

BILL NO. **24-04** FIRST READING: **02-20-2024**
INTRODUCED BY: **Neighbors** SECOND READING:
ORDINANCE NO. **24-04** PASSED:

AN ORDINANCE ANNEXING REAL ESTATE LOCATED IN UNINCORPORATED JACKSON COUNTY ON MISSOURI HIGHWAY 7

WHEREAS, pursuant to section 71.012 of the Revised Statutes of Missouri, a notarized petition requesting voluntary annexation of real estate, described hereafter as Exhibit A, was presented to the governing body of the City of Lake Lotawana, Missouri, on January 30, 2024, by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed; and

WHEREAS, due public notice in the manner prescribed by law was given in the Lees Summit Tribune on February 3, 2024, of a public hearing concerning this matter before the Lake Lotawana Board of Aldermen for February 20, 2024 and

WHEREAS, the Board of Aldermen did hold a public hearing regarding the proposed annexation on February 20, 2024, which public hearing was held not less than fourteen (14) nor more than sixty (60) days after the petition was presented to the governing body of the City; 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 objections to the proposed annexation were filed with the City within fourteen (14) days after the public hearing pursuant to section 71.012 of the Revised Statutes of Missouri; and

WHEREAS, the area to be annexed is contiguous and compact to the existing corporate limits of the City, said annexation is reasonable and necessary to the proper development of the City, and the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and

WHEREAS, the Board of Aldermen now desires to make a determination regarding the annexation of the real estate.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LAKE LOTAWANA, JACKSON COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That the Lake Lotawana Board of Aldermen finds that it has been presented with a notarized petition to annex land, that the area to be annexed is contiguous and compact to the existing corporate limits of the City, that said 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 2. That pursuant to Section 71.012 RSMo., the tract of land, described in Exhibit A attached and incorporated herein, is hereby annexed into the City of Lake

Lotawana and the city limits of Lake Lotawana are hereby extended to include such territory.

Section 3. The City Clerk is hereby authorized and directed to file this Ordinance with the Clerk of Jackson County, Missouri.

Section 4. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator without the need to come before the Board of Aldermen.

Section 5. The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 6. This Ordinance shall be governed by and construed in accordance with the applicable laws of the State of Missouri.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. This Ordinance shall take effect and be in force from and after its passage.

PASSED AND ADOPTED by the Board of Aldermen of the City of Lake Lotawana, Missouri, this ____ day of _____, 2024.

The aye and nay votes recorded as follows:

Sanders Hall	_____	Neighbors	_____
Antey	_____	Ogilvie	_____
Carlson	_____	Rase	_____

APPROVED this ___ day of _____, 2024

MAYOR Tracy Rasmussen

ATTEST:

CITY CLERK Lauran Kurtz

EXHIBIT A
Legal Description

A tract of land located in part of the Southwest Quarter of Section 8, Township 47 North, Range 30 West of the 6th P.M. in Jackson County, Missouri, being more particularly described as follows:

Commencing at the Southwest corner of said Section 8; thence North 89 degrees 54 minutes 44 seconds East along the South line of the Southwest Quarter of said Section 8, a distance of 483.87 feet; thence North 02 degrees 05 minutes 26 seconds East, a distance of 702.26 feet to the Northeast corner of a tract of land described in Jackson County, Instrument No. 2013E0064197 and the point of beginning; thence North 87 degrees 54 minutes 34 seconds West along the North line of said tract, a distance of 319.59 feet to the Southeast corner of a tract of land described in Jackson County Instrument No. 2003E0107141; thence North 09 degrees 49 minutes 10 seconds West along the East line of said tract, a distance of 135.06 feet to the Northeast corner of said tract; thence North 87 degrees 54 minutes 34 seconds West along the North line of said tract a distance of 64.98 feet tot the Northwest corner of said tract, also being the East line of a tract of land described in Jackson County deed Book 558 at page 504; thence North 02 degrees 11 minutes 14 seconds East along the East line of said Tract, a distance of 473.33 feet to the North line of the Southwest Quarter of the Southwest Quarter of said Section 8; thence South 89 degrees 61 minutes 21 seconds East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 8, a distance of 493.34 feet; thence South 02 degrees 05 minutes 26 seconds West, a distance of 970.46 feet to the Northerly right-of-way U.S. Route 50; thence North 75 degrees 19 minutes 56 seconds West along the Northerly right-of-way U.S. Route 50, a distance of 83.41 feet to the Southeast corner of a tract of land described in Jackson County Instrument No. 2013E0064197: thence North 02 degrees 05 minutes 26 seconds East along the East line of said tract, a distance of 330.06 feet to the point of beginning, except any part in roads.