P & Z Case 030-23
ACME Land Co.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-271 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the Council of the City of Joplin, Missouri, of property generally located along Missouri Highway I-249 South of Newman Rd.

WHEREAS, pursuant to Section 71.012, RSMo, 2001, as amended, a Petition requesting annexation and signed by the owners of all fee interests in record in the tract of real property described herein, was presented to the governing body of the City of Joplin, Missouri; and,

WHEREAS, pursuant to Section having referred this matter to the Planning and Zoning Commission for Public Hearing thereon and having obtained the favorable recommendation and support of said annexation; and,

WHEREAS, having held a Public Hearing concerning the proposed annexation not less than fourteen (14) nor more than sixty (60) days after the Petition is received after first having given fifteen (15) days' notice of the Hearing in the Joplin Globe; and,

WHEREAS, after said Public Hearing, the City of Joplin determines that the annexation is reasonable and necessary to the proper development of the City of Joplin, and that the City of Joplin has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and,

WHEREAS, having received no written objections to the proposed annexation within fourteen (14) days after the Public Hearing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the following described tract of land be and the same is hereby annexed into the City of Joplin, Missouri, said tract of land be described as follows, to-wit:

ALL THAT PART OF THE NORTHEAST FRACTIONAL ¼ AND THAT PART OF THE SOUTHEAST ¼ OF SECTION 4, TOWNSHIP 27 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN AND BASELINE ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, JASPER COUNTY MISSOURI DESCRIBED AS FOLLOWS:

(WEST TRACT) - COMMENCING AT AN IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE NORTH 89 DEGREES, 15 MINUTES WEST ALONG THE NORTH LINE OF SAID SECTION 2666.47 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST FRACTIONAL ¼; THENCE SOUTH 1 DEGREE, 54 MINUTES, 18 SECONDS WEST ALONG THE WEST LINE OF SAID FRACTIONAL ¼ A DISTANCE OF 30 FEET TO THE APPARENT SOUTH RIGHT-OF-

WAY LINE OF EAST NEWMAN ROAD AND THE POINT OF BEGINNING. THENCE SOUTH 89 DEGREES, 15 MINUTES, EAST ALONG SAID RIGHT-OF-WAY LINE 316 FEET TO THE MISSOURI STATE HIGHWAY ROUTE 249 RIGHT-OF-WAY; THENCE ALONG SAID HIGHWAY RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 0 DEGREES, 46 MINUTES, 16 SECONDS WEST 95.93 FEET TO A RIGHT-OF-WAY MARKER; THENCE SOUTH 89 DEGREES, 13 MINUTES, 44 SECONDS EAST 754.59 FEET; THENCE SOUTH 56 DEGREES, 25 MINUTES, 57 SECONDS EAST 121.79 FEET TO A RIGHT-OF-WAY MARKER; THENCE SOUTH 14 DEGREES, 13 MINTUES, 32 SECONDS EAST 82.04 FEET TO A RIGHT-OF-WAY MARKER; THENCE SOUTH 14 DEGREES, 13 MINUTES, 32 SECONDS EAST 803.63 FEET TO A RIGHT-OF-WAY MARKER; THENCE SOUTH 4 DEGREES, 41 MINUTES, 28 SECONDS EAST 469.82 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 8366.12 FEET, ARC LENGTH OF 1360.1 FEET, ON A CHORD BEARING OF SOUTH 2 DEGREES, 44 MINUTES, 28 SECONDS EAST A CHORD DISTANCE OF 1358.61 FEET; THENCE SOUTH 7 DEGREES, 23 MINUTES, 55 SECONDS EAST 579.22 FEET TO A RIGHT-OF-WAY MARKER; THENCE SOUTH 4 DEGREES, 20 MINUTES, 55 SECONDS WEST 611.4 FEET; THENCE SOUTH 12 DEGREES, 04 MINUTES, 35 SECONDS WEST ALONG SAID HIGHWAY RIGHT-OF-WAY 341.16 FEET TO A POINT ON THE SOUTHERN BOUNDARY OF THE “ACME LAND COMPANY TRACT” DESCRIBED IN BOOK 2642 AT PAGE 310; THENCE ALONG THE SOUTHERN BOUNDARY OF SAID TRACT OF LAND THE FOLLOWING COURSES AND DISTANCES: NORTH 87 DEGREES, 50 MINUTES, 04 SECONDS WEST 776.2 FEET; THENCE SOUTH 3 DEGREES, 04 MINUTES, 42 SECONDS WEST 117.93 FEET TO THE MISSOURI STATE HIGHWAY ACCESS RIGHT-OF-WAY; THENCE NORTH 87 DEGREES, 47 MINUTES, 06 WEST ALONG SAID RIGHT-OF-WAY 77 FEET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 2 DEGREES, 38 MINUTES, 14 WEST 102.59 FEET; THENCE NORTH 88 DEGREES, 55 MINUTES, 13 SECONDS WEST 465.53 FEET; THENCE SOUTH 1 DEGREE, 48 MINUTES, 02 SECONDS WEST 180 FEET; THENCE NORTH 88 DEGREES, 11 MINUTES, 58 SECONDS WEST 199.5 FEET; THENCE SOUTH 1 DEGREE, 48 MINUTES, 02 SECONDS WEST 250 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 7TH STREET; THENCE NORTH 88 DEGREES, 11 MINUTES, 58 SECONDS WEST 55.07 FEET ALONG SAID RIGHT-OF-WAY LINE 55.07 FEET TO THE WEST LINE OF SAID SOUTHEAST ¼ OF SECTION 4; THENCE NORTH 1 DEGREE, 42 MINUTES, 04 SECONDS EAST ALONG THE WEST LINE OF SAID ¼ A DISTANCE OF 1284.08 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SOUTHEAST ¼; THENCE SOUTH 88 DEGREES, 52 MINUTES EAST ALONG THE NORTH LINE OF SAID ¼-¼ A DISTANCE OF 669.71 FEET TO THE SOUTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SOUTHEAST ¼; THENCE NORTH 1 DEGREE, 37 MINUTES, 49 SECONDS EAST ALONG THE WEST LINE OF EAST ½ OF SAID A DISTANCE OF 1319.51 TO AN IRON PIN FOUND AT THE NORTHWEST CORNER THEREOF; THENCE SOUTH 88 DEGREES, 54 MINUTES, 54 SECONDS EAST ALONG THE NORTH LINE OF SAID ¼-¼ (THE SAME BEING THE BOUNDARY OF THE KRUTSINGER TRUST TRACT DESCRIBED IN BOOK 2519 AT PAGE 146) A DISTANCE OF 668.72 FEET TO AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼; THENCE NORTH 1 DEGREE, 49 MINUTES, 10 SECONDS EAST ALONG EAST LINE OF SAID ¼-¼ (THE SAME BEING THE BOUNDARY OF THE KRUTSINGER TRUST TRACT

