

**BILL NO. 17-027**

**ORDINANCE NO. 4765**

**FIRST READING 11.07.2017**

**SECOND READING 11.21.2017**

**AN ORDINANCE APPROVING ANNEXATION OF PROPERTY LOCATED AT 9298 COUNTY ROAD 416 AND ACCOMPANY DEVELOPMENT AGREEMENT FOR SAME**

**WHEREAS**, Jim Mulhern Builders, LLC has submitted application for annexation of property located at 9298 County Road 416, owned by James M. Mulhern, Elizabeth L. Mulhern, and James P Mulhern, into the City of Hannibal, and

**WHEREAS**, official notices and newspaper publications were sent pursuant to Chapter 32 of the Municipal Code of Hannibal, and

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission on October 19, 2017, and

**WHEREAS**, the Planning and Zoning Commission unanimously recommended approval to the Mayor and City Council of said application, and

**WHEREAS**, a public hearing was held by the City Council on November, 2017.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HANNIBAL, MISSOURI:**

**SECTION ONE:** That property described hereunder shall henceforth and forever be encompassed by the corporate boundaries of the City of Hannibal, MO and shall be part of the City of Hannibal, Missouri:

All of the South Forty-Eight (48) acres of the East Half (E1/2) of the Northwest Quarter (NW1/4) of Section Thirty-Six (36), Township Fifty-Seven (57) North, Range Five (5) West, Marion County, Missouri, EXCEPTING THEREFROM that tract conveyed to Marion County, Missouri, by Quit-Claim Deed dated April 20, 1989, and recorded in Book 549 at Page 1630 of the Deed Records of Marion County, Missouri.

Grantor deposes and states that she was previously married to Bobby O. Lawson, who died on the 7<sup>th</sup> day of February, 1979; that she and the said Bobby O. Lawson were not divorced or separated prior to his death; and that this Grantor has remained single and unmarried since his death of the said Bobbie O. Lawson.

**SECTION TWO:** The City Council also declares and finds that all of the requirements of the Charter and Ordinances of the City of Hannibal have been met with regard to said annexation.

**SECTION THREE:** Upon annexation, the site shall be initially designated in Ward 5 of the City of Hannibal for voting purposes.

**SECTION FOUR:** The site shall be assigned the zoning district category of A-One & Two Family Dwelling District.

**SECTION FIVE:** As part of annexation of said property, the accompanying Development Agreement is incorporated, referenced as Exhibit A, and adopted hereto, and shall accompany the property.

**SECTION SIX:** It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

**SECTION SEVEN:** All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

**SECTION EIGHT:** That this Ordinance shall be in full force and effect from and after its passage and approval.

Adopted this 21<sup>st</sup> day of November, 2017.

Approved this 21<sup>st</sup> day of November, 2017.

  
James R. Hark, Mayor

**ATTEST:**

  
Angelica N. Zerbonia, MRCC - City Clerk