



**CITY OF SEDALIA
SPECIAL COUNCIL MEETING
Wednesday, May 29, 2019
Municipal Building
Council Chambers
200 S. Osage Avenue**

Special Council Meeting – 6:30 P.M.

AGENDA

Call to Order – Mayor Kehde
Prayer & Pledge of Allegiance
Roll Call

ROLL CALL OF STANDING COMMITTEES

PUBLIC WORKS – Chairwoman Megan Page; Vice Chairman Thomas Oldham

1. Annexation of property owned by MRB9, LLC and MRB11, LLC (Property North of Rebar Rd; addresses of 23400 Radio Hill Road and 23220 Radio Hill Road)

Council Discussion led by Chairwoman Page.

○ Call for ordinance approving and annexing an unincorporated area generally located north of rebar road with specific addresses of 23220 radio hill road and 23400 radio hill road all owned by MRB9, LLC and MRB11, LLC into the city of Sedalia, Missouri, adjacent and contiguous to existing corporate limits of said city – Mayor Kehde

ADJOURN to closed door session in accordance with Sections 610.021 (1) & (2) RSMo for Legal Advice and Lease, Sale or Purchase of Real Estate.

The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK'S OFFICE PRIOR TO THE MEETING BY CALLING 660-827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS.

Posted May 24, 2019

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEDALIA, MISSOURI, APPROVING AND ANNEXING AN UNINCORPORATED AREA GENERALLY LOCATED NORTH OF REBAR ROAD WITH SPECIFIC ADDRESSES OF 23220 RADIO HILL ROAD AND 23400 RADIO HILL ROAD ALL OWNED BY MRB9, LLC AND MRB11, LLC INTO THE CITY OF SEDALIA, MISSOURI, ADJACENT AND CONTIGUOUS TO EXISTING CORPORATE LIMITS OF SAID CITY.

WHEREAS, it is reasonable and necessary to the proper development of the City of Sedalia, Missouri, and stating that the City of Sedalia, Missouri, has the ability to furnish normal municipal services to said area within a reasonable amount of time after annexation becomes effective; and

WHEREAS, on March 8, 2019, a petition was submitted to the City Council of Sedalia, Missouri, under the provisions of Section 71.012 RSMo., by MRB9, LLC and MRB11, LLC which desires to have said real estate annexed into the corporate limits of the City of Sedalia, Missouri; and

WHEREAS, the City Council of the City of Sedalia, Missouri, held a public hearing on the 13th day of May, 2019, after having first given public notice of said public hearing by publication on May 3, 2019, in *The Sedalia Democrat*; and

WHEREAS, after considering and studying said request for annexation to the City of Sedalia, Missouri, and hearing evidence thereon, the City Council of the City of Sedalia, Missouri, does declare that said annexation is necessary for the reasonable and proper development of the City of Sedalia, Missouri, and that the City of Sedalia has the ability to furnish normal municipal services to said area within reasonable time after said annexation becomes effective and said area is contiguous to the existing corporate limits of the City of Sedalia, Missouri; and

WHEREAS, no written objections to said proposed annexation have been filed with the governing body of the City of Sedalia within fourteen (14) days after said public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. That under the provisions of Section 71.012 RSMo. the City Council of the City of Sedalia, Missouri, hereby declares that annexation of the land hereinafter described be and is necessary for the reasonable and proper development of the City of Sedalia, Missouri; that the City of Sedalia has the ability to furnish normal municipal service to said area within reasonable time after said annexation becomes effective; that said area is contiguous to the existing corporate limits of the City of Sedalia, Missouri; and should be a part of said City; said

tract being a part of Pettis County, Missouri, is more particularly described on Exhibit A attached hereto.

Section 2. The entire tracts shall be zoned M-2 Heavy Industrial District; with its continued use for agriculture/livestock use, and specifically allowing bucking bulls, being permitted by the City Council so long as the current ownership (MRB9, LLC and MRB11, LLC) continues as owner of said property. Further that any current residential use is permitted to continue in its current state so long as the current ownership (MRB9, LLC and MRB11, LLC) continues. The legal description is more particularly described on Exhibit A attached hereto.

Section 3. The City Clerk is hereby ordered and directed to cause three certified copies of this ordinance to be filed with the Office of County Clerk of Pettis County, Missouri, and placed on record with the Pettis County Recorder of Deeds.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 29th day of May, 2019.

Presiding Officer of the Council

Approved by the Mayor of said City this 29th day of May, 2019.

John Kehde, Mayor

ATTEST:

Arlene Silvey, MPCC
City Clerk

EXHIBIT A

TRACT 1 – MRB11, LLC OWNER:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, EXCEPT ONE (1) SQUARE ACRE IN THE NORTHWEST CORNER THEREOF; AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; ALL IN SECTION TWENTY SEVEN (27), TOWNSHIP FORTY SIX (46) NORTH, OF RANGE TWENTY ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN PETTIS COUNTY, MISSOURI, EXCEPT THAT PORTION CONVEYED TO THE STATE OF MISSOURI FOR HIGHWAY PURPOSES.

ALSO, BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27 IN TOWNSHIP 46 NORTH OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI, AND THE SOUTH RIGHT-OF-WAY LINE OF MISSOURI STATE ROUTE “HH” SAID POINT BEING 43.26 FEET SOUTH OF THE NORTHEAST CORNER OF SAID EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 62.0 FEET TO AN EXISTING FENCE LINE AND THE NORTHWEST CORNER OF A TRACT DESCRIBED IN WARRANTY DEED BOOK 124 PAGES 464 AND 465 DATED AUGUST 24, 1976 AND AS SHOWN ON A SURVEY BY LS 195, SEPTEMBER 14, 1972 AND RECORDED IN SAID WARRANTY DEED BOOK 124 PAGE 465; THENCE SOUTH ALONG SAID EXISTING FENCE LINE AND THE WEST LINE OF SAID TRACT, 1282 FEET TO A POINT 63 FEET EAST OF THE INTERSECTION OF THE SOUTH AND WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE WEST ALONG SAID SOUTH LINE, 63 FEET TO THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH ALONG SAID WEST LINE, 1282 FEET TO THE POINT OF BEGINNING.

TRACT 2 – MRB9, LLC OWNER:

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION NUMBER TWENTY SEVEN (27) IN TOWNSHIP NUMBER FORTY SIX (46) NORTH, OF RANGE NUMBER TWENTY ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT THE FOLLOWING DESCRIBED TRACT: A STRIP OF GROUND 90 FEET IN WIDTH OFF OF THE SOUTH SIDE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 46 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN.

ALSO THE WEST FOUR HUNDRED NINETY FIVE (495) FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION NUMBER TWENTY SEVEN (27), IN TOWNSHIP NUMBER FORTY SIX (46) NORTH, OF RANGE NUMBER TWENTY ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND THE

NORTHEAST QUARTER OF THE NORTHEAST QUARTER, AND THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION NUMBER TWENTY SEVEN (27) IN TOWNSHIP NUMBER FORTY SIX (46) NORTH OF RANGE NUMBER TWENTY ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN,

EXCEPT THE FOLLOWING DESCRIBED TRACT: BEGINNING AT A POINT ON THE SOUTH LINE OF STATE ROUTE HH 304 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, IN TOWNSHIP 46 NORTH OF RANGE 21 WEST; THENCE EASTERLY ALONG THE SOUTH LINE OF STATE ROUTE HH 417.42 FEET; THENCE SOUTH 417.42 FEET, THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF SAID STATE ROUTE HH, 417.42 FEET, THENCE NORTH 417.42 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 46 NORTH OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ALL IN PETTIS COUNTY, MISSOURI. SUBJECT TO EASEMENTS AND CONVEYANCES OF RECORD TO UTILITY COMPANIES; AND, ROAD AND HIGHWAY RIGHT OF WAYS; AND, AN EASEMENT OF GRANTORS OF THE EXISTING TWO-WAY RADIO TOWER, WHICH EASEMENT SHALL EXPIRE WHEN SAID TOWER IS REMOVED FROM THE PROPERTY AS PROVIDED IN A CONTRACT EXECUTED BY GRANTORS AND GRANTEEES.

AND ALSO EXCEPT, THE EAST 594.07 FEET OF THE SOUTH 293.38 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, IN TOWNSHIP 46 NORTH, OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI.

AND ALSO EXCEPT, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 27 TOWNSHIP 46 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE SOUTH $85^{\circ}45'11''$ WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 209.39 FEET TO THE INTERSECTION OF SOUTHEASTERLY RIGHT OF WAY LINE OF MISSOURI STATE ROUTE "HH"; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 460.28 FEET AN ARC DISTANCE OF 214.90 FEET TO HIGHWAY STATION 48+32.2 P.C.; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTH $85^{\circ}58'$ WEST, 170.03 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 43 PAGE 3; THENCE SOUTH $05^{\circ}11'00''$ EAST, 417.42 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH $85^{\circ}58'$ EAST PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF SAID STATE ROUTE "H", 587.62 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH $05^{\circ}11'00''$ WEST ALONG THE EAST LINE OF SAID SECTION 467.48 FEET TO THE POINT OF BEGINNING.

AND ALSO EXCEPT, BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF A COUNTY ROAD (RADIO HILL ROAD), 90.0 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, IN TOWNSHIP 46 NORTH, OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN,

PETTIS COUNTY, MISSOURI; THENCE NORTH ALONG SAID RIGHT OF WAY LINE, 208.71 FEET; THENCE EAST, 626.13 FEET; THENCE SOUTH, 208.71 FEET TO A POINT 90.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE WEST PARALLEL WITH AND 90.0 FEET NORTH OF SAID SOUTH LINE, 626.13 FEET TO THE POINT OF BEGINNING.

AND ALSO EXCEPT, A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER AND A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE WEST 495.0 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 27, TOWNSHIP 46 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF A COUNTY ROAD (RADIO HILL ROAD), 298.71 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27 IN TOWNSHIP 46 NORTH OF RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE NORTH $02^{\circ}15'36''$ EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 447.90 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, SOUTH $85^{\circ}56'46''$ EAST, 328.54 FEET; THENCE SOUTH $55^{\circ}35'27''$ EAST, 393.16 FEET TO AN EXISTING EAST-WEST FENCE LINE; THENCE SOUTH $84^{\circ}44'44''$ EAST, ALONG SAID FENCE LINE, 539.63 FEET; THENCE CONTINUING ALONG SAID FENCE LINE, SOUTH $62^{\circ}34'57''$ EAST, 63.75 FEET; THENCE SOUTH $16^{\circ}13'05''$ EAST, ALONG AN EXISTING FENCE LINE, 206.71 FEET; THENCE SOUTH $86^{\circ}44'46''$ EAST, 2423.74 FEET TO A POINT ON THE EAST LINE OF THE WEST 495.0 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH $02^{\circ}02'15''$ WEST, ALONG SAID EAST LINE, 287.71 FEET, TO THE SOUTHEAST CORNER OF SAID WEST 495.0 FEET AND A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH $87^{\circ}15'03''$ WEST, ALONG SAID SOUTH LINE, 1151.95 FEET TO THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH $86^{\circ}47'$ WEST, ALONG THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER, 1308.15 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE NORTH $02^{\circ}17'39''$ EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 90.0 FEET; THENCE NORTH $86^{\circ}44'46''$ WEST, 663.93 FEET TO A POINT 626.13 FEET EAST OF THE EAST RIGHT OF WAY LINE OF SAID COUNTY ROAD (RADIO HILL ROAD); THENCE NORTH $02^{\circ}14'30''$ EAST, 208.71 FEET; THENCE NORTH $86^{\circ}44'46''$ WEST, 624.25 FEET TO THE POINT OF BEGINNING.