

December 28, 2021

Ameren Services  
Attn: Tax Department  
P.O. Box 66149, MC212  
St. Louis, Missouri 63166-6149

CO-MO  
Attn: Kenneth Johnson  
P.O. Box 220  
Tipton, Missouri 65081-0220

Ameren Services  
Attn: Bob Cecil  
P.O. Box 66149, MC212  
St. Louis, Missouri 63166-6149

Ameren Services  
Attn: Holly Wipfler  
2001 McGuire Blvd  
Columbia MO 65201

RE: Notification of Voluntary Annexation of a Tract of Land in East Half of Section 5, Northeast Quarter of Section 8, Township 48 North, Range 16 West in Boonville, Cooper County, Missouri

Dear Sirs/Madams:

Please find attached a certified copy of the annexation ordinance, with outline of property, annexing a Tract of Land in East Half of Section 5, Northeast Quarter of Section 8, Township 48 North, Range 16 West in Boonville, Cooper County, Missouri.

This annexation **became** effective on January 18, 2022 following passage at the City Council meeting pursuant to Section 71.012 RSMo.

The annexed land will become part of Ward 4 of the City of Boonville.

The annexed land will be placed in R-1, R-2, and R-A Residential Zoning **Districts**, respectively.

There are no business entities that are located in this area, as of right now, that are **currently** using electricity and gas.

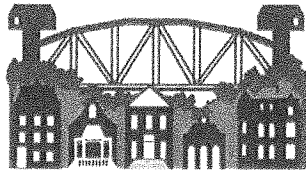
Please do not **hesitate** to contact myself or the City Administrator with any **questions** or comments.

Sincerely,

A handwritten signature in blue ink that reads "Amber Davis".

Amber Davis  
City Clerk

Enclosures: Annexation Ordinance, with outline of property



City Of est. 1839  
**BOONVILLE**  
CITY HALL

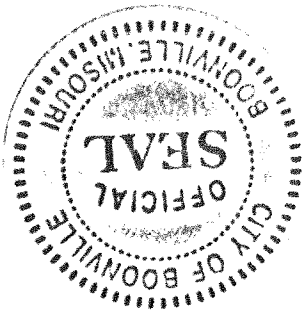
**CERTIFICATION**

I, Amber Davis, City Clerk of the City of Boonville, Missouri, and Custodian of the Records thereof, do hereby certify that the above and foregoing copy of Ordinance No. 4575 is a full, true and correct copy of said ordinance as passed by the City Council of Boonville, Missouri at a Regular City Council meeting held on the 6<sup>th</sup> day of December 2021, as the same appears of record in the Ordinance Book of the City of Boonville, Missouri.

In Witness Whereof, I have hereunto set my hand, and affixed the Official Seal of the City of Boonville, Missouri, at my office in Boonville, Missouri this 28<sup>th</sup> day of December 2021.

A handwritten signature in cursive script that reads "Amber Davis". The signature is written in black ink and is positioned above a horizontal line.

Amber Davis, City Clerk  
Boonville, Missouri



2021-3702

GEORGIA ESSER  
RECORDER OF DEEDS  
COOPER COUNTY, MISSOURI  
RECORDED ON:  
12/17/2021 09:40:31 AM

PAGES: 12

DATE 12-16-2021

BILL NO. 2021-009

ORDINANC NO. 4575

**AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI ANNEXING CERTAIN CONTIGUOUS TERRITORY OWNED BY TROY THURMAN CONSTRUCTION CO., INC. , A MISSOURI CORPORATION DOING BUSINESS IN COOPER COUNTY, MISSOURI, INTO THE CITY OF BOONVILLE, MISSOURI; ZONING THE PROPERTY AS R-1, , R-2AND R-A RESIDENTIAL, AS HEREAFTER SET OUT; PROVIDING AN EFFECTIVE DATE THEREFOR, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.**

**WHEREAS,** a verified petition, herein attached as “**EXHIBIT A**” and made a part hereof by reference, signed by all the owners of the real estate hereinafter described, consisting of approximately 216.81 acres, more or less, (hereinafter the “Property”) requesting annexation of said territory into the City of Boonville, Missouri, was filed with the City Clerk on the 27<sup>th</sup> day of January, 2021; and

