

Bates City Public Notice

NOTICE OF PUBLIC HEARING

Notice is hereby given to all residents of the City of Bates City, Missouri, and all other interested persons, corporations or political subdivisions that the Board of Aldermen of the City of Bates City, Missouri, will on March 29, 2019, at 7:00 p.m., conduct a public hearing to discuss the sewer connection charges.

**Published in the Higginsville Advance on Wednesday, February 27th, 2019.*

NOTICE OF SPECIAL BOARD MEETING

Posted March 27th, 2019 4:30 P.M.

Notice is hereby given that the Board of Aldermen will conduct a meeting at **7:00 P.M.** on Tuesday **March 29, 2019** at Bates City, City Hall. Attendees are welcome.

Special Board Meeting:

Pledge of Allegiance:

Call to Order

Roll Call

Old Business:

None

New Business:

Bill No. 2019-03: AN ORDINANCE OF THE CITY OF BATES CITY, MISSOURI AMENDING SECTION 705.040 OF THE MUNICIPAL CODE: BUILDING SEWERS AND CONNECTIONS

Bill No. 2019-01: AN ORDINANCE ANNEXING PROPERTY OF STEVEN R AND LISA BAILEY TRUST INTO THE CITY LIMITS OF BATES CITY, MISSOURI

Any and all matters which fall within the jurisdiction of the Council.

Next Board of Alderman Meeting: April 9, 2019 at 7:00 pm.

Adjournment: If you require any special accommodations for attendance of this meeting, please notify City Hall at (816) 690-3818 prior to the scheduled commencement.

AN ORDINANCE THE CITY OF BATES CITY, MISSOURI AMENDING SECTION 705.040 OF THE MUNICIPAL CODE TO BUILDING SEWERS AND CONNECTIONS

WHEREAS, the City of Bates City, Missouri has constructed a sewer system; and

WHEREAS, the City has set a permit and connection fee for sewer development charges; and

WHEREAS, amendments to said ordinances is in the best interest of the economic commerce of the inhabitants of the City.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BATES CITY, MISSOURI, AS FOLLOWS, TO-WIT:

That the Code of Bates City, Missouri **Section 705.040 B: BUILDING AND CONNECTIONS** which previously read;

B. There shall be two (2) classes of building sewer permits:

1. For residential and commercial service, and
- 2 For service to establishments producing industrial wastes.

In either case the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of three thousand dollars (\$3,000.00) for a residential or commercial building sewer permit and three thousand dollars (\$3,000.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed.

Is hereby amended and shall read as follows:

B. There shall be two (2) classes of building sewer permits:

1. For residential and commercial service, and
- 2 For service to establishments producing industrial wastes.

In either case the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of three thousand dollars (\$1,500.00) for a residential or commercial building sewer permit and three thousand dollars

(\$1,500.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed.

THIS ORDINANCE SHALL BE IN FULL FORCE FROM AND AFTER ITS
PASSAGE AND APPROVAL.

READ TWICE and approved by the Board of Aldermen of the City of Bates City, State of Missouri on the ___ day of _____, 20__.

Don White
Mayor of the City of Bates City, Missouri

ATTEST:

Andrea Whitehead, City Clerk

AN ORDINANCE ANNEXING PROPERTY OF STEVEN R & LISA BAILEY TRUST INTO
THE CITY LIMITS OF BATES CITY, MISSOURI

WHEREAS, on March 14, 2019, a verified petition signed by all the owners of the real estate hereinafter described requesting annexation of said territory into the City of Bates City, Missouri, was filed with the city clerk; and

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

WHEREAS, no public hearing concerning said matter was required under the abbreviated voluntary annexation procedure in accordance with RSMo 71.014; and

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

WHEREAS, such property will be zoned C, commercial; and

THEREFORE, be it ordained by the Board of Aldermen of the City of Bates City, Missouri as follows:

SECTION I: Pursuant to the provision of Section 71.014 RSMo, the following described real estate is hereby annexed into the City of Bates City, Missouri, to wit:

TRACT 1

THE WEST FIFTY-ONE (51) ACRES OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION THIRTY-ONE (31), TOWNSHIP FORTY-NINE (49) NORTH OF THE BASE LINE, RANGE TWENTY-EIGHT (28) WEST OF THE FIFTH PRINCIPAL EXCEPT THAT PART IN ROADS, IN LAFAYETTE COUNTY, MISSOURI

ALSO, THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP FORTY-NINE (49) NORTH OF THE BASE LINE, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT THAT PART IN ROADS, IN LAFAYETTE COUNTY, MISSOURI

TRACT 2

THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER, ALL IN SECTION THIRTY-SIX (36), TOWNSHIP FORTY-NINE (49) NORTH OF THE BASE LINE, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN LAFAYETTE COUNTY, MISSOURI

EXCEPTING THE NORTH 435' OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER, ALL IN SECTION THIRTY-SIX (36) TOWNSHIP FORTY-NINE (49) NORTH OF THE BASE LINE, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN LAFAYETTE COUNTY, MISSOURI.

