said east right-of-way line of Highway Z, South 42°44'20" East, 1281.54 feet to an iron rod with cap at the southwest corner of a tract of land conveyed to Gerald D. Colbert by document recorded in Deed Book 447, Page 878 of said records; thence leaving last said east right-of-way line and along the south line of said Colbert tract and its prolongation, North 85°15'10" East, 120.35 feet to a point in the centerline of Saline Creek; thence leaving last said south line and its prolongation, and along said centerline of Saline Creek the following courses and distances: South 04°37'44" East, 295.92 feet; South 85°29'54" West, 237.55 feet; and South 28°29'01" East, 396.82 feet to a point on the prolongation of the north line of a tract of land conveyed to Wade D. Duncan and Linda L. Duncan, Trustees by document recorded in Deed Book 380, Page 194 of said records; thence leaving said centerline of creek and along said north line of Duncan tract and its prolongation, North 87°10'28" West, 1480.87 feet to a cut stone stamped "NAL" at the northwest corner of said Duncan tract; thence

leaving last said line and along the west line of said Duncan tract, South 03°55'50" East, 1364.08 feet to a cut stone; thence continuing along last said west line, South 73°51'57" West, 276.77 feet to a cut stone at the northeast corner of a cemetery; thence leaving last said west line and along the north, west and south lines of said cemetery the following courses and distances: North 67°17'55" West, 140.00 feet; South 14°47'41" West, 140.00 feet; and South 58°16'58" East, 140.00 feet to the southeast corner of said cemetery, said corner also being on said west line of Duncan tract; thence leaving last said north, west and south lines and along said west line of Duncan tract the following courses and distances: South 16°56'53" West, 548.06 feet to an iron rod with aluminum cap; South 11°30'34" West, 193.32 feet to a cut stone; and South 00°47'43" East, 390.44 feet to an iron rod with aluminum cap on the south line of said above-said Fractional Section 16, from which a cut stone bears South 00°47'43" East, 26.13 feet; thence leaving last said west line and along said south line of Fractional Section 16, South 80°39'46" West, 833.06 feet to the Point of Beginning.

LESS AND EXCEPTING THEREFROM THE FOLLOWING:

A tract of land being part of U.S. Survey 3089, Township 33 North, Range 7 East, Madison County, Missouri and being more particularly described as follows:

Commencing at the northeast corner of above said U.S. Survey 3089; thence South 08°30'36" West, 134.57 feet to a point; thence North 87°03'24" West, 163.86 feet to the ACTUAL POINT OF BEGINNING of the herein described tract; thence North 87°03'24" West, 154.39 feet to a point; thence North 02°58'36" East, 10.40 feet to a point; thence North 87°03'24" West, 21.50 feet to a point; thence North 02°58'36" East, 129.00 feet to a point; thence South 87°03'24" East, 178.19 feet to a point; thence South 02°58'36" West, 139.40 feet to the Point of Beginning.

ALSO LESS AND EXCEPTING THEREFROM those portions of State Highway Z and Old Bloomfield Road (aka County Road 203) contained therein.

The above-described tract, less exceptions, contains 1,689.720 acres, more or less, according to 2018 survey performed by The Sterling Company under order number 18-04-087.