

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF A CERTAIN TRACT OF LAND TO THE CITY OF PORTAGE DES SIOUX, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.014 REVISED MISSOURI STATUTES OWNED BY VENETIAN HARBOR, INCORPORATED, A MISSOURI CORPORATION.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PORTAGE DES SIOUX, MISSOURI, AS FOLLOWS:

Section 1: That Missouri cities located within a county which borders a first class county with a charter form of government with population in excess of nine hundred thousand, Portage Des Sioux being such, have the authority under Section 71.014 R.S.Mo. 1978, to annex unincorporated areas which are contiguous to the existing corporate limits upon verified petition requesting such annexation signed by the owners of all fee interest of record.

Section 2: That a verified petition for annexation has been filed with the City of Portage Des Sioux by the fee owners of the following described tract:

A Parcel of Land, lying, being and situate in the County of St. Charles and State of Missouri, as evidenced by a General Warranty Deed properly recorded in Book 500, Page 934, to wit: Part of U.S. Surveys 136, 172, 171, 169, 156 and 157, Township 48 North, Range 6 East, more particularly described as follows, to wit: Beginning at an old iron pipe marking the Southwest corner of Lot No. 11, as shown on Plat of Survey made by Edgar Rapp Jr., County Surveyor, dated April 25, 1957 and recorded in the Recorder's Office of St. Charles County, Missouri, in County Surveyor's Record Book No. 12, pages 3 and 4; thence North 22 degrees 13' East to an iron pipe on the Southern bank of the Mississippi River; thence with the meanderings of the said Mississippi River the following courses and distances: South 81 degrees 07' East 151.68 feet to a point; thence South 66 degrees 41' East 175.02 feet to a point; thence South 76 degrees 11' East 1187.05 feet to an iron pipe; thence departing from said Mississippi River, South 23 degrees 19' West 1080.40 feet to an iron pipe marking the Northeast corner of a 0.982 acre tract now or formerly owned by Gerald Philip Simon; thence North 60 degrees 24' West, along the Northern line of tract of Gerald Philip Simon and tract now or formerly owned by William Simon, 521.69 feet to an iron pipe at the Northwest corner of said tract owned by William Simon; thence South 23 degrees 21' West, 367.85 feet to an iron pipe; thence North 60 degrees 23' West, 524.24 feet to an iron pipe; thence North 22 degrees 51' East, 374.23 feet to an iron pipe; thence North 12 degrees 07' West 100 feet to an iron pipe; thence continuing North 12 degrees 07' West 675.70 feet to the old iron pipe marking the place of beginning.

Also, an easement for ingress and egress from said premises of private roadways as now established and used.

Subject to an easement for roadway as the same now exists through said property to certain adjoining property.

Subject to any and all other easements of record as now exist or may exist in the future.

Section 3: That this ordinance shall be in full force and effect immediately upon its passage and approval, the above described tract is to be incorporated within the city forthwith, and the City Clerk is hereby to so notify the St. Charles County Assessor's and Recorder's offices.

Section 4: This ordinance shall take effect and be in full force from and after its passage and approval by the Mayor and the Board of Aldermen. This ordinance has received all of the required readings at the same meeting at which the Bill is introduced, so that it can be passed at one meeting. This ordinance is prima facie, deemed an emergency ordinance because it allows the aldermen to take immediate steps to prevent or remedy conditions or situations which are of such a nature that it demands attention and to postpone action would result in serious injury or demand to the people, the government, or the municipality. The public urgency constituting the emergency involves the preservation of the public peace, health, safety and welfare.

READ THREE TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF PORTAGE DES SIOUX, MISSOURI, THIS 18th DAY OF April, 1994.


George R. Combs, Mayor

ATTEST:


CITY CLERK

APPROVED BY THE MAYOR OF THE CITY OF PORTAGE DES SIOUX THIS 18th DAY OF April, 1994.


