Z&P Meeting: October 10, 2016
City Council Meeting: November 7, 2016

STAFF PLANNING REPORT
Voluntary Annexation

CASE 045-16 A request to voluntarily annex approximately 1.5 acres into the City of Joplin

LOCATION 400 feet east of the intersection of 32nd Street and Schifferdecker Avenue

APPLICANT ALIF Properties

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Newton County, MO)	Undeveloped	1.5 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 3.5 acres of land approximately 400 feet east of the intersection of 32nd Street and Schifferdecker Avenue. This parcel is located directly east of Casey's and in Wildwood Ranch and will be developed into a Dollar General store pending annexation and rezoning.

Staff recommends approval of Case 045-16.

ENCLOSURES

- Map of area to be annexed

Case 045-16

BEFORE THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI

PETITION FOR VOLUNTARY ANNEXATION
PURSUANT TO 71.012, RSMO., 1994

TO WHOM IT MAY CONCERN:

Pursuant to the terms of V.A.M.S. 71.02, the undersigned, being all of the owners of fee interests of record in all tracts of real property attached hereto and incorporated herein as Exhibit "A", do hereby request the voluntary annexation of said land to the City of Joplin, Missouri.

ALIF Properties LLC

, Managing Partner

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 8th day of September 2016, before me appeared Stephen Wade, to me known to be the managing partner of ALIF Properties, and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was singed and sealed on behalf of said corporation by authority of its Board of Directors of the consideration stated therein and no other, and said Stephen Wade acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

My commission expires: June 9, 2019.

DEBORAH I. IRWIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: June 09, 2019
Commission Number: 15517171

Notary Public

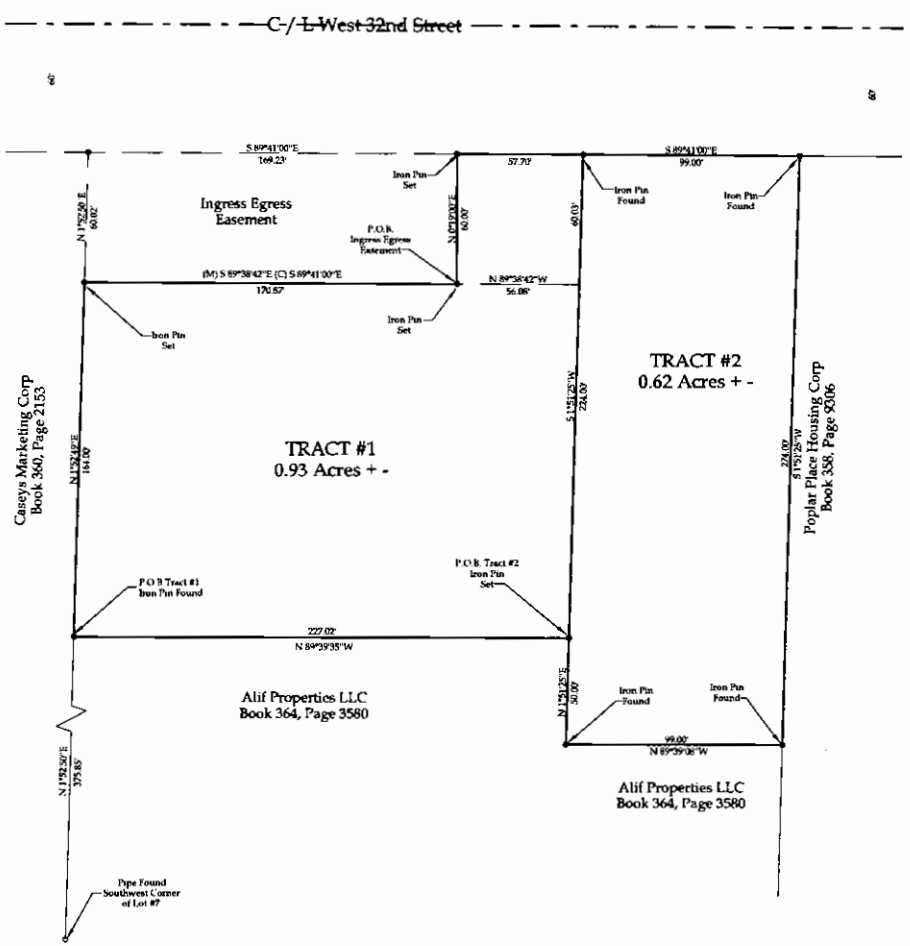


Case 045-16: 400 feet east of the intersection of 32nd Street and Schifferdecker Avenue – A request for the voluntary annexation into the corporate limits of the City of Joplin – ALIF Properties.

