



Board of Aldermen Request for Action

MEETING DATE: 11/4/2025

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3085-25, Annexation Lots 1 & 4 and other land at Whispering Creek Farm, 2nd Reading.

REQUESTED BOARD ACTION

A motion to approve Bill No. 3085-25 annexing certain adjacent territory into the City of Smithville, Missouri for second reading by title only.

SUMMARY

Approving this ordinance would annex Lots 1 & 4 and other adjacent land at Whispering Creek Farm property into the city limits. The property is contiguous to the City of Smithville following the annexation of Lots 2 & 3 of Whispering Creek Farm in August of this year and is served by county water services and is sufficient for private septic systems once fully developed. All other city services are available to serve the property immediately.

PREVIOUS ACTION

A public hearing was advertised in the paper more than seven days in advance of the hearing (September 24) and less than 60 days have elapsed since the application was submitted (August 20) in compliance with §71.012 RSMo. The adjacent lots 2 & 3 were annexed on August 19, 2025.

POLICY ISSUE

Annexation

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENTS

- ☒ Ordinance
- ☐ Resolution
- ☒ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes

**AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY
INTO THE CITY OF SMITHVILLE, MISSOURI**

WHEREAS, on the 20th day of August, 2025, a verified petition was signed by all owners of the real estate hereinafter described, requesting annexation of said territory into the City of Smithville, Missouri and filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent to and contiguous with to the present corporate limits of the City of Smithville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at City Hall in Smithville, Missouri, at the hour of 7 p.m. on the 7th day of October 2025; and

WHEREAS, notice of said public hearing was given by publication of notice hereof on the 24th day of September 2025 in the Courier Tribune, a weekly newspaper of general circulation, in the County of Clay, State of Missouri; and

WHEREAS, at said public hearing all interested persons, corporation or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation, and whereas sufficient written objection to the proposed annexation was not filed with the Board of Aldermen of the City of Smithville, Missouri, within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Smithville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

SECTION 1. Pursuant to the provisions of Section 71.012 RSMo 1969, as amended by laws of 1976, the following described real estate is hereby annexed into the City of Smithville, Missouri, to wit:

Whispering Creek Farms, Phase I, Lots 1 and 4, and A Tract Of Land In The Southeast Quarter Of Section 31, Township 53 North, Range 32 West And The Southwest Quarter Of Section 32, Township 53 North, Range 32 west In Clay

County, Missouri Being Described As Follows; Beginning At The Northeast Corner Of Lot 1, Whispering Creek Farms, A Subdivision In Clay County, Missouri; Thence N00°40'11"E, Along The East Line Of Lot 1, Reardon Farms, A Subdivision Of Land In Clay County, Missouri, A Distance Of 560.73 Feet; Thence N85°36'55"E, A Distance Of 233.36 Feet; Thence N44°10'56"E, A Distance Of 325.08 Feet; Thence Southeasterly Along A Curve To The Left Having An Initial Tangent Bearing Of S45°49'04"E, A Radius Of 720.00 Feet, An Arc Distance Of 329.65 Feet; Thence N12°29'34"E, A Distance Of 344.78 Feet; Thence S86°01'47"E, A Distance Of 394.76 Feet; Thence Southerly Along A Curve To The Left Having An Initial Tangent Bearing Of S03°58'13"W, A Radius Of 720.00 Feet, An Arc Distance Of 41.98 Feet; Thence S00°37'48"W, A Distance Of 9.59 Feet; Thence S89°22'12"E, A Distance Of 375.11 Feet; Thence N29°31'41"E, A Distance Of 202.26 Feet; Thence S76°17'47"E, A Distance Of 486.17 Feet; Thence Southwesterly Along A Curve To The Right Having An Initial Tangent Bearing Of S12°33'04"W, A Radius Of 530.00 Feet, An Arc Distance Of 122.27 Feet; Thence S64°13'53"E, A Distance Of 447.55 Feet To A Point On The West Line Of Lot 40, Green Briar, A Subdivision Of Land In Clay County, Missouri; Thence S00°24'54"W, Along The West Line Of Said Lot 40 and The West Line Of Lot 2, Cooper Acres 2006, A Subdivision Of Land In Clay County, Missouri, A Distance Of 461.87 Feet To The Southwest Corner Of Said Lot 2; Thence N89°32'50"W, A Distance Of 1314.55 Feet To A Point On The West Line Of the Southwest Quarter Of said Section 32; Thence S00°37'48"W, Along The West Line Of The Southwest Quarter Of Said Section 32, A Distance Of 1270.59 Feet To A Point On The North Right Of Way Line Of Ne. 144th Street; Thence N89°18'01"W, Along Said Right Of way Line, A Distance Of 60.00 Feet To The Southeast Corner Of Lot 1, North Star, A Subdivision of land in Clay County, Missouri; Thence N00°37'48"E, Along The East Line Of Said Lot 1, A Distance Of 785.14 Feet To The Northeast Corner Of Said Lot 1; Thence N89°18'04"W, Along The North Line of Said Lot 1 And The North Line Of Lot 1, Meciabue Acres, A Subdivision of Land In Clay County, Missouri, A Distance Of 1109.63 Feet To A Point On The Easterly Line Of Lot 1 Of Said Whispering Creek Farms; Thence N06°09'40"W, Along The Easterly Line Of said Lot 1, A Distance Of 276.54 Feet To The Point Of Beginning as well as the adjoining public streets to the centerline thereof.

SECTION 2. The boundaries of the City of Smithville, Missouri, are hereby altered to encompass the above-described tract of land lying adjacent to and contiguous with the present corporate limits.

SECTION 3. The City Clerk of the City of Smithville, Missouri, is hereby ordered to cause three (3) certified copies of this ordinance to be filed with the Clay County Clerk.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

PASSED THIS 4th DAY OF NOVEMBER 2025.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: 10/21/2025

Second Reading 11/04/2025



Voluntary Annexation Staff Report

September 29, 2025

Annexation of Parcel Id's #06-703-00-01-015,00; 06-703-00-01-012.00 and a portion of 06-703-00-01-016.00

Application for Voluntary Annexation of Land to the City

Code Sections: State Law Section 71-012 Annexation

Property Information: Address: Approx. 3400 NE 144th Street

Owner: Whisper Creek Farms LLC

Notice Date: September 24, 2025

GENERAL DESCRIPTION:

The applicant seeks to annex 3400 NE 144th Street (approximate address) into the city for future development. This land is north and east of the recently annexed land at Mt. Olivet and 144th Street.



COMPLIANCE WITH COMPREHENSIVE PLAN

Voluntary annexation is a request by a property owner and is subject to the discretion of the City. The Comprehensive Plan currently identifies certain areas that can be considered for annexation. The subject property is immediately adjacent to the most recent annexation.

CONTIGUOUS AND COMPACT

Property meets the State law requirement of 15% of the boundary be contiguous to the City limits of Smithville.

ABILITY TO PROVIDE SERVICES

All utilities and services are available to be provided at this time, including police, parks and street maintenance. Water utilities are provided by Clay County PWSD #9, and Platte-Clay Electric provides power.

STAFF RECOMMENDATION:

Staff recommends Board listen to the Public input on the matters that will assist them in determining the reasonableness of the annexation and the necessity of the annexation to the proper development of the city, at the next Board meeting.

Respectfully Submitted,

/s/ Jack Hendrix /s/

Zoning Administrator