George R. Combs, Mayor

ATTEST:



PETITION FOR VOLUNTARY ANNEXATION

TO: CITY OF PORTAGE DES SIOUX, MISSOURI,
A Municipal Corporation

We, the undersigned state that we are the duly elected officers of Venetian Harbor, Incorporated, a Missouri Corporation and are empowered by the Board of Directors of said corporation to plead this petition for voluntary annexation. We further state that Venetian Harbor, Incorporated, a Missouri Corporation in good standing, is the fee simple owner of the following:

A Parcel of Land, lying, being and situate in the County of St. Charles and State of Missouri, as evidenced by a General Warranty Deed properly recorded in Book 500, Page 934, to wit: Part of U.S. Surveys 136, 172, 171, 169, 156 and 157, Township 48 North, Range 6 East, more particularly described as follows, to wit: Beginning at an old iron pipe marking the Southwest corner of Lot No. 11, as shown on Plat of Survey made by Edgar Rapp Jr., County Surveyor, dated April 25, 1957 and recorded in the Recorder's Office of St. Charles County, Missouri, in County Surveyor's Record Book No. 12, pages 3 and 4; thence North 22 degrees 13' East to an iron pipe on the Southern bank of the Mississippi River; thence with the meanderings of the said Mississippi River the following courses and distances: South 81 degrees 07' East 151.68 feet to a point; thence South 66 degrees 41' East 175.02 feet to a point; thence South 76 degrees 11' East 1187.05 feet to an iron pipe; thence departing from said Mississippi River, South 23 degrees 19' West 1080.40 feet to an iron pipe marking the Northeast corner of a 0.982 acre tract now or formerly owned by Gerald Philip Simon; thence North 60 degrees 24' West, along the Northern line of tract of Gerald Philip Simon and tract now or formerly owned by William Simon, 521.69 feet to an iron pipe at the Northwest corner of said tract owned by William Simon; thence South 23 degrees 21' West, 367.85 feet to an iron pipe; thence North 60 degrees 23' West, 524.24 feet to an iron pipe; thence North 22 degrees 51' East, 374.23 feet to an iron pipe; thence North 12 degrees 07' West 100 feet to an iron pipe; thence continuing North 12 degrees 07' West 675.70 feet to the old iron pipe marking the place of beginning.

Also, an easement for ingress and egress from said premises of private roadways as now established and used.

Subject to an easement for roadway as the same now exists through said property to certain adjoining property.

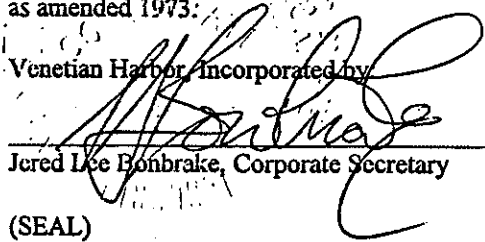
Subject to any and all other easements of record as now exist or may exist in the future.

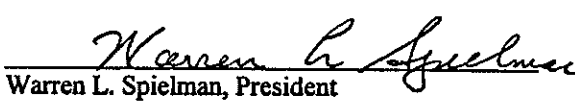
and we hereby request and petition said City of Portage Des Sioux, Missouri, to annex to the City of Portage Des Sioux, Missouri, the land above described so that the same is contained within the corporate limits of said City.

The undersigned does further state and declare that no person, firm or corporation other than the undersigned own any fee simple interest in the above described land.

