



Board of Aldermen Request for Action

MEETING DATE: 12/5/2023

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3020-23, Annexation 14422 North Mount Olivet Road. 1st Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 3020-23 to annex 14422 North Mount Olivet Road for first reading by title only.

SUMMARY:

Approving this ordinance would annex this property into the city limits. The property is contiguous to the City of Smithville on its' west side and is served by county water services and is slated for private septic systems once fully developed. All other city services are available to serve the property immediately.

The application to annex this land was submitted by the property owners in order to develop this 185 acre parcel into 32 large lots in an A-R zoning district.

PREVIOUS ACTION:

None.

A public hearing was advertised in the paper more than seven days in advance of the hearing (November 23) and less than 60 days have elapsed since the application was submitted (November 6) in compliance with §71.012 RSMo.

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 6th day of November 2023, 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 5th day of December 2023; and

WHEREAS, notice of said public hearing was given by publication of notice hereof on the 23rd day of November 2023 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 no written objection to the proposed annexation was 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:

A Tract Of Land In The West Fractional Half Of Section 31, Township 53 North, Range 32 West, In Clay County, Missouri, Being Described As Follows: Beginning At The Southwest Corner Of Said Section 31; Thence N00°25'54"E, Along The

West Line Of The Fractional Southwest Quarter Of Said Section 31, A Distance Of 1381.18 Feet To The Southwest Corner Of A Tract Of Land Described In Book 1704 At Page 152; Thence N87°49'16"E, Along The Southerly Line Of Said Tract, A Distance Of 370.97 Feet To The Southeasterly Corner Of Said Tract; Thence N00°26'48"E, Along The Easterly Line Of Said Tract, A Distance Of 440.24 Feet To The Northeasterly Corner Of Said Tract; Thence N83°02'20"W, Along The Northerly Line Of Said Tract, A Distance Of 373.13 Feet To A Point On The West Line Of Said Fractional Southwest Quarter; Thence N00°25'54"E, Along Said West Line, A Distance Of 770.92 Feet To The Northwest Corner Of Said Fractional Southwest Quarter, Said Point Also Being The Southwest Corner Of The Fractional Northwest Quarter Of Said Section 31; Thence N00°15'36"E, Along The West Line Of Said Fractional Northwest Quarter, A Distance Of 899.06 Feet To The Southwesterly Corner Of A Tract Of Land Described In Book 6085 At Page 14; Thence S89°34'19"E, Along The Southerly Line Of Said Tract, And Along The Southerly Line Of A Tract Of Land Described In Book 5223 At Page 180, A Distance Of 2385.78 To The East Line Of Said Fractional Northwest Quarter; Thence S00°40'41"W, Along Said Line, A Distance Of 924.90 Feet To The Southeast Corner Of Said Fractional Northwest Quarter, Said Point Also Being The Northeast Corner Of The Fractional Southwest Quarter Of Said Section 31; Thence S00°40'28"W, Along The East Line Of Said Fractional Southwest Quarter, A Distance Of 2636.02 Feet To The Southeast Corner Of Said Fractional Southwest Quarter; Thence N89°19'35"W, Along The South Line Of Said Fractional Southwest Quarter, A Distance Of 2367.73 Feet To The Point Of Beginning.

SECTION 2. The boundaries of the City of Smithville, Missouri, are hereby altered so as 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, only if no written objection is received within fourteen (14) days of the public hearing as provided by Section 71.012.

PASSED THIS 19th DAY OF DECEMBER 2023.

Damien Boley, Mayor

ATTEST

Linda Drummond
City Clerk

First Reading: 12/05/2023

Second Reading 12/19/2023



SMITHVILLE

DEVELOPMENT

Voluntary Annexation

Staff Report

November 27, 2023

Annexation of Parcel Id #06-703-00-02-004.00

Bill No. 3020-23

Application for Voluntary Annexation of Land to the City

Code Sections: State Law Section 71-012 Annexation

Property Information: Address: 14422 North Mt. Olivet

Owner: John & Ralph Yallaly

Notice Date: November 16, 2023

GENERAL DESCRIPTION:

The applicant seeks to annex 185 acres at 14422 North Mt. Olivet into the city to develop the land into 32 large A-R zoned lots.



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 contiguous to the current eastern border at Wise Rd. and 144th St., and is in an area that will not cause inefficient extensions of water or sewers.

CONTIGUOUS AND COMPACT

Property meets the State law requirement of 15% of the boundary be contiguous to current city limits.

ABILITY TO PROVIDE SERVICES

All utilities and services are available adjacent to the proposed subdivision, or will be extended at the developers sole cost and extent. No other city utilities are needed in the area.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed annexation.

Respectfully Submitted,

Zoning Administrator