SECTION II: The boundaries of the City of Bates City, Missouri, hereby are altered so as to encompass the above described tracts of land lying adjacent and contiguous to the present corporate limits.

SECTION III: The City Clerk of the City of Bates City, Missouri, hereby is ordered to cause three certified copies of this Ordinance to be filed with the Lafayette County Clerk.

SECTION IV: This ordinance shall be in full force and effect from and after its passage by the Board of

Aldermen and approval by the Mayor.

Read twice and passed this 29th day of March, 2019.

Don White, Mayor
City of Bates City, Missouri

ATTEST:

Andrea Whitehead, City Clerk

CERTIFICATION

I, the undersigned Clerk of the City of Bates City, Missouri, hereby certify that the above and forgoing Ordinance is a true and correct copy of the General Ordinance adopted by the City Council of the City of Bates City, Missouri as the same appears of record in my office and that the same has not been amended or repealed as of this 29 day of March, 2019

Andrea Whitehead, City Clerk

VOLUNTARY ANNEXATION

GUIDE TO ANNEXING PROPERTY INTO THE CITY

Background

Annexation is the process of adding additional territory to an existing city. When previously unincorporated land is annexed into the City of Bates City, the city extends its municipal services, regulations, voting privileges, and taxing authority to the annexed property. A voluntary annexation occurs when a property owner initiates the annexation procedure by asking the City to redraw their boundaries to include the land owner's property.

There are two procedures for voluntary annexation: a full procedure and an abbreviated procedure. These procedures are controlled by both State and local laws. Applicants must make the selection of which voluntary annexation procedure they wish to follow at the time they file an application. Plan, annexation of new land should following planning goals:

Process

Both the full and abbreviated procedures require the applicant to send a signed and notarized petition for annexation to the City Council. The City of Bates City has an application form available for applicants that includes this petition. The petition must show that the land to be annexed is contiguous and compact to the existing City Limits. There is no fee to process an application for annexation.

Full Procedure: RSMo 71.012

The full voluntary annexation procedure requires a public hearing and City Council determination that the annexation proposal meets the criteria established in Missouri State Statute RSMo 71.012. These criteria include that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to provide normal municipal services to the area within a reasonable time. After these findings have been made the City Council can vote to approve the annexation. The Council meeting and public hearing will be held within 60 days of the date the application was filed.

Under the full procedure, a voluntary annexation can be challenged when at least five percent of the City of Bates City's registered voters or two qualified voters in the area to be annexed file a written protest with the City within 14 days after the public hearing. If such an objection is submitted, then involuntary annexation procedures (RSMo 71.015) must be followed.

Abbreviated Procedure: RSMo 71.014

The alternative abbreviated voluntary annexation procedure (RSMo 71.014) eliminates the requirement for a public hearing before the City Council and does not allow for written objections to change the annexation petition into involuntary proceedings. Also, the only finding the City Council needs to make is that the land to be annexed is contiguous and compact to the existing City Limits. The Council meeting will be held within 30 days of the date the application was filed.

After a voluntary annexation application is filed and City Council dates are set, an annexation agreement is prepared by City staff. The agreement, which primarily addresses the provision of public services, must be signed prior to appearing before the City Council. A bill, which requires two readings by the City Council, must be passed for the annexation to be final. After final approval, the bill and annexation agreement must be taken to Lafayette County to be recorded.