DESCRIBED IN BOOK 2519 AT PAGE 146) A DISTANCE OF 360.28 TO AN IRON PIN FOUND; THENCE NORTH 88 DEGREES, 55 MINUTES, 41 SECONDS WEST (ALONG THE BOUNDARY OF THE KRUTSINGER TRUST TRACT DESCRIBED IN BOOK 2519 AT PAGE 146) 736.42 FEET TO AN IRON PIN FOUND; THENCE NORTH 1 DEGREE, 53 MINUTES, 25 SECONDS EAST (THE SAME BEING THE BOUNDARY OF THE KRUTSINGER TRUST TRACT DESCRIBED IN BOOK 2519 AT PAGE 146) 359.27 FEET TO AN IRON PIN FOUND; THENCE NORTH 88 DEGREES, 48 MINUTES, 46 SECONDS WEST (THE SAME BEING THE BOUNDARY OF THE KRUTSINGER TRUST TRACT DESCRIBED IN BOOK 2519 AT PAGE 146) 599.81 FEET TO AN IRON PIN FOUND ON THE WEST LINE OF THE NORTHEAST ¼ OF SAID SECTION 4; THENCE NORTH 1 DEGREE, 54 MINUTES, 18 SECONDS EAST ALONG THE WEST LINE OF SAID ¼ A DISTANCE OF 1795.62 FEET TO THE POINT OF BEGINNING. CONTAINING 125.5 ACRES, MORE OR LESS.

TOGETHER WITH: (EAST TRACT) - COMMENCING AT AN IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTH 1 DEGREE, 44 MINUTES, 26 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 43.93 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF EAST NEWMAN ROAD (IF EXTENDED); THENCE NORTH 89 DEGREES, 13 MINUTES, 44 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE 30 FEET TO THE WEST RIGHT-OF-WAY LINE OF PROSPERITY ROAD AND THE POINT OF BEGINNING; THENCE SOUTH 1 DEGREE, 44 MINUTES, 26 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE 2517.3 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 (SAID POINT BEING 30 FEET WEST OF AN IRON PIN FOUND AT THE EAST ¼ CORNER OF SAID SECTION 4); THENCE SOUTH 2 DEGREES, 01 MINUTE, 08 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE 1776.81 FEET; THENCE SOUTH 1 DEGREE, 14 MINUTES, 37 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE 169.5 FEET TO THE NORTH LINE OF THE “FCS FINANCIAL TRACT” DESCRIBED IN BOOK 2264 AT PAGE 269; THENCE NORTH 88 DEGREES, 18 MINUTES, 39 SECONDS WEST ALONG THE NORTH LINE OF SAID DESCRIBED TRACT 428.27 FEET TO THE EAST RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY ROUTE 249; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES: NORTH 13 DEGREES, 42 MINUTES, 05 SECONDS WEST 784.51 FEET TO A RIGHT-OF-WAY MARKER FOUND; THENCE NORTH 7 DEGREES, 23 MINUTES, 55 SECONDS WEST 579.22 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 8038.04 FEET, ARC LENGTH OF 1306.77 FEET, ON A CHORD BEARING OF NORTH 2 DEGREES, 44 MINUTES, 29 SECONDS EAST A CHORD DISTANCE OF 1305.33 FEET; THENCE NORTH 1 DEGREE, 54 MINUTES, 58 SECONDS EAST 322.46 FEET; THENCE NORTH 8 DEGREES, 18 MINUTES, 33 SECONDS EAST 539.29 FEET; THENCE NORTH 9 DEGREES, 36 MINUTES, 46 SECONDS EAST 761.95 FEET; THENCE NORTH 24 DEGREES, 14 MINUTES, 39 SECONDS EAST 193.39 FEET; THENCE NORTH 68 DEGREES, 57 MINUTES, 54 SECONDS EAST 88.34 FEET; THENCE SOUTH 89 DEGREES, 13 MINUTES, 44 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST NEWMAN ROAD 515.87 FEET TO THE POINT OF BEGINNING. CONTAINING 74 ACRES, MORE OR LESS.

*BEING SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, COVENANTS, AND RESERVATIONS OF RECORD.

*BEARINGS BASED UPON GRID NORTH, THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, WESTERN ZONE.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney