Source: Community Development - Planning Agenda Item No: (B)

To: City Council
From: City Manager and Staff

Council Meeting Date: Jun 17, 2013

Re: RDM Development, Ltd., et al. - voluntary annexation (Case 13-74)

EXECUTIVE SUMMARY:

A request by RDM Development, Ltd., Robyn Armer, the Jo Ann Allen Revocable Trust, and Brian J. Painter (owners) to annex 7.62 acres of land into the City of Columbia, and to assign C-P (Planned Business District) as permanent City zoning. The subject site includes four parcels of land located on the north side of St. Charles Road, approximately 300 feet east of Lakewood Drive, and containing the following development and addresses (from west to east):

- 0.52-acre RDM Development, Ltd. parcel: Undeveloped; no address
- 3.1-acre Robyn Armer parcel: Single-family home, addressed 5717 E. St. Charles Road
- 2.0-acre Jo Ann Allen Revocable Trust parcel: Single-family home, addressed 5813 E. St. Charles Road
- 2.0-acre Brian J. Painter parcel: Single-family home, addressed 5905 E. St. Charles Road

All parcels are currently zoned Boone County R-S (Single-family Residential). (Case 13-74)

DISCUSSION:

The applicants are proposing to annex 7.62 acres of land into the city so that it may connect to City sewer. C-P (Planned Business District) is requested as permanent City zoning. The site is currently zoned Boone County R-S (Single-Family Residential).

The site is developed with three single-family homes. Water service is provided by the City. Boone Electric Cooperative supplies electricity to the property. Sewer service is provided by Boone County Regional Sewer District through a territorial agreement with the City. Boone County Fire Protection District currently serves the site; however, the Columbia Fire Department will assume fire protection duties upon annexation.

The Planning and Zoning Commission will make a recommendation to the City Council on the permanent zoning request at its June 20, 2013 meeting.

Locator maps are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

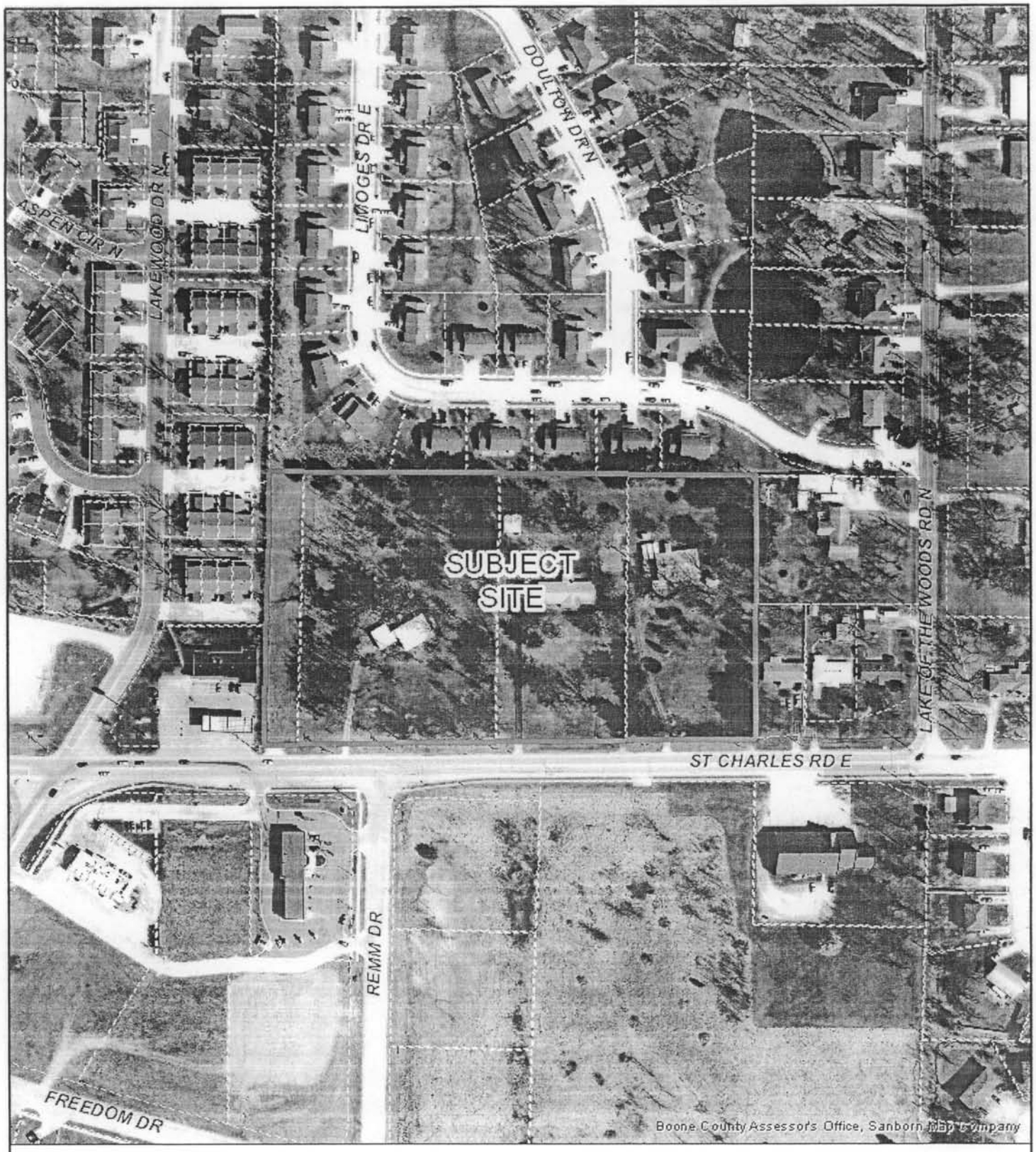
http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

