

Source  
Timothy Teddy

**TO:** City Council  
**FROM:** City Manager and Staff  
**DATE:** December 8, 2008



**RE:** Voluntary annexation of approximately 27.5 acres of land owned by Laveta Anderson Revocable Trust No. 2, located on the southwest side of Strawn Road (State Route ZZ), south of I-70 (Case 08-95).

**EXECUTIVE SUMMARY**

The above request is for voluntary annexation of a tract of land which lies northwest of the present City limits in the west part of the City. The applicant is requesting R-1 (One-Family Dwelling District) as permanent City zoning on the subject tract. At present the property is zoned Boone County R-S (Single-Family Residential District), which is equivalent to City R-1.

Annexation is being requested to facilitate the sale and subsequent City purchase of the property for park purposes. No private development of the property is proposed for this tract of land. The Planning and Zoning Commission will make a recommendation to the City Council on the permanent zoning request at its December 18, 2008 meeting.

Existing conditions on the site are as follows:

The subject site consists of undeveloped floodplain, lying along the east side of Perche Creek with an intermittent stream running along the south side of the site. There is tree cover on the site located along Perche Creek, the intermittent stream and Strawn Road. The subject site is located in the Perche Creek drainage basin.

Utility and emergency response services information is as follows:

- City Electrical service is available to the site.
- There is no City water available to the subject site; however, it is within the City's water service territory.
- The Perche Creek sanitary sewer trunk line runs along the west side of the subject site.
- The subject tract is within the Boone County Fire Protection District's service territory.

**SUGGESTED COUNCIL ACTION**

If the Council finds the request for annexation reasonable and necessary to proper development of the City, a resolution should be passed setting a public hearing and introduction of an ordinance for January 5, 2009.