N

SCALE: ONE INCH EQUALS 40 FEET.
0 20 40 60 80

BASIS OF BEARINGS: The West line of Lot #7 taken as North 01 Degrees, 52 Minutes, 50 Seconds East.
CLASS OF PROPERTY:(c) Urban.
SOURCE DEED: Alif Properties LLC Book 364, Page 3580



Tract #1
A tract of land being a part of Lot Numbered Seven (7) in Pile and Perry Subdivision, Newton County, Missouri, Beginning at the Southwest Corner of Lot Number Seven (7) in said Subdivision, Thence North 01 Degrees, 52 Minutes, 50 Seconds East along the West line of said Lot Number Seven (7) 375.85 feet to the Point of Beginning, said point begin the Southeast Corner of a tract of land described in Book 360, at Page 2153, Thence continuing along said West line of said Lot North 01 Degrees, 52 Minutes, 50 Seconds East along the East line of said tract 164.00 feet, Thence South 89 Degrees, 41 Minutes, 00 Seconds East 170.87 feet, Thence North 00 Degrees, 19 Minutes, 00 Seconds East 60.00 feet to the South Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East along said Right-of-way 57.70 feet, Thence South 01 Degrees, 51 Minutes, 25 Seconds West 224.00 feet, Thence North 89 Degrees, 39 Minutes, 35 Seconds West 227.02 feet to the Point of Begining, Being subject to all easements, right-of-ways, and reservations of record, Containing 0.93 Acres more or less,

Together with a Ingress Egress & Utility Easement described as follows:
A fractional part of Lot Seven (7), of Pile Perry Subdivision, in Newton County, Missouri, being more particularly described as, Commencing at the Southwest Corner of Lot Seven (7) of said Pile and Perry Subdivision, Thence North 01 Degrees, 52 Minutes, 10 Seconds East 593.83 feet along the West line of said Lot Seven (7), to the true point of beginning of the hereinafter described easement, Thence continuing North 01 Degrees, 52 Minutes, 10 Seconds East 60.02 feet along the West line to the Southerly Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East 169.23 feet along said Southerly Right-of-way, Thence South 00 Degrees, 19 Minutes 00 Seconds West 60.00 feet, Thence North 89 Degrees, 41 Minutes, 00 Seconds West 170.87 feet to the true point of beginning,

Being subject to and together with a Ingress Egress & Utility Easement described as follows:
Commencing at the Southwest corner of Lot Numbered Seven (7) in Pile and Perry Subdivision, Newton County, Missouri, Thence North 01 Degrees, 52 Minutes, 50 Seconds East along the West line of said Lot Number Seven (7) 539.85 feet, Thence South 89 Degrees, 41 Minutes, 00 Seconds East 170.87 feet to the Point of Beginning, Thence North 00 Degrees, 19 Minutes, 00 Seconds East 60.00 feet to the South Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East along said Right-of-way 57.70 feet, Thence South 01 Degrees, 51 Minutes, 25 Seconds West 60.03 feet, Thence North 89 Degrees, 41 Minutes, 00 Seconds West 56.08 feet to the Point of Begining.

Tract #2
A tract of land being a part of Lot Numbered Seven (7) in Pile and Perry Subdivision, Newton County, Missouri, Beginning at the Southwest Corner of Lot Number Seven (7) in said Subdivision, Thence North 01 Degrees, 52 Minutes, 50 Seconds East along the West line of said Lot Seven (7) 375.85 feet said point begin the Southeast Corner of a tract of land described in Book 360, at Page 2153, Thence South 89 Degrees, 39 Minutes, 35 Seconds East 227.02 feet to the Point of Beginning, Thence North 01 Degrees, 51 Minutes, 25 Seconds East 224.00 feet to the South Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East along said Right-of-way 99.00 feet to the East line of said Lot Seven (7), Thence South 01 Degrees, 51 Minutes, 25 Seconds West along said East line of Lot Number Seven (7), 274.00 feet, Thence North 89 Degrees, 39 Minutes, 35 Seconds West 99.00 feet, Thence North 01 Degree, 51 Minutes, 25 Seconds East 50.00 feet to the Point of Beginning, Being subject to all easements, right-of-ways, and reservations of record, Containing 0.62 Acres more or less,

Together with an Ingress Egress Easement Described as follows:
A fractional part of Lot Seven (7), of Pile Perry Subdivision, in Newton County, Missouri, being more particularly described as, Commencing at the Southwest Corner of Lot Seven (7) of said Pile and Perry Subdivision, Thence North 01 Degrees, 52 Minutes, 10 Seconds East 593.83 feet along the West line of said Lot Seven (7), to the true point of beginning of the hereinafter described easement, Thence continuing North 01 Degrees, 52 Minutes, 10 Seconds East 60.02 feet along the West line to the Southerly Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East 169.23 feet along said Southerly Right-of-way, Thence South 00 Degrees, 19 Minutes 00 Seconds West 68.00 feet, Thence North 89 Degrees, 41 Minutes, 00 Seconds West 170.87 feet to the true point of beginning.