None.

SUGGESTED COUNCIL ACTIONS:

If 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 on July 1, 2013.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		**Program Impact**		**Mandates**	
City's current net FY cost	$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	$0.00	Duplicates/Expands an existing program?	No	**Vision Implementation impact**	
Amount of budget amendment needed	$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		**Resources Required**		Vision Impact?	No
One Time	$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



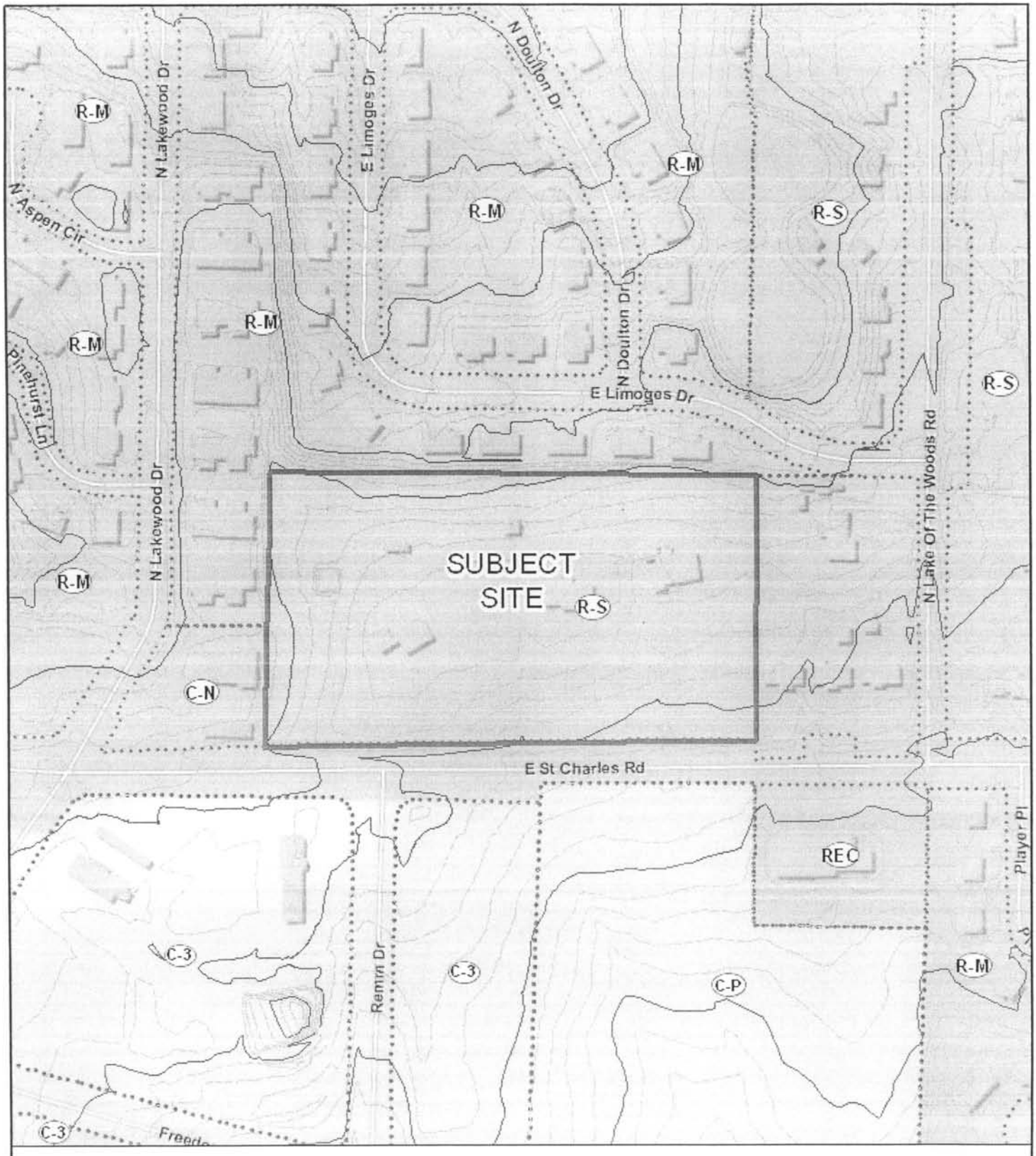
Case 13-74: Annexation & Zoning
RDM Development, LTD

0 100 200 400
Feet

1 inch = 200 feet

N

Parcel Data and Aerial Photo
Souce: Boone County Assessor



Case 13-74: Annexation & Zoning
RDM Development, LTD

0 100 200 400 Feet

1 inch = 200 feet

N

Parcel Data
Souce: Boone County Assessor

Introduced by _____ Council Bill No. _____R 108-13_____

A RESOLUTION

setting a public hearing on the voluntary annexation of property located on the north side of St. Charles Road, approximately 300 feet east of Lakewood Drive.

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

SECTION 1. Verified petitions requesting the annexation of certain lands owned by RDM Development, LTD., Robyn Armer, the Jo Ann Allen Revocable Trust and Brian J. Painter were filed with the City on April 26, 2013. Copies of the petitions, which contain the description of the properties, marked "Exhibit A," are attached to and made a part of this resolution.

SECTION 2. In accordance with Section 71.012, RSMo, a public hearing on this annexation request shall be held on July 1, 2013 at 7:00 p.m. in the City Council Chamber of the City Hall Building, 701 E. Broadway, in the City of Columbia, Missouri.

SECTION 3. The City Clerk shall cause notice of this hearing to be published at least seven days before the hearing in a newspaper published in the City.

ADOPTED this _____ day of _____, 2013.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

RDM Development, a Missouri limited ~~liability~~ company, 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. RDM Development LLC is the owner of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

   Legal Description

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. RDM Development LLC 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 C-P 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 24 day of April, 20~~06~~ 2013.

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

VERIFICATION

The undersigned, RDM Development, being of lawful age and after being duly sworn states and verifies that the undersigned has reviewed the foregoing Petition for Voluntary Annexation, and that the undersigned is duly authorized to execute the foregoing instrument on behalf of RDM Development and acknowledges the requests, matters and facts set forth therein are true and correct to the best of the undersigned's information and belief.

Subscribed and sworn to before me this 24 day of April, ~~2006~~ 2013

Notary Public

My commission expires: 10/28/16

DANIELLE GRIFFITH
Notary Public - Notary Seal
STATE OF MISSOURI
Boone County
Commission Expires: Oct. 28, 2016
Commission #12409201

Filed for record June 28, 1996 at 3:48:31 PM in Boone Co. Mo.
Document No. [illegible] recorded in Book 841 Page 444 Bette Johnson, Recorder of Deeds

Boone County, Missouri
Unofficial Document

GENERAL WARRANTY DEED
(INDIVIDUAL)

444

THIS DEED, Made and entered into this 28TH day of JUNE, 1996, by and between

VIRGINIA R. VICTOR, TRUSTEE OF THE VIRGINIA R. VICTOR REVOCABLE LIVING TRUST UNDER TRUST AGREEMENT 08/19/94

of the County of Boone State of Missouri party or parties of the first part, and

RDM DEVELOPMENT, LTD.,
1101 LAKEVIEW DRIVE COLUMBIA, MO 65203

of the County of Boone State of Missouri party or parties of the second part.

WITNESSETH, that the said party or parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of Boone and State of Missouri, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO
1501 Lake of the Woods Rd. COLUMBIA, MO 65201

Subject to building lines, conditions, restrictions, easements and zoning regulations of record if any.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever.

The said party or parties of the first part hereby covenanting that said party or parties and the heirs, executors and administrators of such party or parties, shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year 1996 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the said party or parties of the first part has or have hereunto set their hand or hands the day and year first above written.

Virginia R. Victor
VIRGINIA R. VICTOR, TRUSTEE

KATHY S. HAWBAKER NOTARY SEAL NOTARY PUBLIC STATE OF MISSOURI

STATE OF MISSOURI }
} ss.
County of Boone }

On this 28TH day of JUNE, 1996, before me personally appeared

VIRGINIA R. VICTOR, TRUSTEE OF THE VIRGINIA R. VICTOR REVOCABLE LIVING TRUST UNDER TRUST AGREEMENT 08/19/94

to me known to be the persons or 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 in the County and State aforesaid, the day and year first above written.

