

CITY OF WARRENTON

Policy: Voluntary Annexation
Pg. 1
Department: Administration

Board Approved: 8-03-04
Effective Date: 8-03-04
Revision Date: 10-18-05; 7-3-2007;
10-2-2007

Annexation Process

The policy and process presented is following the voluntary annexation statues under Section 71.012 of the Missouri State Statutes.

Duties of the Petitioner:

The following is required from the property owner or owners of all the fee interests of record in all the tracts of real property to be annexed.

1. The City's petition form must be filled out, signed and notarized by all owners. (i.e. if a Corporation, the President; if an LLC the person authorized by the Operating Agreement; if an LP, the person authorized by the Partnership Agreement and if a Trust, the Trustee or Trustees) The notary acknowledgement shall be appropriate for that entity.
2. A written legal description of the exact area to be annexed.
3. Twelve (12) plat maps of the legal description, plus a DXF State Plain CD or disc.
4. A copy of the record of deed showing proof of ownership of the property and any subdivision covenants or restrictions property is subject to
5. An address or a general description of the location of the area to be annexed.
6. A list of adjacent property owners.
7. Letter from Warren County regarding zoning of the parcel.
8. A \$300 dollar deposit.

Duties of the City:

All the information is to be brought to or mailed to the City Clerk of the City of Warrenton. It will then be stamped received, dated and signed by the City Clerk. The City Clerk will be responsible for the verification of the names and addresses on the petitioner's list of adjacent property owners. The list will be verified with the records of the Warren County Assessor's Office.

A copy of all of the information will be given to the City Attorney, by the City Clerk, for drafting of a Resolution for a public hearing meeting to discuss the property in question.

The Draft copy of the Resolution will be presented to the Board of Aldermen for approval. The Resolution will contain the date, time and place of the public hearing. The public hearing will be held not less than fourteen nor more than sixty days after the petition is received.

After the approval of the Resolution, a notice of the Public Hearing will be sent to the Warren County Record (qualified legal newspaper) and the Warrenton Journal for publishing. The public hearing notice must be published more than seven days prior to the public hearing meeting. The City Clerk's office will notify all adjacent property owners of the public hearing by certified mail.

Hearing on the Petition:

The Public Hearing will be heard prior to a Board of Aldermen meeting for comments. Any interested person, corporation or political subdivision may appear and present evidence on the proposed annexation.

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Any written objection to the annexation must be filed with the City Clerk within fourteen (14) days after the public hearing and must be signed by five (5%) percent of the registered voters from within the City or two registered voters from the area to be annexed.

No Objection to Annexation:

If, after the public hearing, the governing body of the City determines that the annexation is reasonable and necessary to the proper development of the City, and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, the City may annex the territory by ordinance without further action. The three-year requirement for furnishing municipal services found in Section 71.012 does not apply to an annexation under this procedure.

The draft Ordinance is then presented at the following Board of Aldermen meeting to be put to a vote.

Final approval of voluntary annexation shall be at the discretion of the Board of Aldermen. If approved, the Ordinance will be certified by the City Clerk. Three certified copies will be filed with the Warren County Clerk. A certified copy will be sent to each: the Department of Revenue and FEMA.

The Original ordinance will be kept at City Hall. The original petition with the supporting documentation will be filed under "Annexations" at City Hall.

Written objection to Annexation:

If a written objection to the annexation is filed within fourteen (14) days of the public hearing and signed by at least five (5%) percent of the qualified voters of the City or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the City must comply with the requirements of State Statutes Section 71.015 and 71.860 to 71.920.

Deposit

The petitioner will give a \$300 dollar deposit to the City of Warrenton to defray the cost of public hearing notices, mailings to the adjacent property owners and/or other costs that may occur. An itemized accounting of the expenses will be kept by the Finance Department. All money remaining will be returned to the petitioner after the Annexation has been voted on by the Board of Aldermen.