

BILL NO. 2022-63

ORDINANCE NO. _____

INTRODUCED BY _____

AN ORDINANCE TO ANNEX PROPERTY OWNED BY ROCKY TOP ACRES, LLC.

WHEREAS, Rocky Top Acres, LLC has applied to the City for annexation of property owned by it which is fully described on Exhibit A, attached hereto and incorporated herein by reference (the “Rocky Top Property”); and

WHEREAS, the Rocky Top Property is adjacent and contiguous to the present corporate limits of the City of Hermann, Missouri; and

WHEREAS, public hearings concerning this matter were held by City’s Planning and Zoning Commission and Board of Aldermen; and

WHEREAS, at said public hearings, all interested persons, corporations and political subdivisions were given the opportunity to present evidence either in support of or in opposition to this proposed annexation; and

WHEREAS, there was no evidence presented at either hearing in opposition to this annexation; and

WHEREAS, no written objection to the proposed annexation has been filed; and

WHEREAS, this annexation is reasonable and necessary for the proper development of the City of Hermann; and

WHEREAS, the City of Hermann is able to furnish municipal services to said area within a reasonable time after annexation; and

WHEREAS, the applicant and City staff have proposed the execution of an annexation agreement, attached hereto as Exhibit B and incorporated herein by reference (“Annexation Agreement”); and

WHEREAS, the City has determined that the annexation of the property and the execution of the Annexation Agreement serve legitimate public purposes and are in the best interests of the citizens of the City of Hermann, Missouri.

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

SECTION ONE: The Rocky Top Property is hereby annexed into the City of Hermann, Missouri.

SECTION TWO: The boundaries of the City of Hermann, Missouri shall be altered to include the Rocky Top Property which is adjacent and contiguous to the present corporate limits.

SECTION THREE: The City Clerk of the City of Hermann, Missouri is hereby ordered to cause three (3) certified copies of this Ordinance to be filed with the Gasconade County Clerk.

SECTION FOUR: The Collector is authorized and directed to place the Rocky Top Property on the tax rolls and to collect taxes, as applicable, commencing as of the date this ordinance becomes effective.

SECTION FIVE: The Annexation Agreement is approved. Mayor Bruce Cox is authorized and directed to execute the Annexation Agreement.

SECTION SIX: Per the Annexation Agreement, the annexed property shall be zoned “Agricultural.”

SECTION SEVEN: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

First Reading: _____ November 28, 2022 _____

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman Ash Geers						
Alderman Derek LeRoy						
Alderman Jim Schirmer						
Alderman Susan Lenger						

Signatures on the Next Page

Passed and approved this ____ day of _____, 2022.

Bruce Cox, Mayor

Patricia Heaney, City Clerk

Exhibit A

Part of the Northeast quarter of the Northwest quarter and Northwest quarter of the Northeast quarter, Section 31, Township 46, Range 4 West, Gasconade County, MO, being described as follows: Commencing at the Northeast corner of said Northwest quarter, thence South $00^{\circ}55'36''$ West 134.7 feet to an iron rod per LS 2045 being on the South line of MO Route 100, the Point of Beginning; thence along said South line as follows: South $47^{\circ}34'51''$ East, a distance of 25.31 feet; thence South $48^{\circ}00'00''$ East, a distance of 40.74 feet; thence North $42^{\circ}00'00''$ East, a distance of 10.00 feet; thence South $48^{\circ}00'00''$ East, a distance of 120.17 feet; thence leaving said South line of Mo Route 100, South $30^{\circ}00'02''$ West, a distance of 270.83 feet; thence South $88^{\circ}06'04''$ West, a distance of 288.90 feet; thence South $72^{\circ}08'04''$ West, a distance of 701.31 feet; thence South $13^{\circ}06'26''$ East, a distance of 130.58 feet; thence South $77^{\circ}07'34''$ West, a distance of 276.05 feet; thence North $02^{\circ}47'09''$ East, a distance of 273.70 feet; thence North $72^{\circ}08'04''$ East, a distance of 911.61 feet; thence North $88^{\circ}06'04''$ East, a distance of 226.55 feet; thence North $00^{\circ}56'29''$ East, a distance of 271.65 feet to the Point of Beginning. Containing 5.95 acres.