

**AN ORDINANCE FOR THE PURPOSE OF PROVIDING FOR THE ANNEXATION OF CERTAIN UNINCORPORATED AREAS OF WARREN COUNTY, MISSOURI, TO THE CITY OF WARRENTON, MISSOURI, AND FOR THE EXTENSION OF THE WESTERN CORPORATE LIMITS OF SAID CITY TO INCLUDE SUCH AREAS.**

WHEREAS, the Board of Aldermen of the City of Warrenton, Missouri, heretofore duly passed and adopted Resolution 310 to annex within its corporate limits the land herein described, and

WHEREAS, a public hearing on this Ordinance was held on August 4, 2015, prior to the adoption of this Ordinance, wherein the City Clerk made a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before said hearing and notified all residents of said area by publication of notice in the Warren County Record, a newspaper of general circulation qualified to publish legal matters in the county where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing, and

WHEREAS, at the public hearing, the City presented the "Plan of Intent", attached hereto and marked Exhibit "A" and evidence in support of said annexation thereof including:

- A. A list of major services presently provided by the City;
- B. A proposed time schedule whereby the City plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;
- C. The level at which the City assesses property and the rate at which it taxes that property;
- D. How the City proposes to zone the area to be annexed;
- E. When the proposed annexation shall become effective.

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

SECTION I. The area to be annexed, and which is hereby annexed and over which the corporate limits of the City are hereby extended, is an unincorporated area of land in Warren County, Missouri, more particularly described as follows, to-wit:

A tract of land being part of Section 14, Township 47 North, Range 3 West, Warren County, Missouri and being described as follows:

Beginning at Station 130+05 of Interstate "70"; thence South 41°-42' West 280.15 feet; thence along the South line of Interstate "70", North 57°-43' West 182.46 feet; thence South 76°-58' West 283.37 feet; thence South 34°-56' West 173.18 feet; thence South 88°-27' West 189.99 feet; thence along a curve to the left, said curve having a radius of 899.93 feet and a chord of South 20°-41' West 45.23 feet; thence leaving the said South right-of-way line, North 70°-45' West 55.00 feet; thence along the projection of the centerline of Missouri State Highway "B" and along a curve to the right, said curve having a radius of 954.93 feet and a chord of North 30°-30' East 372.70 feet; thence North 41°-45' East 541.20 feet to centerline Station 124+36.9 of Interstate "70"; thence along the projection of the centerline of Missouri State Highway "A", North 41°-45' East 415.70 feet; thence along a curve to the left, 51.00 feet, said curve having a radius of 954.93 feet; thence South 51°-18' East 225.00 feet; thence along the North line of Interstate "70", South 01°-52' East 260.19 feet; thence South 32°-43' East 171.29 feet; thence leaving the said North right-of-way line, South 41°-42' West 244.02 feet to the place of beginning, and containing 12.05 acres, more or less, and is contiguous to the existing city limits of said City and that the length of the contiguous boundary common to the existing city limits and the area herein annexed is at least fifteen per cent of the length of the perimeter of the area proposed for annexation.

SECTION II. That such annexation is reasonable and necessary to the proper development of said City.

SECTION III. That said City has developed a "Plan of Intent" to provide services to the area proposed for annexation.

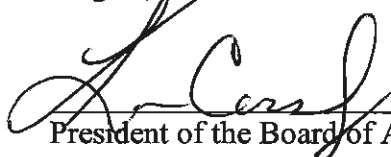
SECTION IV. That a public hearing on this Ordinance was held prior to the adoption of this Ordinance.

SECTION V. The annexation shall be effective (a) on the date of the last election held at which the proposition for annexation is approved by the necessary majority of the votes cast and (b) authorization by a Declaratory Judgment of the Circuit Court of Warren County, Missouri, to so annex the same, whichever occurs last.

SECTION VI. The City Attorney, Christopher B. Graville, is hereby authorized and directed to petition the Warren County Circuit Court for a Judgment declaring the reasonableness and necessity of such annexation and authorizing the same, such suit to be brought under the provisions of Section 71.015, Revised Statutes of Missouri.

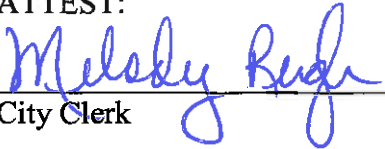
SECTION VII. This Ordinance shall be in full force and effect from and after the date of its adoption and approval and the annexation and extension of the corporate limits shall be effective as herein provided.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 18<sup>th</sup> day of August, 2013.

  
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President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 18<sup>th</sup> day of August, 2015.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

**PLAN OF INTENT**

**PLAN OF INTENT TO PROVIDE MUNICIPAL SERVICES FOR AN UNINCORPORATED AREA UNDER CONSIDERATION FOR ANNEXATION OF ALL THAT PART OF THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 70 LYING IN WARREN COUNTY, MISSOURI, LOCATED WEST OF THE CITY LIMITS.**

The Board of Aldermen of the City of Warrenton, Missouri, has expressed intent to annex the area as generally defined above. The purpose of the annexation of Highway 70 and the surrounding right-of-ways is to preserve the City of Warrenton's historic and rural characteristics while providing orderly development of the impending industrial and commercial growth along the Interstate 70 corridor. Missouri law requires that prior to annexation, a report be prepared and presented at a public hearing setting for the plans of the municipality for providing major municipal services. A timetable for the provisions of these services and an indication as to the methods of financing also is provided.

The following information has been compiled by the principal departments of the City of Warrenton, Missouri that would be responsible for the provision of services to newly annexed area.

**Existing Land**

The tract of land is currently used as part of Missouri State Hwy. 70 lying west of the city limits.

**Street Conditions**

As part of Missouri State Hwy. 70 this land is maintained and will continue to be maintained by the Missouri Department of Transportation. The City of Warrenton will not be responsible for the condition of this tract of land.

**Water and Sewer Services**

This annexation will not involve an extension of utility services from the City of Warrenton. No estimated cost is necessary.

## **EXHIBIT A**

### **Fire Protection**

At present time, the property is served by the Warrenton Fire Protection District, which is supported by a district wide tax levy. This would not change if this property were annexed into the City of Warrenton.

### **Police Protection**

Currently and in the future this land is protected by the Missouri State Highway Patrol. If annexed, another area of authority will be added to the City of Warrenton Police Department. The Chief of Police has indicated that serving the area at this time would not require additional personnel or capital outlay.

### **Parks and Recreation**

No additional parks or programs will be needed to cover the proposed property.

### **Other Municipal Services**

The proposed property does not need to envelop other municipal services.

### **Taxation**

According to state law, the city may not assess any property at any higher level for city assessment purposed than it is assessed by the county assessor.

### **Zoning**

The proposed zoning for the area is Commercial – 3, Highway Commercial Zoning. These areas are intended to provide service to the community and the traveling public.

### **Effective Date**

The annexation shall be effective on the date of the last election held at which the proposition for annexation is approved by the necessary majority of the votes cast and authorization by a Declaratory Judgment of the Circuit Court of Warren County, Missouri, to so annex the same, whichever occurs last.