The undersigned does further state and declare that this request and petition is voluntarily made and is submitted under the provisions of House Bill No. 200, First Regular Session, 77th General Assembly of the State of Missouri, and also Section 71.014 R.S.Mo. 1969, as amended 1973:

Venetian Harbor, Incorporated by


Jered Lee Bonbrake, Corporate Secretary


Warren L. Spielman, President

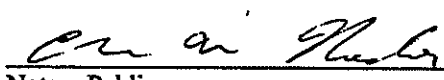
(SEAL)

ATTEST:

STATE OF MISSOURI)
COUNTY OF ST. CHARLES)

On this 18th day of April, 1994, personally appeared before me, Jered Lee Bonbrake and Warren L. Spielman to me known to be the persons described herein and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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


Notary Public

My Term Expires: 1707 12, 1994

PETITION FOR VOLUNTARY ANNEXATION

TO: CITY OF PORTAGE DES SIOUX, MISSOURI,
A Municipal Corporation

We, the undersigned state that we are the duly elected officers of Venetian Harbor, Incorporated, a Missouri Corporation and are empowered by the Board of Directors of said corporation to plead this petition for voluntary annexation. We further state that Venetian Harbor, Incorporated, a Missouri Corporation in good standing, is the fee simple owner of the following:

A Parcel of Land, lying, being and situate in the County of St. Charles and State of Missouri as evidenced by a General Warranty Deed properly recorded in Book 500, Page 942, to wit: A tract of land within U. S. Surveys 172 and 136, Township 48 North, Range 6 East and particularly described as follows: Beginning at the Northwest corner of property recorded in the name of Gerald Simon and wife, according to deed of record at Book 479, Page 785, St. Charles County Recorder's Office; thence Westwardly along the Southern line of the North portion of property recorded in the name of Venetian Boat Harbor, Inc. on a course of North 60 degrees 24' West a distance of 292.67 feet to a point in the East line of the Southern portion of property recorded in the name of Venetian Boat Harbor, Inc.; thence Southwardly along said East line of the Southern portion of property recorded in the name of Venetian Boat Harbor, Inc. on a course of South 23 degrees 21' West a distance of 367.85 feet to a point which is the Southeast corner of property deeded to Venetian Boat Harbor, Inc. by deed dated August 15, 1967, and recorded in Book 479, Page 789 of the records of the Office of the Recorder of Deeds of St Charles County, Missouri; thence South 60 degrees 24' East a distance of 521 feet, more or less, to a point in the Western City Limits line of the City of Portage Des Sioux, Missouri; thence North 23 degrees 19' East to the point marking the Southeast corner of said parcel owned by Gerald Simon and wife; thence North 60 degrees 24' West 229.02 feet to a point an iron pipe; thence North 23 degrees 19' East 188 feet to the point of beginning.

EXCEPTING a strip of land 30 feet wide adjacent to and on the Western side of the .982 acre tract of Gerald Simon conveyed in Book 479, Page 785, St. Charles County Recorder's Office which 30 feet grantors reserve from this deed.

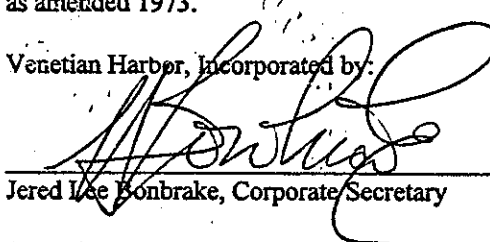
Subject to any and all easements and restrictions of record as they now exist or may exist in the future.

and we hereby request and petition said City of Portage Des Sioux, Missouri, to annex to the City of Portage Des Sioux, Missouri, the land above described so that the same is contained within the corporate limits of said City.

The undersigned does further state and declare that no person, firm or corporation other than the undersigned own any fee simple interest in the above described land.

The undersigned does further state and declare that this request and petition is voluntarily made and is submitted under the provisions of House Bill No. 200, First Regular Session, 77th General Assembly of the State of Missouri, and also Section 71.014 R.S.Mo. 1969, as amended 1973.

Venetian Harbor, Incorporated by:


Jered Lee Bonbrake, Corporate Secretary


Warren L. Spielman, President

(SEAL)

ATTEST:

STATE OF MISSOURI)
COUNTY OF ST. CHARLES)

On this 18th day of April, 1994, personally appeared before me, Jered Lee Bonbrake and Warren L. Spielman to me known to be the persons described herein and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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


Notary Public

My Term Expires: May 12, 1994