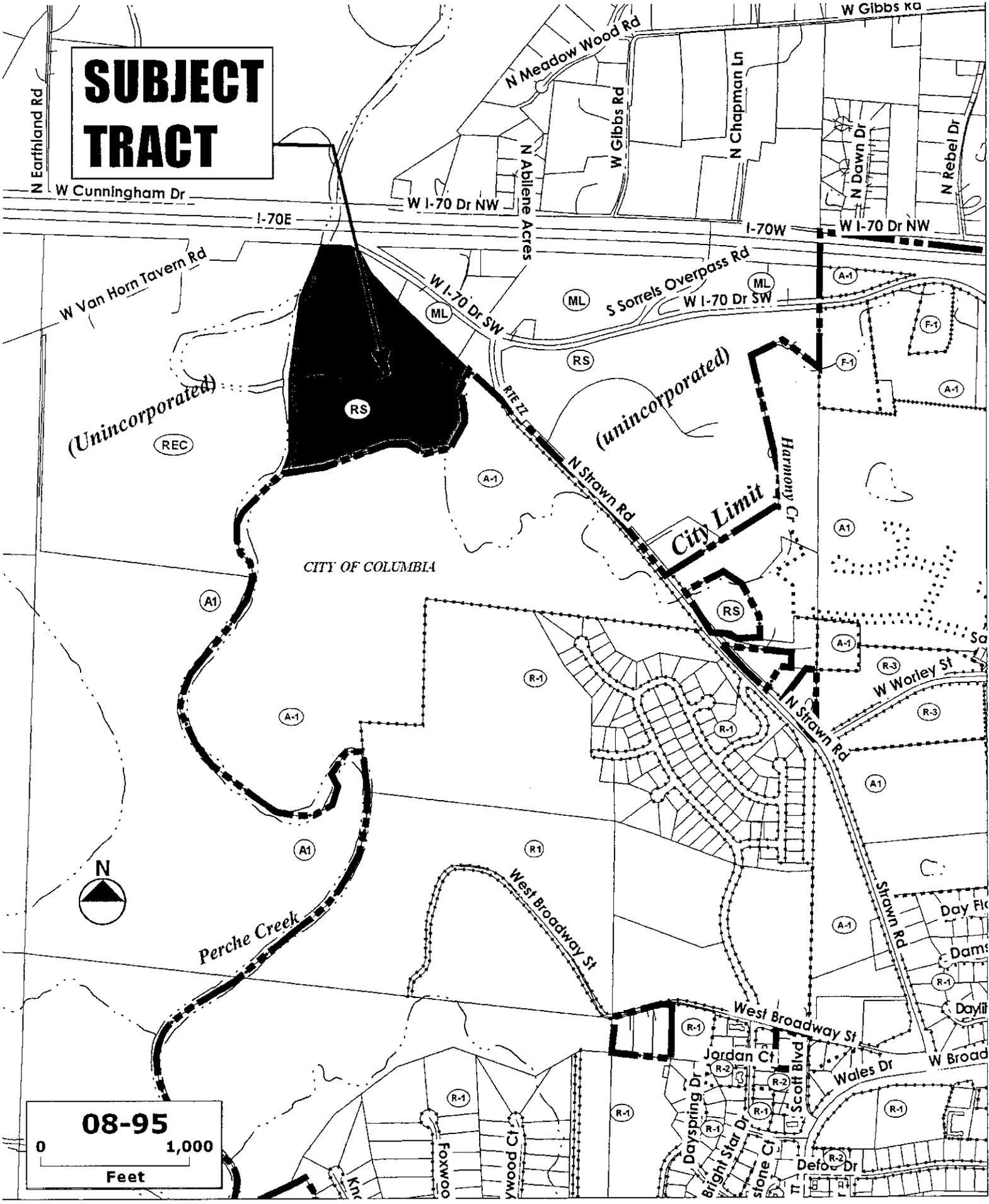
Fiscal Impact

YES

NO  


Other Info.

# SUBJECT TRACT



08-95  
0 1,000  
Feet

Introduced by \_\_\_\_\_ Council Bill No. R 280-08

**A RESOLUTION**

setting a public hearing on the voluntary annexation of property located on the southwest side of Strawn Road (State Route ZZ), south of I-70.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. A verified petition requesting the annexation of certain lands owned by the Laveta Anderson Revocable Trust No. 2 was filed with the City on October 30, 2008. A copy of this petition, which contains the description of the property, marked "Exhibit A," is attached to and made a part of this resolution.

SECTION 2. The land proposed to be annexed lies in an unincorporated portion of Boone County, which is contiguous and compact to the existing corporate limits of the City of Columbia, Missouri.

SECTION 3. In accordance with Section 71.012, RSMo, a public hearing on this annexation request shall be held on January 5, 2009 at 7:00 p.m. in the City Council Chamber of the Daniel Boone Building, 701 E. Broadway, in the City of Columbia, Missouri.

SECTION 4. The City Clerk is directed to cause notice of this hearing to be published at least seven days prior to the date of the hearing in two newspapers of general circulation in Boone County, Missouri, which are qualified to publish legal matters.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

LaVeta Ann Anderson, Trustee of the Laveta Anderson Revocable Trust No. 2 hereby petitions the City Council of the City of Columbia to annex the land described below into the corporate limits of Columbia and, in support of this petition, states the following:

1. LaVeta Ann Anderson, Trustee of the Laveta Anderson Revocable Trust No. 2 is the owner of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

Legal Description (See Attached)

2. This real estate is not now a part of any incorporated municipality.

3. This real estate is contiguous and compact to the existing corporate limits of the City of Columbia, Missouri.

4. LaVeta Ann Anderson, Trustee of the \_\_\_\_\_ requests that this real estate be annexed to, and be included within the corporate limits of the City of Columbia, Missouri, pursuant to Section 71.012, RSMo 1994.

5. Petitioner requests that the property be zoned R-1 at the time of annexation. If the requested zoning is not granted by the proposed ordinance annexing the property, petitioner reserves the right to withdraw this petition requesting annexation.

Dated this 28 day of October, 2008.

RECEIVED

OCT 5 2008

STATE OF MISSOURI )  
COUNTY OF BOONE ) ss.

PLANNING DEPT.

VERIFICATION

The undersigned, LaVeta Ann Anderson, being of lawful age and after being duly sworn states and verifies that they have reviewed the foregoing Petition for Voluntary Annexation, and that they are duly authorized to execute the foregoing instrument and acknowledge the requests, matters and facts set forth therein are true and correct to the best of their information and belief.

LaVeta Ann Anderson  
Trustee of the Laveta Anderson Revocable Trust No 2

Subscribed and sworn to before me this 28 day of October, 2008.