KATHY S. HAWBAKER
Notary Public, State of Missouri
County of Boone
Commission Expires November 8, 1998

My term expires:

Kathy S. Hawbaker
Notary Public

http://www.ShowMeBoone.com

Boone County, Missouri
Unofficial Document

A tract of land located in the South Half (S1/2) of the Southeast Quarter (SE1/4) of Section 3, Township 48, Range 12, in Boone County, Missouri more particularly described as follows: Beginning at a point on the East line of said Section 3 a distance of 1320 feet South of the Northeast corner of the Southeast Quarter (SE1/4) of Section 3; being the Northeast corner of the South Half (S1/2) of the Southeast Quarter (SE1/4) of Section 3; thence westerly parallel with the North line of said Southeast Quarter (SE1/4) of said Section 3 a distance of 470 feet for the point of beginning of the land described and to be herein conveyed; thence southerly along the West line of the land hereinbefore conveyed to the grantees herein in Book 278 at page 239 a distance of 880 feet to the Southwest Corner of the land hereinbefore conveyed at said Book and Page to the grantees herein; thence westerly parallel with the North line of said Southeast Quarter (SE1/4) of Section 3 a distance of 507 feet; thence southerly parallel with the East line of said Section 3 a distance of approximately 440 feet to the center of the county road which is the South section line of said Section 3; thence westerly with the South Section line a distance of 50 feet; thence northerly parallel with the east section line of said Section 3 a distance of 1320 feet to a point which is 1027 feet West from the East line of said Section 3; thence easterly on a course parallel to the North boundary line of the Southeast Quarter (SE1/4) of said Section 3 and upon a line which would constitute the North boundary line of the South Half (S1/2) of said Southeast Quarter (SE1/4) section a distance of 557 feet to the Northwest corner of the land heretofore conveyed to grantees herein as described in Book 278 at page 239 of the Deed Records for Boone County, Missouri and being the point of beginning.

ALSO,

A tract of land located in the Northeast Corner of the South Half of the Southeast Quarter (SE1/4) of Section 3, Township 48, Range 12, in Boone County, Missouri, more particularly described as follows: Beginning at a point on the east line of said Section 3 a distance of 1320 feet South of the Northeast corner of the Southeast Quarter (SE1/4) of said Section 3, being the Northeast corner of the South Half (S1/2) of the Southeast Quarter (SE1/4) of said Section 3, thence South with the East line of said Section 3 a distance of 880 feet, thence West 470 feet parallel to the North line of the Southeast Quarter (SE1/4) of said Section 3, thence North parallel with the East line of said Section 3 a distance of 880 feet, thence East parallel with the North line of said Southeast Quarter (SE1/4) of said Section 3 a distance of 470 feet to the point of beginning, the North line of said above described real estate being the South line of the real estate conveyed by Warranty Deed recorded in Book 276 at page 381 of deed records of Boone County, Missouri, EXCEPTING therefrom the North 250 feet thereof previously conveyed and described by Warranty Deed recorded in Book 399, Page 85, Boone County Records.

STATE OF MISSOURI)
COUNTY OF BOONE) SS.

Document No. 13984

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 28th day of June , 1996 at 3 o'clock and 48:31 minutes PM and is truly recorded in Book 1241 Page 444.

In witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS

by Louise Brown deputy
Louise Brown

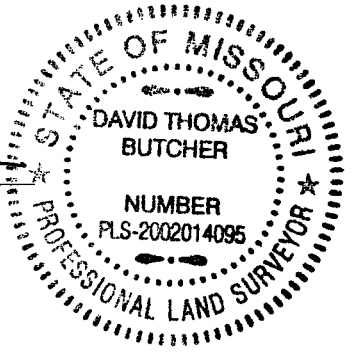
http://www.ShowMeBoone.com

DESCRIPTION FOR REZONING- APPP, LLC TRACT
FOR RAFE PARSONS
JOB #120103

MAY 8, 2012

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1241, PAGE 444 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF WOODS MILL PLAT 1 RECORDED IN PLAT BOOK 31, PAGE 60 AND WITH THE SOUTH LINE THEREOF, N89°49'00"E, 50.00 FEET TO THE NORTHWEST CORNER OF THE TRACT OF LAND DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 963, PAGE 287; THENCE LEAVING SAID SOUTH LINE AND WITH SAID WEST LINE, S0°34'00"W, 454.47 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE WITH SAID SOUTH LINE, N89°40'00"W, 50.00 FEET TO THE EAST LINE OF PLAT OF LAKEWOOD ESTATES RECORDED IN BOOK 12, PAGE 5; THENCE LEAVING THE SOUTH LINE OF SAID SECTION AND WITH SAID EAST LINE, N0°34'00"E, 454.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.52 ACRES.