**WHEREAS,** Troy Thurman Construction Co., Inc. (hereinafter the “Owner”) is the sole owner of the Property described in the petition, which Property is presently unoccupied; and

**WHEREAS,** the Property is not now part of any incorporated municipality; and

**WHEREAS,** said Property is both contiguous and compact to the present corporate limits of the City of Boonville, Missouri; and

**WHEREAS,** contemporaneously with the filing of the said petition requesting annexation into the City of Boonville, the Owner filed an application with the City Planning and Zoning Commission, requesting certain designated portions of the Property to be placed in R-1, R-2, and R-A Residential Zoning Districts, respectively, as shown and described in the petition, hereto attached and incorporated by reference; and

COOPER COUNTY, MISSOURI  
RECORDED ON:  
12/17/2021 09:40:31 AM  
TX-4014295

- WHEREAS,** the Planning and Zoning Commission reviewed and approved the zoning application to place various portions of the Property in said R-1, R-2, and R-A Residential Districts, respectively, as described in such application; and
- WHEREAS,** presentation and public hearings of the application for zoning and verified petition for voluntary annexation concerning said matters were held at the City Council Chambers in Boonville, Missouri on March 9, 2021 at 6:00 PM before the Planning and Zoning Commission and on March 15, 2021 at 7:00 PM before the City Council; and
- WHEREAS,** notices of said Public Hearings were given by publication of notice thereof on February 10, 2021 and February 22, 2021 in the Columbia Daily Tribune, a daily newspaper of general circulation in Cooper County, Missouri, and to the owners of property within 185 feet by certified mail or personal service; and
- WHEREAS,** at said Public Hearings, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed zoning and annexation requests; and
- WHEREAS,** no written objections to the proposed annexation was filed with the City Council or the City of Boonville, Missouri within fourteen days after the public hearing thereon; and
- WHEREAS,** following discussion with City Council and developers, City Council approved putting this annexation bill on the table at their March 15<sup>th</sup>, 2021 meeting; and
- WHEREAS,** the developers put forward a modified plan for development on August 30<sup>th</sup>, 2021 which eliminated financing portions of their development plan for consideration by City Council and during the September 7<sup>th</sup>, 2021 Council meeting, City Council discussed the revised proposal, and motioned and approved for the City to continue evaluating the revised proposal; and
- WHEREAS,** the developers, through Van Matre Law Firm, P.C., submitted a letter dated October 7<sup>th</sup>, 2021, herein attached as “**EXHIBIT B**” and made a part hereof by reference, removing certain conditions for annexation; and
- WHEREAS,** the revised development plan which modified the zoning districts of the parcel and reduced housing density from an R-3 to an R-2 zone and “**EXHIBIT B**” was reviewed by the Planning and Zoning Commission at their meeting on October 12<sup>th</sup>, 2021 and was approved by the Commission; and
- WHEREAS,** at the October 18<sup>th</sup>, 2021 City Council meeting, the City Council approved to take the annexation bill off the table for a third reading during the November 1<sup>st</sup> 2021 City Council meeting; and

WHEREAS, at the October 18<sup>th</sup>, 2021 City Council meeting, City Council further approved to hold another hearing on the Fox Hollow development at the November 15<sup>th</sup>, 2021 Council meeting; and

WHEREAS, notice of the November 15<sup>th</sup>, 2021 Public Hearing were given by publication of notice thereof on Saturday, October 30<sup>th</sup>, 2021 in the Boonville Daily Newspaper, a paper of general circulation in Cooper County; and

WHEREAS, this bill was amended to reflect the zoning request changes, between the second and third reading; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation; and

WHEREAS, the City Council of the City of Boonville, Missouri does find and determine that said annexation is reasonable and necessary to the proper development of the City of Boonville.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOONVILLE, MISSOURI AS FOLLOWS:**

**SECTION 1:** Pursuant to the provisions of Section 71.012, RSMo., as amended, the Property described in **EXHIBIT "A,"** hereto attached and incorporated by reference and made a part hereof, is hereby annexed into the City of Boonville, Missouri.