Together with a Ingress Egress & Utility Easement described as follows:
Commencing at the Southwest corner of Lot Numbered Seven (7) in Pile and Perry Subdivision, Newton County, Missouri, Thence North 01 Degrees, 52 Minutes, 50 Seconds East along the West line of said Lot Number Seven (7) 539.85 feet, Thence South 89 Degrees, 41 Minutes, 00 Seconds East 170.87 feet to the Point of Beginning, Thence North 00 Degrees, 19 Minutes, 00 Seconds East 60.00 feet to the South Right-of-way of 32nd Street, Thence South 89 Degrees, 41 Minutes, 00 Seconds East along said Right-of-way 57.70 feet, Thence South 01 Degrees, 51 Minutes, 25 Seconds West 60.03 feet, Thence North 89 Degrees, 41 Minutes, 00 Seconds West 56.08 feet to the Point of Begining.

SURVEYOR'S CERTIFICATE

I, RODNEY C. NEECE, A REGISTERED LAND SURVEYOR OF JOPLIN, JASPER COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE FIELD NOTES AND THE ATTACHED PLAT ARE A TRUE AND ACCURATE DESCRIPTION OF THE WORK PERFORMED AND MEASUREMENTS TAKEN. SURVEY WAS MADE IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF WEIGHTS & MEASURES AND LAND SURVEY, AND IS NOT A WARRANTY OF TITLE EITHER EXPRESSED OR IMPLIED. THIS DECLARATION IS MADE TO THE ORIGINAL OWNER AND/OR PURCHASER OF THE SURVEY AS OF THE DATE INDICATED IN THE TITLE BLOCK. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS AND MAY NOT BE USED IN CONNECTION WITH A "SURVEY AFFIDAVIT" OR SIMILAR DOCUMENT, STATEMENT, OR MECHANISM TO OBTAIN TITLE INSURANCE FOR ANY SUBSEQUENT OR FUTURE GRANTEES. FURTHERMORE, THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND EMBOSSED SEAL.

RODNEY C. NEECE, MO.L.S. #2691

CERTIFICATE OF RECORDING

This document, number _____ filed for record on _____, 20__, at _____ o'clock _M recorded _____ 20__, in Book _____, Page _____.

For Bill of Assurance, see Deed Record Book _____ Page _____."

RECORDER OF DEEDS

SURVEY FOR:
Steve Wade
PROPERTY ADDRESS: West 32nd Street Joplin, Missouri

SECTION - 21	TOWNSHIP - 27	RANGE - 33
SCALE: 1 = 40'.00"		DATE: 8-8-16

FILE NAME:DOLRGNL

STEWART & NEECE LAND SURVEYING COMPANY INC.
1201 EAST 19TH STREET, JOPLIN, MISSOURI 64804
PHONE: 417-624-0311 FAX: 417-624-0365
SERVING SOUTHWEST MISSOURI SINCE THE YEAR 1922.
LAND SURVEYS, LOT SURVEYS, SUBDIVISIONS, MINE DATA, BLUEPRINTS
CERT OF AUTHORITY LSC-2004000198

Case 045-16: 400 feet east of the intersection of 32nd Street and Schifferdecker Avenue – A request for the voluntary annexation into the corporate limits of the City of Joplin – ALIF Properties.

Mr. Smith opened the public hearing for Case 045-16.

Ms. Cunningham stated the description that was advertised and the map that was included in the agenda packet were incorrect. Only Tract 1 is to be annexed, with Tract 2 being excluded. The two tracts were described differently, and she included both tracts in the legal notice in error. Tract Number 2 contains the car wash east of Casey's General Store, with Tract 1 being the property between the car wash and Casey's. The new map reflects the change.

Mr. Smith asked if this is due to an easement, and Ms. Cunningham replied Tract 2 is a separate property that will not be annexed into Joplin.

Mr. Steve Wade, 1909 East 12th, Galena, Kansas, stated Dollar General has contracted to purchase the piece of property known as Tract 1. They would like to annex that property into Joplin and rezone it for construction of a new store.

Mr. Smith asked if Dollar General has the easement for the roadway that goes in front, and Ms. Cunningham replied it is described as the ingress and egress easement.

Mr. Smith asked if this area is in Tract 2, and Mr. Wade replied Tract 1 is for Dollar General. They will have ingress and egress easements. It makes sense to keep everything uniform by having easements all the way to the street.

Ms. Cunningham stated the commissioners need to amend Case 045-16 to exclude Tract 2 of the legal description.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 045-16.

MR. DUNCAN MOVED, SECONDED BY MR. CORTEZ, THAT CASE 045-16 BE AMENDED TO REFLECT ONLY TRACT 1 BEING ANNEXED INTO THE CITY OF JOPLIN, WITH RECOMMENDATION FOR APPROVAL BEING FORWARDED TO THE CITY COUNCIL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, AND MR. SMITH VOTING "AYE"; AND WITH MR. RAMSOUR BEING ABSENT (6 IN FAVOR, 1 ABSENT).