DAVID T. BUTCHER, PLS-2002014095

5/8/2012
DATE

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

ROBYN ARMER, a single person, 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. ROBYN ARMER is the owner of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

(Attach Legal Description)

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. ROBYN ARMER 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 GP 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 22 day of MARCH, 2013.

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

VERIFICATION

The undersigned, ROBYN, a single person, 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.

Robyn Armer

Subscribed and sworn to before me this 22 day of March, 2013.

Kathy Wilson
Notary Public

My commission expires: 9/27/15

KATHY WILSON
Notary Public - Notary Seal
STATE OF MISSOURI
County of Boone
My Commission Expires 9/27/2015
Commission # 11246680

Boone County, Missouri
Unofficial Document

Filed for record on January 25, 1993 at 12:37 P.M. in Boone Co. Mo.
Document No. 1082 recorded in Book 332 page 942 Bettie Johnson, Recorder of Deeds

942

PERSONAL REPRESENTATIVE'S DEED OF DISTRIBUTION

THIS INDENTURE, made on the 20th day January, 1993, by and between Robyn Armer, Personal Representative of the Estate of Kathleen Park Jonakin, Circuit Court of Boone County, Missouri, Case Number 91PR005509, party of the first part, and Mary Wamble, Robyn Armer, Kathy Jo Andrews, and William Brad Hoffman, parties of second part.

WITNESSETH:

WHEREAS, Letters Testamentary in said estate were issued to said Robyn Armer out of said court on December 27, 1991, and have not been revoked, annulled, terminated or modified in any way, and now remain in full force and effect, and the administration of the estate has not been finally closed.;

WHEREAS, the party of the first part as such Personal Representative finds, deems and judges it to be advantageous to said estate to distribute the property hereinafter described, upon the terms, conditions and considerations recited herein, in order to close the administration of the estate of said decedent, and to make distribution thereof in the form most advantageous to the persons beneficially interested therein, and

WHEREAS, the decedent having died a resident of Boone County, Missouri on the 13th day of December, 1991, and her Last Will and Testament having been duly admitted to probate in the Probate Division of Boone County, Missouri, Circuit Court, at Columbia on the 27th day of December, 1991, and an authenticated copy of said Last Will and Testament with proof of the probate thereof have been duly recorded on the 4th day of January, 1993, under ~~Instrument No.~~ Document #84, B. 952 P. 205 in the Office of the Recorder of Deeds for Boone County, Missouri.

NOW THEREFORE, the party of the first part as Personal Representative as aforesaid, does by these presents, sell and convey and distribute unto said parties of the second part, their heirs and assigns, as follows:

1. Mary Womble, one-half interest;
2. Robyn Armer, one-sixth interest;

Grantee/Grantor Robyn Armer 111 Roy Burris Rd Clark, Mo

http://www.ShowMeBoone.com

Boone County, Missouri
Unofficial Document

3. Kathy Jo Andrews, one-sixth interest and

4. William Brad Hoffman, one-sixth interest

of the right, title and interest which said Kathleen Park Jonakin, Deceased, had at the time of her death or acquired subsequent to her death by her estate in the following described lots, tracts or parcels of land lying, being and situated in the County of Boone, State of Missouri, to wit:

> A tract of land located in the Southeast Quarter (SE 1/4) of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), Township Forty-eight (48), Range Twelve (12), in Boone County, Missouri, more particularly described as follows: Beginning at the Southeast corner of Section 3, Township 48, Range 12, thence West with the South line of said Section 3 a distance of 670 feet to the Point of Beginning, West with the South line os said Section 3 a distance of 307 feet, thence North parallel with the East line of said Section 3 a distance of 440 feet, thence East parallel with the South line of said Section 3 a distance of 307 feet, thence South parallel with the East line of said Section 3 a distance of 440 feet to the Point of Beginning, containing three (3) acres, more or less.

TO HAVE AND TO HOLD, the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or anywise appertaining unto the said parties of the second part, and to their heirs and assigns forever as fully and effectually to all intents and purposes in law as she, the party of the first part, might, could or ought to sell and convey the same by virtue of the Last Will and Testament of Kathleen Park Jonakin.

IN WITNESS WHEREOF, the said Robyn Armer, as Personal Representative under the Last Will and Testament of Kathleen Park Jonakin, Deceased, has hereunto set her hand and seal the day and year first above written.

Robyn Armer
ROBYN ARMER
Personal Representative under
the Last Will and Testament of
Kathleen Park Jonakin, Deceased

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

On this 20th day of January, 1993, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBYN ARMER, to me known to be the person described in and who executed the foregoing instrument and

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Boone County, Missouri
Unofficial Document

acknowledged that she executed the same as her free act and deed as Personal Representative under the Last Will and Testament of Kathleen Park Jonakin, Deceased.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office Columbia, Boone County, Missouri, the day and year last above written.

Melinda Sebers
Notary Public

My commission expires: MELINDA SEBERS
Notary Public, State of Miss
Commissioned in Boone C
My Comm. Exp. 3/16 95

STATE OF MISSOURI)
COUNTY OF BOONE) SS.

Document No. 1082

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 21st day of January , 1993 at 3 o'clock and 36:03 minutes PM and is truly recorded in Book 954 Page 942.

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

BETTIE JOHNSON, RECORDER OF DEEDS
by Karen Johnson deputy
Karen Johnson

http://www.ShowMeBoone.com

DESCRIPTION FOR REZONING- ROBYN ARMER TRACT
FOR RAFE PARSONS
JOB #120103

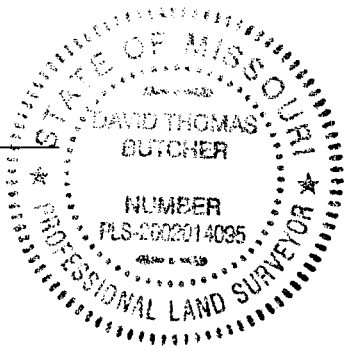
APRIL 22, 2013

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 963, PAGE 287 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3 AND WITH THE SOUTH LINE THEREOF, WEST, 670 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE SOUTH LINE OF SAID SECTION, 307 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION (3) THREE, 440 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 307 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 440 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.1 ACRES MORE OR LESS.

THE INTENT OF THIS DESCRIPTION IS TO BE AN EXCERPT OF THE DEED DESCRIPTION. THIS DESCRIPTION IS NOT FROM AN ACTUAL PROPERTY BOUNDARY SURVEY.



DAVID T. BUTCHER, PLS-2002014095

4/22/2013
DATE

Attached Supplemental Plat Procedure 2011 120103-SUP Rafe Parsons Rezoning SUP Rezoning Survey Documents Description for Rezoning-ARMER.docx

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

Joann Allen, Trustee of the _____ 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. Joann Allen, Trustee of the _____ 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. Joann Allen, 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 C-P 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 March, 2013

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

VERIFICATION

The undersigned, Joann Allen, 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.

Y Joann Allen
, Trustee of the

Subscribed and sworn to before me this 28th day of March, 2013.

Ashley N Roberts
Notary Public

My commission expires: 08/08/15

ASHLEY N. ROBERTS
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires August 8, 2015
Commission #11224246

Boone County, Missouri
Unofficial Document
BOONE COUNTY MO NOV 24 2010

TRUSTEE'S DEED

THIS DEED, Made and entered into this 18th day of November, 2010, by and between

THOMAS E. ALLEN, as Trustee of the THOMAS E. ALLEN TRUST U/D/T Dated December 15, 2009 of Columbia, Boone County, Missouri, (said Trustee is hereinafter referred to as "the First Party") and

JO ANN ALLEN, or her successor(s), Trustee of the JO ANN ALLEN REVOCABLE TRUST u/t/a dated March 22, 2010 of Boone County, Missouri, (hereinafter referred to as "the Second Party").

The mailing address of the Second Party (the Grantee) is: 5813 E. St. Charles Road, Columbia, Missouri 65202

WITNESSETH:

WHEREAS, THOMAS E. ALLEN, is the sole trustee and is presently acting as trustee of the THOMAS E. ALLEN TRUST U/D/T Dated December 15, 2009, (said trust is hereinafter referred to as "the Trust Agreement"); and

WHEREAS, the Trust Agreement has not been revoked and is presently in full force and effect; and

WHEREAS, the Trust Agreement granted to the undersigned, as Trustee, full power to sell and convey the real estate hereinafter described; and

WHEREAS, the Second Party has purchased the real estate hereinafter described from First Party.