**SECTION 2:** the boundaries of the City of Boonville, Missouri are hereby altered so as to encompass the real estate described and set forth in **EXHIBIT "A"** lying contiguous and compact to the present corporate limits.

**SECTION 3:** The City Council of the City of Boonville, Missouri does place this Property in Zoning Districts R-1, R-2, and R-A Residential, respectively, as designated and described in the petition approved by the City Planning and Zoning Commission.

**SECTION 4:** this Property will be placed in Ward 4 of the City of Boonville, Missouri.

**SECTION 5:** The City Clerk of the City of Boonville is hereby ordered to cause three certified copies of this ordinance to be filed with the Cooper County Clerk, one copy recorded with the Cooper County Recorder of Deeds and one copy forwarded to the City Engineer for updating the City maps and boundaries.

**SECTION 6:** This ordinance shall take effect and be in full force on January 18, 2022.

**FIRST READING: MARCH 1, 2021**

SECOND READING: MARCH 15, 2021

THIRD READING: NOVEMBER 1, 2021

FOURTH READING: NOVEMBER 15, 2021

FIFTH READING: DECEMBER 6, 2021

READ FOR THE FIFTH TIME AND PASSED ON THIS 6<sup>th</sup> DAY OF DECEMBER, 2021, AFTER A COPY OF THIS ORDINANCE AND EXHIBITS REFERENCED **HEREIN** HAVE BEEN MADE AVAILABLE FOR PUBLIC INSPECTION FOLLOWING ITS **FIRST READING** , **SECOND READING**, **THIRD READING**, **FOURTH**, AND **FIFTH READINGS** AND PUBLIC HEARINGS ON THE ZONING AND ANNEXATION WERE PROPERLY HELD.

  
\_\_\_\_\_  
PRESIDENT OF THE COUNCIL

APPROVED THIS 6<sup>TH</sup> DAY OF DECEMBER, 2021

  
\_\_\_\_\_  
NED BEACH, MAYOR

ATTEST:  
  
\_\_\_\_\_  
AMBER DAVIS, CITY CLERK



PETITION REQUESTING ANNEXATION OF LAND  
TO THE CITY OF BOONVILLE, MISSOURI AND DESIGNATION OF ZONING  
CLASSIFICATIONS

Troy Thurman Construction Co. Inc., a Missouri Corporation (the "Owner") hereby petitions the City Council of the City of Boonville, Missouri, to annex the land described below into the corporate limits of the City of Boonville, and in support of this Petition Requesting Annexation of Land to the City of Boonville, Missouri and Designation of Zoning Classifications (this "Petition"), state as follows:

1. The Owner is the sole owner of the "Property" hereafter described. The Property is presently unoccupied.
2. The Property is "contiguous" and "compact" to the existing corporate limits of the City of Boonville, Missouri (the "City").
3. The Property consists of approximately 216.81 acres. The legal description of the Property is set forth on Exhibit A to this Petition which is attached hereto and incorporated herein by this reference.
4. The Property is not now part of any incorporated municipality.
5. The tax parcel identification numbers of the Property are 09-3.0-05-000-000-009.000, 09-3.0-05-000-000-010.000 (not including the house and 15 Acres m/l; see legal description), 09-3.0-08-000-000-001.000, 09-3.0-08-000-000-021.000 and 09-3.0-004-001-020-00.
6. **Contemporaneously** with the filing of this Petition the Owner is requesting that the **Property** be **placed** into zoning districts R-1, R-3, and R-A under the Ordinances of the City as described and shown on Exhibit B to this Petition which is attached hereto and incorporated herein by this reference.
7. Contemporaneously with the filing of this Petition the Owner has submitted for approval by the City a Deannexation Agreement, which, in part requires the City to immediately deannex all or portions of the Property in the event that **approvals** related to tax increment financing are not obtained with respect to the Property.
8. This Petition is conditioned and contingent upon the placement of the Property within the requested zoning district and approval of the aforementioned Deannexation Agreement. If the Property is not contemporaneously placed in the requested zoning district and the Deannexation Agreement is not approved along with the annexation thereof in such a manner as is hereby requested by the Owner, then this Petition should be considered as withdrawn.