City of Bates City, Missouri

203 N 2nd Street
Bates City, MO 64011

Phone: 816-690-3818
Fax: 816-690-6586

VOLUNTARY ANNEXATION APPLICATION

CASE TITLE: _____

For Office Use Only	Case Number: _____	Staff Planner: _____	Filing Fee: _____
	CC 1st Date: _____	CC 2nd Date: _____	

REQUESTED ACTION

An application is hereby made requesting voluntary annexation under Missouri State Statute:
500 RSMo 71.012
500 RSMo 71.014 (Abbreviated Voluntary Annexation Procedure)

APPLICANT/OWNER INFORMATION

Applicant Name: Steven R Bailey & LISA Bailey Trust Company: _____
Street Address: 8807 N 131 Hwy City: Adessa State: MO Zip: 64016
Telephone: _____ **Fax:** _____ **E-Mail:** LBAILEY @ KAT EXCAVATION.COM
Property Owner Name (if different than applicant): _____
Street Address: _____ **City:** _____ **State:** _____ **Zip:** _____
Telephone: _____ **Fax:** _____ **E-Mail:** _____
Firm Preparing the Survey: _____ **Contact:** _____
Street Address: _____ **City:** _____ **State:** _____ **Zip:** _____
Telephone: _____ **Fax:** _____ **E-Mail:** _____

*All correspondence on this application should be sent to (check one): Applicant Property Owner Firm

PROJECT INFORMATION

General location or address of the property: Intersection of D Hwy & I-70
Land Area in Acres and/or Square Feet: 223 acres Trac 1 & 2
Legal description: *Please attach*
Present Use and Condition of Property: Agriculture

ADDITIONAL INFORMATION

Please note any additional information that may assist staff in reviewing this request:

APPLICANTS' DECLARATION

My application consists of the following items and information necessary for a complete application:

- Completed application form
- Signed and notarized petition for annexation
- One large and one reduced (8.5"x11") copy of the legal survey drawing of the property
- Legal description and a digital copy of legal description in Word Document format

The following declarations are hereby made:

- The undersigned is the owner or authorized agent of the owner or the officers of a corporation or partnership.
- The submitted plan, if any, contains all of the necessary information required by the Unified Development Code. I will provide any and all omitted information and understand omissions can delay the development process a minimum of thirty (30) days.
- The information presented and contained within this application is true and correct to the best of the undersigner(s) knowledge.

SIGNATURE OF OWNER(S) AND APPLICANT(S)

Printed Name: Steven R. Bailey Trustee

Signature: *Steven R. Bailey Trustee*

Date: 3-14-19

Printed Name: Lisa Bailey Trustee

Signature: *Lisa Bailey Trustee*

Date: 3-14-19

Printed Name: _____

Signature: _____

Date: _____

Printed Name: _____

Signature: _____

Date: _____

PETITION REQUESTING ANNEXATION TO THE CITY OF BATES CITY

We the undersigned; hereinafter referred to as Petitioner, for our petition to the City Council of the City of Bates City state and allege as follows:

- 1. That we are over 21 years of age and the owners of all fee interests of record in the real estate in Lafayette County, Missouri, described in the attached legal description Exhibit A.
2. That said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Bates City, MO.

In witness whereof, I legal owner of said property do hereunto set my hand and seal this 14th day of March, 2019

Signature of Steven R Bailey

Printed Name: Steven R Bailey

STATE OF MISSOURI)
COUNTY OF)

Notary Seal: SHELLY LONG, Notary Public - Notary Seal, STATE OF MISSOURI, Jackson County, My Commission Expires: 5/28/2021, Commission # 13802789

On this 14 day of March, 19 before me personally appeared Steven R Bailey, to be known to the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have set my official seal at my office in Bates City MO the day and year first above written.

/s/ Shelly Long, NOTARY PUBLIC, My commission expires: May 28 2021

In witness whereof, I legal owner of said property do hereunto set my hand and seal this ___ day of ___

Signature of Lisa Bailey

Printed Name: Lisa Bailey

STATE OF MISSOURI)
COUNTY OF)

Notary Seal: SHELLY LONG, Notary Public - Notary Seal, STATE OF MISSOURI, Jackson County, My Commission Expires: 5/28/2021, Commission # 13802789

On this 14 day of March, 19 before me personally appeared Lisa Bailey, to be known to the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have set my official seal at my office in Bates City Mo the day and year first above written.

/s/ Shelly Long, NOTARY PUBLIC, My commission expires: May 28 2021

Steve & Lisa Bailey
8807 N. 131 Hwy
Odessa Mo 64076



2010DR1431

REC: 04/21/2010 02:10:24PM PGS: 3

RECORDING FEE: \$30.00

Patsy Olvera

RECORDERS CERTIFICATION
PATSY OLVERA, RECORDER OF DEEDS
LAFAYETTE COUNTY, STATE OF MISSOURI



FORM R2D-2 (Rev. 11/01) © 2001

APPROVED BY LEGAL COUNSEL

DEMAREE LEGAL SUPPLY, Kansas City

Missouri Warranty Deed

This Indenture, Made on the 20 day of April A.D., 2010
by and between

STEVEN R. BAILEY and LISA A. BAILEY, Husband and Wife

of the County of Lafayette, State of Missouri parties of the first part, and
Steven R. Bailey and Lisa A. Bailey, Trustees of the Steven R. Bailey Trust under Trust
Agreement dated September 28, 1999, as to an undivided 1/2 interest, and Lisa A. Bailey
and Steven R. Bailey, Trustees of the Lisa A. Bailey Trust under Trust Agreement dated
September 28, 1999, as to an undivided 1/2 interest, or to their successor in trust
of the County of Lafayette, State of Missouri party of the second part

(Mailing address of said first named grantee is 8807 N. 131 Highway, Odessa, MO 64076).

WITNESSETH: THAT THE SAID PARTIES OF THE FIRST PART, in consideration of the
sum of TEN DOLLARS & OTHER VALUABLE CONSIDERATION----- DOLLARS,
to them paid by said party of the second part (receipt of which is hereby acknowledged); do by
these presents, Grant, Bargain and Sell, Convey and Confirm unto the said party of the second
part its heirs and assigns, the following described lots, tracts and parcels of land
lying, being and situate in the County of Lafayette and State of Missouri, to-wit:

See Attachment A

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said party of the second part and unto its heirs and assigns forever; the said parties of the first part hereby covenanting that they lawfully seized of an indefeasible estate in fee of the premises herein conveyed: that they have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said party of the second part and unto its heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year above written.

Steven R. Bailey (SEAL)

Lisa A. Bailey (SEAL)

_____ (SEAL)

_____ (SEAL)

MISSOURI ACKNOWLEDGEMENT - UNMARRIED PERSON

STATE OF _____)
) ss.
COUNTY OF _____) On this _____ day of _____,
before me, _____, a Notary Public, personally appeared _____
to me known to be the person described in and who executed the foregoing instrument, and acknowledged that _____
executed the same as _____ free act and deed. And the said _____
further declare _____ to be single and unmarried.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in _____ the day and year last above written.

Notary Public in and for said County and State

My term expires _____.

MISSOURI ACKNOWLEDGEMENT - HUSBAND AND WIFE

STATE OF Mo)
) ss.
COUNTY OF Lafayette) On this 20 day of April, 2010
before me, Shelly Long, a Notary Public, personally appeared Steven R. Bailey
and Lisa A. Bailey his wife, to me known to be the persons described in and who executed the
foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Bates City the day and year last above written.

Shelly Long
Notary Public in and for said County and State

My term expires _____.

SHELLY LONG
Notary Public-State of Missouri
Commission #09802789

STATE OF _____)
) ss.
COUNTY OF _____)

IN THE RECORDS OFFICE
Commissioned in Jackson County
My Commission Expires May 29, 2013

I, _____, Recorder of said County, do hereby certify that the within instrument of writing was, at _____ o'clock and _____ minutes _____ M., on the _____ day of _____ A.D., _____, duly filed for record in my office, and is recorded in the records of this office, in book _____, at page, _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____ this _____ day of _____ A.D., _____.

REDORDER

ATTACHMENT A

Tract I

The West fifty-one (51) acres of the South half of the Northwest Quarter of Section thirty-one (31), Township forty-nine (49) North of the Base Line, Range twenty-eight (28) West of the Fifth Principal Except that part in roads, in Lafayette County, Missouri.

Also, The East half the Northeast Quarter of Section thirty-six (36), Township forty-nine (49) North of the Base Line, Range twenty-nine (29) West of the Fifth Principal Meridian, except that part in roads, in Lafayette County, Missouri.

Subject to easements, restrictions reservations of record, if any

Tract II

The West half of the Northeast Quarter and the East half of the Northwest Quarter, all in Section Thirty-six (36), Township forty-nine (49) North of the Base Line, Range twenty-nine (29) West of the Fifth Principal Meridian, in Lafayette County, Missouri.

Excepting the North 435' of the West half of the Northeast Quarter and the East half of the Northwest Quarter, all in Section thirty-six (36) Township forty-nine (49) North of the Base Line, Range twenty-nine (29) West of the Fifth Principal Meridian, in Lafayette County, Missouri. Said tract heretofore conveyed to Marshall E. Turner & wife by Warranty Deed in Book 873 at Page 822.

Subject to, restrictions, reservations, covenants and easements of record, if any