

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF ST. MARY, MISSOURI EXISTING CORPORATE LIMITS OF THE CITY OF ST. MARY CERTAIN REAL PROPERTY BEING MISSOURI HIGHWAY RIGHT-OF-WAY, PROPERTY OWNED BY LLOYD GLEN AND ROSE MARY BREWSTER AND PROPERTY OWNED BY THE ST. MARY CHAMBER OF COMMERCE.

WHEREAS, verified petitions requesting annexation and signed by the owners of all fee interest of record in the areas proposed to be annexed have been presented to the Board of Aldermen of the City of St. Mary; and

WHEREAS, said areas proposed be be annexed is not now a part of any incorporated municipality; and

WHEREAS, said areas proposed to be annexed are contiguous to the existing City limits of the City of St. Mary, Missouri; and

WHEREAS, this Board has held a public hearing concerning the matter not less than fourteen (14) nor more than sixty (60) days after the date the petitions were filed, said date being February 3, 1994; and

WHEREAS, said hearing has been held not less than fourteen (14) days after notice of the hearing was published in the Ste. Genevieve Herald, a newspaper qualified to publish legal matters; and

WHEREAS, the Board of Aldermen of the City of St. Mary have determined that the annexation is reasonable and necessary to the proper development of the City of St. Mry, and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and

WHEREAS, no written objection to the proposed annexation was filed with the governing body of the City of St. Mary within fourteen (14) days after the public hearing held on February 17, 1994, it is hereby resolved that the city limits of the City of St. Mary shall be extended to include the following described real property located in Ste. Genevieve County, Missouri, to wit:

TRACT 1.

All of that area located in Ste. Genevieve County South of the City of St. Mary more particularly described as follows: All of the Missouri Highway Right-of-Way of State Route "H", also known as Route "SH" from STA 0+00 running in a Southeasterly direction to the County line between Ste. Genevieve and Perry Counties being STA 10+17.6. Also all of the Missouri Right-of-Way of Highway No. 61, formerly known as Route 25, from STA 1650+00.00, which is a point on the present city limits of the City of St. Mary running in a Southwesterly direction to STA 1689+42.0.

TRACT 2.

Beginning at the most Southwest corner of a 2.50 acre parcel as is described in Book P on Page 128 of the Ste. Genevieve County Missouri land records and running thence South 25 deg. West 339.45 feet to a corner in the West Right-of-Way line of present State Route H, Thence, with the West Right-of-Way line of said State Route H. North 35 deg.-29 min. West, 530.10 feet to the place of beginning of parcel hereby conveyed. Continuing thence, with the West line of State Route H, North 35 deg.-29 min. West 135 feet to a corner in the South Right-Of-Way line of State Highway Route No.61. Thence, with the South Right-of-Way line of Route No. 61, South 45 deg.-54 min. West 200 feet to a corner. Thence South 35 deg.-29 min. East 135 feet to a corner. Thence North 45 deg-54 min. East 200 feet to the place of beginning, containing .62 acre. Subject to Surface Rights only as well as all easements and restrictions of record or in effect.

TRACT 3.

All of that parcel of land situated, lying and being in the County of Ste. Genevieve, State of Missouri, and being part of U.S. Survey No. 1862, described as follows, to wit: Beginning at the N.W. Corner of a two (2) acre tract of land of Perry Thompson at a sand stone from which is a White Oak 3 feet in diameter bears s.10° West 57 links and a Box Elder 30 inches in diameter bears North 70° West 24 links distant; thence North 66° West 4.5 chains to a corner in Branch, thence up said Branch S. 56° West 10 chains to a corner, thence South 43° West 38.00 chains to a sand stone for a corner, from which a White Oak 10 inches in diameter bears south 60° West, 26 links distant; thence South 72° East 21.28 chains to a corner from which a White Oak 12 inches in diameter bears South 4° East 19 links and a White Oak 8 inches in diameter bears North 44° West 28 links distant; thence North 43° East 16.41 chains to a corner; thence North 25° East 20.39 chains to a corner; thence North 76° West 1.39 chains to a corner in Branch; thence down said Branch North 15° East 2.06 chains; thence North 5 chains to the beginning corner, containing 60 acres more or less.

Being the same real estate conveyed to Robert Grither by Jules Rozier and Emily L. Rozier by Warranty Deed dated January 28, 1907, and recorded in Book 68 Page 276 of Ste. Genevieve County, Missouri, land records.

Also, all that prt of U.S. Survey No. 1862, described as follows: to-wit: Begin at a stone set to mark the southeast corner of the Gilbert tract now owned by Charles R. Bartels, said stone being also the Northeast corner of the Breig tract; thence North 43° East 7.79 chains to a stone set to mark the Southwest corner of a 75.98 acre, more or less, tract formerly owned by William Grither; thence continuing North 43° East 10.30 chains to a point in the center of State Highway 25 (now U.S. Highway 61) as now located; thence along the centerline of said Highway as follows: South 64-½° West 9.00 chains; South 51° West 4.29 chains; South 36° West 5.10 chains to the property line between Breig and Bartels; thence South 47° East with said property line 236 feet to the place of beginning containing 4 acres more or less, exclusive of that part embraced in the right-of-way of Highway 25 (now Highway No. 61).

Less and Except 1.10 acres conveyed to Citizens Electric Corporation recorded in Book 148, Page 431 of the Ste. Genevieve County Land Records.

Less and Except a tract of 1.16 acres conveyed to Irvin J. and Sue Ann Otte, husband and wife, recorded in Book 318, Page 227 and in Book 318, Page 229 of the Ste. Genevieve County Land Records.

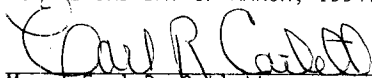
Subject to all easements and restrictions of record or in effect.

BE IT FURTHER RESOLVED, that the Clerk of the City of St. Mary be ordered to cause three (3) certified copies of this ordinance to be filed with the Clerk of Ste. Genevieve County on the first business day after the enactment of this ordinance.

SECTION 1. All ordinances or parts of ordinances in conflict with this ordinance shall be, and the same are hereby repealed insofar as they may so conflict.

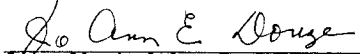
SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval.

READ THREE TIMES AND PASSED ON THIS THE 3RD DAY OF MARCH, 1994.



 Mayor Earl R. Calet

ATTEST:



 City Clerk JoAnn E. Donze

RESOLUTION CONCERNING ANNEXATION OF PROPERTY

BE IT RESOLVED by the Board of Aldermen of the City of St. Mary, Missouri, as follows:

SECTION 1. That there has been presented, on this date, to the Board of Aldermen of the City of St. Mary, verified petitions signed by the owners of all fee interests of record in all tracts of real property located within the area described in the petitions, which area is proposed to be annexed to the City of St. Mary, and which petition requests annexation of such area into the city limits of the City of St. Mary, Missouri; a copy of which petitions are attached hereto and made a part hereof.


SECTION 2. That no part of the said real property is included in any incorporated municipality.

SECTION 3. That the said real property is contiguous to the existing corporate limits of the City of St. Mary, Missouri.


SECTION 4. That, in accordance with Section 71.012, RSMo., a public hearing shall be held concerning the matter, and this public hearing shall be held on the 17th day of February, 1994 at 7:00 P.M. at the City Hall in St. Mary, Missouri.

SECTION 5. The City Clerk is authorized and directed to cause a notice of such hearing to be published at least seven (7) days prior to the date of the hearing in a newspaper of general circulation in Ste. Genevieve County, Missouri, which is qualified to public legal matters.

PASSED by the Board of Aldermen and approved by the Mayor this the 8th day of February, 1994.

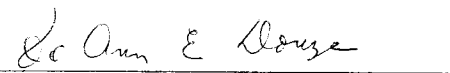

MAYOR EARL R. CATLETT

ATTEST:


CITY CLERK JOANN E. DONZE

<u>ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Francis Bader	X			
Henry Coffman	X			
Robert Schultz	X			
Stephen Schwent	X			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a regular meeting hereof assembled on this the 8th day of February, 1994.


CITY CLERK JOANN E. DONZE