RESOLUTION

DECLARING an intent to initiate annexation of approximately 13.11 acres of private property into the City of Springfield, generally located at 3192, 3194 and 3196 East Farm Road 188 (Annexation A-5-18). (Staff recommends approval.)

WHEREAS, the owners of private property generally located at 3192, 3194 and 3196 East Farm Road 188 are requesting annexation into the City of Springfield; and

WHEREAS, the property is within the Urban Service Boundary and is immediately adjacent to the City of Springfield; and

WHEREAS, the City is required to announce its intention to initiate annexation procedures as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – City Council hereby announces its intention to initiate annexation proceedings for the 13.11 acres of private property into the City of Springfield, generally located at 3192, 3194 and 3196 East Farm Road 188 and more completely described in “Exhibit A,” which is attached hereto and incorporated herein by this reference.

Section 2 – This Resolution shall be in effect immediately upon adoption.

Passed at meeting: ________________________

______________________________
Mayor

Attest: _________________________________, City Clerk

Filed as Resolution: ________________________

35
Approved as to form: [Signature], Assistant City Attorney

Approved for Council action: [Signature], City Manager
EXPLANATION TO COUNCIL BILL 2018-262

FILED: 10-30-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Declaring an intent to initiate annexation of approximately 13.11 acres of private property into the City of Springfield, generally located at 3192, 3194 and 3196 East Farm Road 188 (Annexation A-5-18). (Staff recommends approval.)

BACKGROUND INFORMATION:

The owner(s) of the private properties generally located at 3192, 3194 and 3196 East Farm Road 188 are requesting annexation into the City of Springfield (See “Exhibit B,” Location Sketch). The owners of the property have signed a petition to request annexation into the City of Springfield (See “Exhibit C,” Annexation Petition). The property is within the City of Springfield’s Urban Service Boundary and is immediately adjacent to the City of Springfield. The owner is proposing to annex and rezone to allow for the development of the property into office uses.

This resolution only initiates the proposed annexation and does not annex the property. The properties are currently zoned Greene County C-2, General Commercial District and A-1, Agricultural District. The owner is requesting that the properties be rezoned to a GR, General Retail District with a Conditional Overlay District which will be concurrently reviewed with the annexation public hearing in December. The City Council is required to hold a public hearing before the proposed annexation can be approved (see “Exhibit D,” Annexation Schedule).

If this request is approved, staff will submit a Council Bill for a public hearing to consider annexation of this property.

REMARKS:

Staff recommends approval to initiate the annexation based on the following:

1. The area to be annexed is contiguous to the City of Springfield. See “Exhibit B” for the location of the private property to be annexed.
2. The Growth Management and Land Use Plan of the Comprehensive Plan supports the annexation.
3. The property owner has petitioned the City for annexation.
4. All City services can be provided to the property.
5. The City will receive sales and property tax revenue once annexed.

RECOMMENDATIONS:

Staff recommends the initiation of the annexation of the subject property.
Submitted by:

Daniel Neal, Senior Planner

Reviewed by: Approved by:

Mary Lilly Smith, Director Jason Gage, City Manager

EXHIBITS:
Exhibit A, Legal Description
Exhibit B, Location Map and Survey
Exhibit C, Annexation Petition
Exhibit D, Annexation Schedule
LEGAL DESCRIPTION


BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 28 NORTH, RANGE 21 WEST; THENCE SOUTH 87°22'38" EAST, 1209.65 FEET TO A POINT LYING ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 65; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 05°02'02" EAST, 466.05 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, NORTH 87°27'48" WEST, 199.72 FEET; THENCE NORTH 87°20'03" WEST, 440.57 FEET; THENCE NORTH 87°23'19" WEST, 622.18 FEET; THENCE NORTH 01°28'18" EAST, 462.080 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 28 NORTH, RANGE 21 WEST, GREENE, MISSOURI. CONTAINING 13.11 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.
### LOCATION:

<table>
<thead>
<tr>
<th>LOCATION:</th>
<th>3192, 3194 and 3196 South Farm Road 188</th>
</tr>
</thead>
<tbody>
<tr>
<td>CURRENT ZONE:</td>
<td>County C-2, General Commercial District and R-1, Suburban Residence District</td>
</tr>
<tr>
<td>PROPOSED ZONE:</td>
<td>GR, General Retail District</td>
</tr>
<tr>
<td>CASE NUMBER:</td>
<td>A-5-18</td>
</tr>
</tbody>
</table>
TO: THE CITY OF SPRINGFIELD, MISSOURI, A MUNICIPAL CORPORATION

We, the undersigned petitioner(s), submit to the City Council of the City of Springfield, Missouri as follows:

1) The undersigned are the fee and simple owner(s) of record of the real estate in Greene County, Missouri more fully described in Exhibit A, and

2) The request and petition to the City of Springfield, Missouri to annex the land described in Exhibit A is not now a part of any corporate limits of any incorporated City, and

3) The land described in Exhibit A is contiguous to the existing corporate limits of the City of Springfield, Missouri, and

4) The request and petition is voluntarily made and is submitted under the provisions of Section 71.012RSMo. 1986, as amended (Voluntary Annexation).

SIGNED: ____________________________

STATE OF MISSOURI MARRIED PERSON'S ACKNOWLEDGEMENT

COUNTY OF GREENE SS.

On this _____ day of ____________, 20___, before me, a Notary Public in and for said state, personally appeared _____________________, and ________________ to me known to be the persons described in and who executed the foregoing document, and acknowledged that he/she executed the same as his/her free act and deed.

And the said person further declared himself/herself to be married.

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

"Notary Seal"

Notary Public: ____________________________

Print Name: ____________________________
STATE OF MISSOURI
COUNTY OF GREENE SS.

On this 1st day of October, 2018, before me appeared Lauren Olson, to me personally known, who, being by me duly sworn did say that he/she is the Corporate Official of Innovative Dental, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

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

“Notary Seal”

Notary Public: GAYLA L. SPELLMAN
Print Name: Gayla L. Spellman

STATE OF MISSOURI
COUNTY OF GREENE SS.

On this _____ day of __________, 20__, before me, a Notary Public in and for said state, personally appeared ______________________________, to me known to be the person described in and who executed the foregoing document, and acknowledged that he/she executed the same as his/her free act and deed.

And the said person further declared himself/herself to be single and unmarried.

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

“Notary Seal”

Notary Public: ______________________________
Print Name: ______________________________
ANNEXATION SCHEDULE
ANNEXATION A-5-18

ANNEXATION:

Initiate annexation .................................................................November 5, 2018

City Council public hearing .......................................................December 10, 2018

City Council second reading and vote ......................................January 14, 2019