NOW, THEREFORE, the First Party, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations paid by the Second Party, the receipt of which is hereby acknowledged, does by these presents, BARGAIN, SELL, CONVEY and CONFIRM unto the Second Party all of the First Party's undivided 33.3333333% interest in and to the following described real estate lying, being and situated in Boone County, Missouri, to-wit:

A part of the South half (S1/2) of the Southeast Quarter (SE1/4) of Section Three (3), Township Forty-eight (48), Range Twelve (12) described as follows: Beginning on the south line of said Southeast Quarter at a point 470 feet west of the Southeast corner thereof; thence along said south line, West 200 feet, thence North 0° 43' East 440 feet; thence East 200 feet; thence South 0° 43' West 440 feet to the place of beginning, said tract of land lying in the Southeast Corner of a 26.90 acre tract described in survey recorded in Book 289 at page 124 of the deed records of Boone County, Missouri.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the same; together with all rights, immunities, privileges and appurtenances to the same belonging, unto the Second Party and unto their heirs, personal representatives, successors and assigns forever. Said First Party, as Trustee, hereby covenants, as Trustee only, and not as an individual, with all liability

http://www.ShowMeBoone.com

Boone County, Missouri
Unofficial Document

Recorded in Boone County, Missouri
Date and Time: 11/24/2010 at 10:52:22 AM
Instrument #: 2010025495 Book: 3735 Page: 173
Grantor ALLEN, THOMAS E TRUSTEE
Grantee ALLEN, JO ANN TRUSTEE

Instrument Type TRST
Recording Fee $30.00 S
No of Pages 3

Bettie Johnson, Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title of Document:** **TRUSTEE'S DEED**

2. **Date of Document:** 18th of November, **2010**

3. **Grantor(s):** **THOMAS E. ALLEN, Trustee of the THOMAS E. ALLEN TRUST U/D/T Dated December 15, 2009**

4. **Grantee(s):** **JO ANN ALLEN, or her successor(s), Trustee of the JO ANN ALLEN REVOCABLE TRUST u/t/a dated March 22, 2010**

5. **Statutory Mailing Address(s):** **5813 E. St. Charles Road, Columbia, Missouri 65202**

6. **Legal Description:** **SEE PAGE ONE**

7. **Reference Book and Pages(s):**

(If there is not sufficient space on this page for the information required, state the page reference where it is contained within the document)

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Boone County, Missouri
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BOONE COUNTY MO NOV 24 2010

under this deed with respect to covenants and warranties expressly limited to assets of the trust estate, hereby covenant that Grantor and his successor Trustees under the Trust Agreement, will WARRANT AND DEFEND the title to the above described real estate unto the Second Party and unto their heirs, personal representatives, successors and assigns forever, against the lawful claims of all persons whomsoever, excepting however, real estate taxes for the calendar year 2010 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the First party has hereunto set his hand the day and year first above written.

Thomas E. Allen
THOMAS E. ALLEN, Trustee

STATE OF MISSOURI)
(ss.
COUNTY OF Pettis)

On this 18th day of November, 2010, before me personally appeared THOMAS E. ALLEN, Trustee of the THOMAS E. ALLEN TRUST U/D/T Dated December 15, 2009, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed in his capacity as Trustee under the above described Trust Agreement.

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

Lori Holem
NOTARY PUBLIC

(Seal)

LORI HOLEM
Notary Public - Notary Seal
STATE OF MISSOURI
Pettis County
Commission #09703866
My Commission Expires April 28, 2013

Lori Holem
[type/print name of Notary Public]

My commission expires: April 28, 2013
Commissioned in Pettis County, Missouri

http://www.ShowMeBoone.com

DESCRIPTION FOR REZONING- JO ANN ALLEN TRUST, TRACT
FOR JO ANN ALLEN
JOB #120103

APRIL 22, 2013

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 3868, PAGE 55 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3 AND WITH THE SOUTH LINE THEREOF, WEST, 470 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE SOUTH LINE OF SAID SECTION, 200 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH PARALLEL WITH THE EAST LINE OF SAID SECTION (3) THREE, 440 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 200 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION, 440 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.0 ACRES MORE OR LESS.

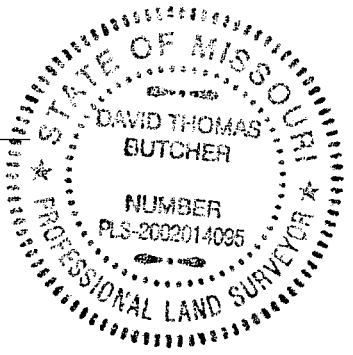
THE INTENT OF THIS DESCRIPTION IS TO BE AN EXCERPT AND CLARIFICATION OF THE DEED DESCRIPTION. THIS DESCRIPTION IS NOT FROM AN ACTUAL PROPERTY BOUNDARY SURVEY.