Ronald E. Smull  
Notary Public



RONALD E. SMULL  
My Commission Expires  
February 13, 2009  
Boone County  
Commission #05548868

My commission expires: \_\_\_\_\_

Deed Book/PAGE: 1479 0244

WARRANTY DEED Boone County, Missouri

244

Filed for record on 12/29/98 at 9:49:05 AM in Boone County, Missouri. Document No. 32722 Recorded in Book 1479 Page 244 Laveta Anderson, Recorder of Deeds.

THIS DEED, Made and entered into this 3 day of December, A.D. One Thousand Nine Hundred and Ninety-Eight by and between LAVETA ANDERSON, Trustee under the Laveta Anderson Revocable Trust dated December 19, 1995, of Boone County, State of Missouri, party of the first part, and LAVETA ANN ANDERSON, Trustee under the La Veta Ann Anderson Revocable Trust No. 2, dated November 25, 1998. Grantees' mailing address is: 2517 Shepard Blvd, Columbia, Missouri, 65201, of Boone County, State of Missouri, party of the second part:

WITNESSETH That the said party of the First Part, for and in consideration of the sum of ten dollars and other valuable considerations paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain and Sell, Convey and Confirm, unto the said party of the second part, the following described real estate situated in the County of Boone, in the State of Missouri, to wit:

Tract #3: Beginning at point B Tract #2, thence with graveled road (now abandoned) N 45° - 47' W 800 feet to F; thence N 33° - 28' W 170.5 feet to G (at or near the south right-of-way line of said Route #40; thence N 70° - 15' W 251 feet to H (in center of Perche Creek); thence S 23° - 00' W 409' to I (also in creek); thence S 7° - 35' W 545' to O (also in creek); thence N 69° - 00' E 68' to P (point in old Perche bed); thence with old bed S 88° - 30' E 500' to Q; thence N 66° - 45' E 282' to R (a point on fill for entrance way across old creek bed); thence 89° 15' E 318' to point of beginning, containing 13.4 acres, more or less.

Tract #5: Beginning at point in the center of Old Perche Creek (which point is south 20° west 62.5 feet of point B, Tract #2, Pleas Wright Survey and recorded as Survey #7602, Boone County; thence with the old creek bed S 10° - 30' East 365 feet, So. 25° west 155 feet, S. 77° - 45' West 245 feet, N 77° west 185 feet, S. 76° - 20' west 302 feet, S. 59° west 175 feet, S 84° - 30' west 350.2 feet to a point which is the intersection of Old Perche Creek with its present location; thence N 45° - 5' east 142.5 feet, thence N 491.9 feet to point O of Tract #3 of said Survey #7602; thence N 69° East 68 feet to "p", thence S 88° - 30' east 500 feet to "Q", thence N 66° - 45' east 282 feet to "R", thence S 82° - 20' east 297.5 feet to the point of beginning, containing 14.1 acres, more or less.

All of the above described property is a part of the Northeast Quarter (NE 1/4) and the Northwest Quarter (NW 1/4) of Section Eight (8), Township Forty-eight (48) Range Thirteen (13).

Above property subject to easements and restrictions of record.

TO HAVE AND TO HOLD the same together with all the rights, immunities, privileges and appurtenances to the same belonging unto the said party of the second part and to her heirs and assigns forever; the said party of the first part hereby covenanting that said party and the heirs, executors, and administrators of such party shall and will warrant and defend the title to the premises unto the said party of the second part, and to her heirs and assigns of such party forever, against the lawful claims of all persons whomsoever except taxes falling due and payable in the year 1998 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand the day and year first above written.

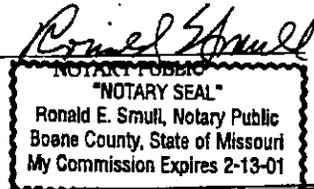
*Laveta Anderson*  
La Veta Anderson

STATE OF MISSOURI )  
                          ) SS.  
COUNTY OF BOONE )

On this 3 day of December, 1998, before me personally appeared La Veta Anderson, Trustee, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

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

My commission expires:



# Boone County, Missouri Unofficial Document



Document No. 32722

STATE OF MISSOURI )  
COUNTY OF BOONE ) SS.

I, the undersigned Recorder of Deeds for said county and state do hereby certify that the foregoing instrument of writing was filed for record in my office on the 3rd day of December, 1998 at 9 o'clock and 43:05 minutes AM and is truly recorded in Book 1479 Page 244.

Witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS

by Nora Dietzel deputy  
Nora Dietzel