**Remainder of this page left blank intentionally -- Signature page follows**



IN WITNESS WHEREOF, this Petition has been executed by the duly authorized attorney and representative of the Owner on this 27<sup>th</sup> day of January, 2021.

OWNER

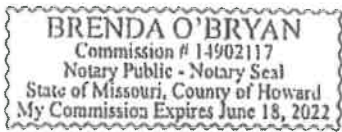
Troy Thurman Construction Co., Inc.

By: [Signature]  
Name: Troy Thurman  
Title: President

STATE OF MISSOURI )  
 ) ss  
COUNTY OF Cooper )

On this 27<sup>th</sup> day of January, 2021, before me, a Notary Public in and for said state, personally appeared Troy Thurman, known to me to be the persons described in and who executed the above petition and acknowledged that they are the President of Troy Thurman Construction Co., Inc. and that said petition was signed in behalf of said company and further acknowledged to me that they executed the same as the free act and deed of said company for the purposes therein stated and that they have been granted the authority by said company to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the County and state aforesaid the day and year first above written.



Brenda O'Bryan  
Notary Public

My commission expires: June 18, 2022



Exhibit A

Legal Description of the Property

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 48 NORTH, RANGE 16 WEST, COOPER COUNTY, MISSOURI AND BEING ALL OF THE TRACT DESCRIBED IN AN AFFIDAVIT OF SCRIVENER'S ERROR DEED OF TRUST RECORDED IN BOOK 202, PAGE 965 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEAST CORNER OF SAID DEED OF TRUST, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE FOR PEARRE LANE, THENCE WITH SAID NORTH RIGHT OF WAY LINE, N 83°33'05"W, 489.22 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, N 1°25'40"E, 1229.17 FEET; THENCE N 85°19'30"W, 350.41 FEET; THENCE S 83°39'25"W, 10.36 FEET; THENCE N 1°23'55"E, 78.92 FEET; THENCE N 84°16'10"W, 444.88 FEET; THENCE N 1°41'20"E, 1395.23 FEET TO THE NORTH LINE OF SAID SECTION 8; THENCE WITH SAID NORTH LINE, N 84°37'45"W, 11.57 FEET; THENCE N 3°44'20"E 1462.72 FEET; THENCE N 89°04'55"E, 307.25 FEET; THENCE N 0°49'35"E, 2663.84 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR HIGHWAY 98; THENCE WITH SAID SOUTH RIGHT OF WAY LINE, S 87°57'50"E, 807.39 FEET; THENCE S 89°27'50"E, 72.81 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, S 15°37'35"W, 905.24 FEET; THENCE S 88°19'20"E, 850.08 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE WITH SAID EAST LINE, S 0°36'10"W, 3380.02 FEET TO THE NORTHEAST CORNER OF SAID SECTION 8; THENCE WITH THE EAST LINE OF SAID SECTION 8, S 1°23'45"W, 1194.63 FEET; THENCE LEAVING SAID EAST LINE, N 85°14'10"W, 512.60 FEET; THENCE S 4°45'35"W, 1505.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 216.81 ACRES.

Exhibit B

Descriptions and Depictions of Zoning Districts

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 5 AND THE EAST HALF OF SECTION 8, ALL IN **TOWNSHIP 48 NORTH, RANGE 16 WEST, COOPER COUNTY, MISSOURI** AND BEING PART OF THE TRACT DESCRIBED IN AN AFFIDAVIT OF SCRIVENER'S ERROR DEED OF TRUST RECORDED IN BOOK 202, PAGE 965 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHEAST CORNER OF SAID DEED OF TRUST, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE FOR PEARRE LANE IN SECTION 8, TOWNSHIP 48 NORTH, RANGE 16 WEST, LEAVING THE SAID NORTH RIGHT OF WAY LINE AND WITH THE EAST LINE OF SAID TRACT, SAID LINE BEING THE WEST LINE OF A TRACT OF LAND DESCRIBED IN CONDEMNATION CASE NO. CV198-34CC, N 4°45'35"E, 1505.88 FEET; THENCE LEAVING SAID WEST LINE OF SAID TRACT AND WITH THE NORTH LINE OF SAID TRACT, S 85°14'10"E, 512.60 FEET TO THE EAST SECTION LINE OF SAID SECTION 8; THENCE LEAVING SAID NORTH LINE AND WITH SAID EAST SECTION LINE, N 1°23'45"E, 1092.20 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID EAST LINE OF SAID SECTION 8, N 88°36'15"W, 412.06 FEET; THENCE N 12°38'35"E, 264.95 FEET; THENCE N 24°50'20"W, 332.70 FEET; THENCE N 38°16'45"W, 392.07 FEET; THENCE N 12°01'50"E, 167.75 FEET; THENCE N 65°01'20"E, 791.55 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE WITH SAID EAST LINE, S 0°36'10"W, 1274.22 FEET TO THE NORTH EAST CORNER OF SAID SECTION 8; THENCE WITH THE EAST LINE OF SAID SECTION 8, S 1°23'45"W, 102.44 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.22 ACRES.

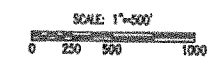
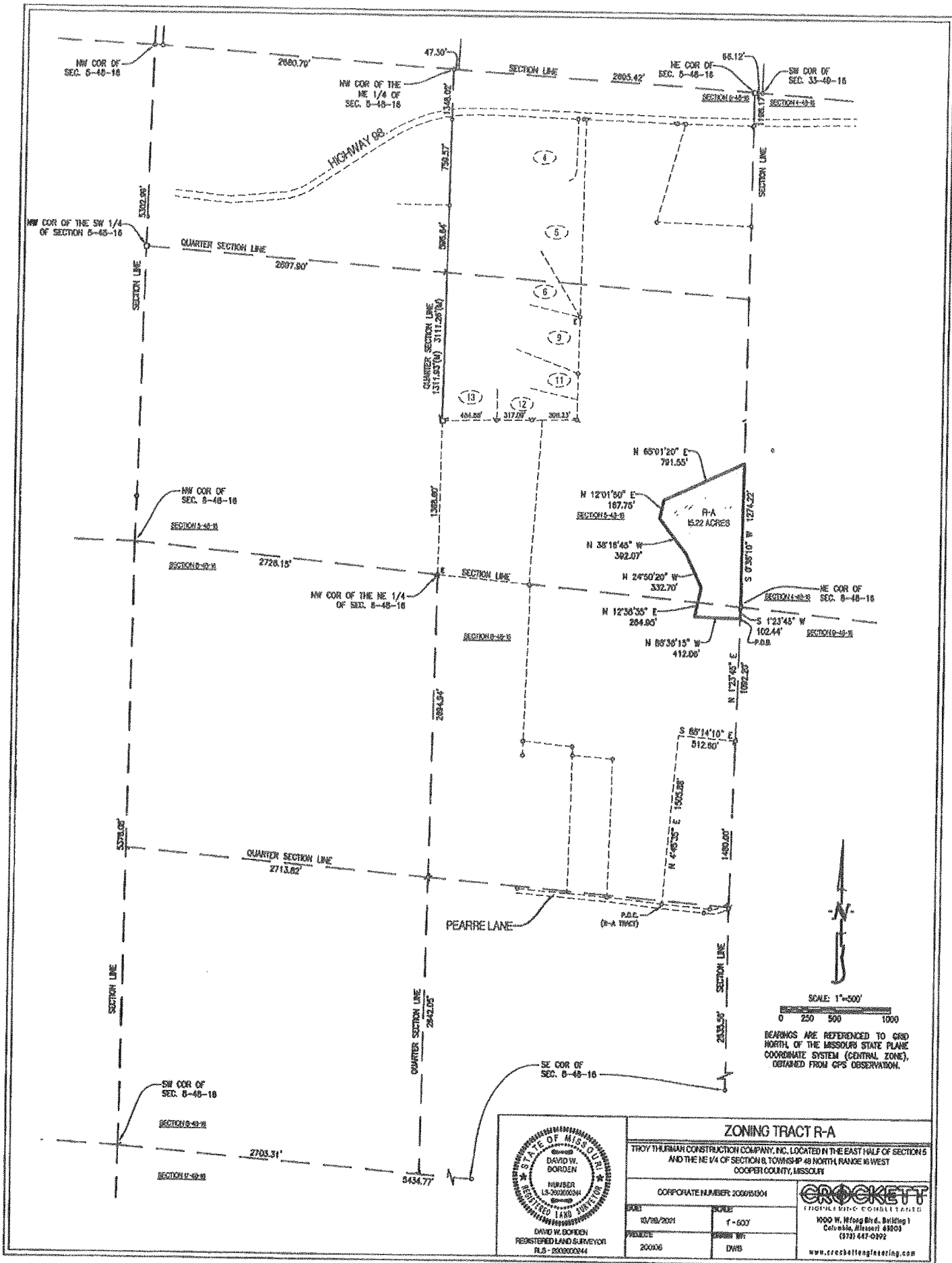