David T. Butcher

DAVID T. BUTCHER, PLS-2002014095

4/22/2013

DATE



S:\Projects\public\Projects\2012\120103-Jo Ann Allen Trust\Rezoning Set\Current Set\Rezoning Survey Documents\Description\Description for Rezoning-Jo Ann Allen Trust.docx

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

Brian J Painter, a single person, 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. Brian J Painter is the owner of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

(Attach Legal Description)

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. Brian J Painter 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 C-P 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 1st day of April, 2013.

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

VERIFICATION

The undersigned, BRIAN J PAINTER, a single person, 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.

X Brian J Painter

Subscribed and sworn to before me this 1st day of April, 2013.

Barbara M McCaslin

Notary Public

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

BARBARA M. MCCASLIN
My Commission Expires
August 30, 2016
Boone County
Commission #12517800

My commission expires: 8/30/2016

Boone County, Missouri
Unofficial Document

Recorded In Boone County, Missouri
Date and Time 04/14/2008 at 03:01:20 PM
Instrument # 2008007994 Book 3303 Page 36
Grantor MCVEY, GLENN E
Grantee PAINTER, BRIAN J

Instrument Type WD
Recording Fee $27.00 S
No of Pages 2

Bettie Johnson, Recorder of Deeds

Boone-Central Title Company
File No. 0810273

Missouri General Warranty Deed

This Indenture, Made on **10th day of April, 2008.** by and between

Glenn E. McVey and Norma Chambers-McVey, husband and wife,
as GRANTOR, and

Brian J. Painter, a single person,

as GRANTEE, whose mailing address is: **5905 E. Saint Charles Rd**
Columbia, MO 65202

Property Address: **5905 E. Saint Charles Rd., Columbia, MO 65202**

WITNESSETH: THAT THE GRANTOR, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby Grant, Bargain, Sell, Convey and Confirm unto GRANTEE, GRANTEE'S heirs and assigns, the following described lots, tracts and parcels of land situated in the County of **Boone** and State of **Missouri**, to wit:

A tract of land located in the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), Township Forty-eight (48) North, Range Twelve (12) West, of the Fifth (5th) Principal Meridian, in Boone County, Missouri, being the west two hundred (200) feet of the 4.74 acre tract shown and described by the survey recorded in Book 289, Page 124, Records of Boone County, Missouri. Except that part used for County Road purposes along the south line thereof.

Subject to easements, restrictions, reservations, and covenants of record, if any.

TO HAVE AND TO HOLD The premises aforesaid with all singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto GRANTEE and unto GRANTEE'S heirs and assigns forever; the GRANTOR hereby covenanting that GRANTOR is lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that GRANTOR has good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by GRANTOR or those under whom GRANTOR claims, except as stated above and except for all taxes assessments, general and special, not now due and payable, and that GRANTOR will warrant and defend the title to the said premises unto GRANTEE and unto GRANTEE'S heirs and assigns forever, against the lawful claims and demands of all persons whomsoever. If two or more persons constitute the GRANTOR or GRANTEE, the words GRANTOR and GRANTEE will be construed to read GRANTORS and GRANTEES whenever the sense of this Deed requires.

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Boone County, Missouri
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BOONE COUNTY MO APR 14 2008

IN WITNESS WHEREOF, The GRANTOR has hereunto executed this instrument on the day and year above written.

Glenn E. McVey

Norma Chambers-McVey

State of Missouri }
} ss:
County of Boone }

On this **10th day of April, 2008**, before me, the undersigned, a Notary Public in and for said County and State, personally appeared
Glenn E. McVey and Norma Chambers-McVey, husband and wife
to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Witness my hand and Notary Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

Notary Public

My Term Expires: 12/12/09

SUNI R. WALBRECHT
Notary Public, State of Missouri
Boone County
Commission # 05808802
My Commission Expires December 12, 2009

http://www.ShowMeBoone.com

DESCRIPTION FOR REZONING- BRIAN PAINTER, TRACT
FOR BRIAN PAINTER
JOB #120103

APRIL 22, 2013

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3303, PAGE 36 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST TWO HUNDRED (200) FEET OF THE 4.74 ACRE TRACT SHOWN AND DESCRIBED BY THE SURVEY RECORDED IN BOOK 289, PAGE 124, EXCEPT THAT PART USED FOR COUNTY ROAD PURPOSES ALONG THE SOUTH LINE THEREOF AND CONTAINING 2 ACRES MORE OR LESS.

THE INTENT OF THIS DESCRIPTION IS TO BE AN EXCERPT AND CLARIFICATION OF THE DEED DESCRIPTION. THIS DESCRIPTION IS NOT FROM AN ACTUAL PROPERTY BOUNDARY SURVEY.



DAVID T. BUTCHER, PLS-2002014095

4/30/2013
DATE