*David W. Borden*

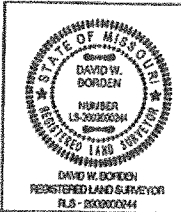
DAVID W. BORDEN, PLS-2002000244

10-29-21  
DATE

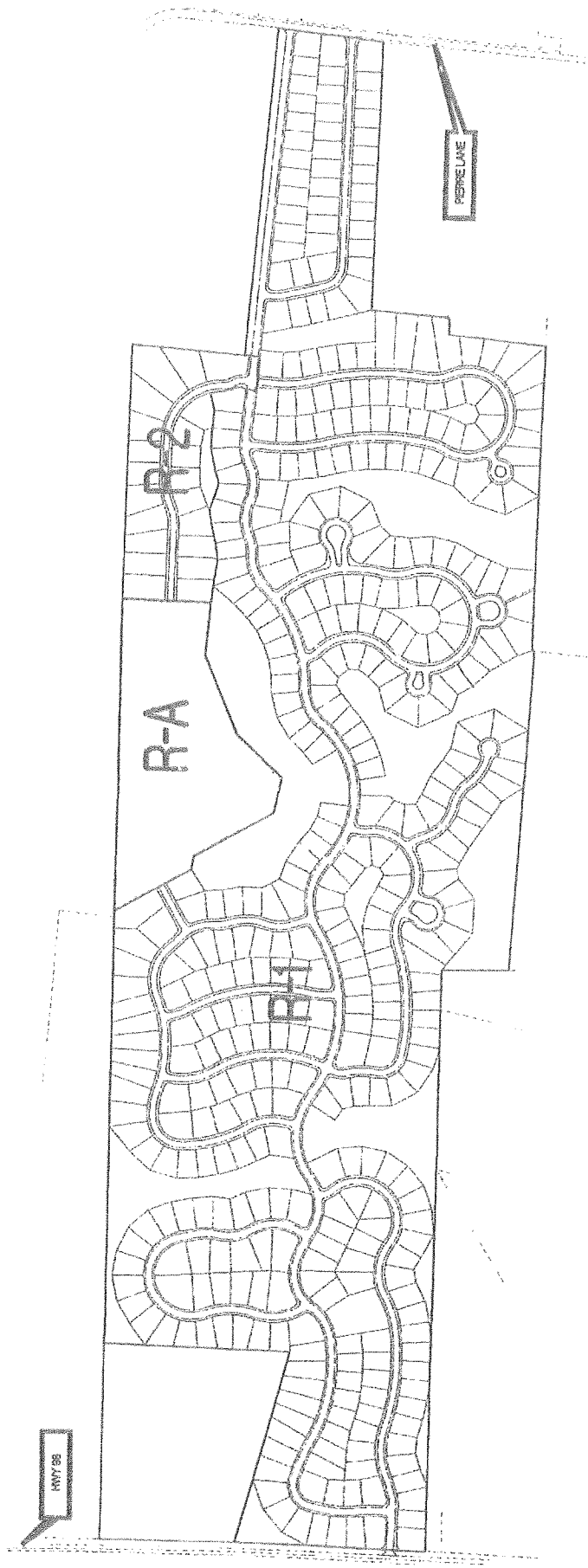
<b>CROCKETT</b> <b>ENGINEERING CONSULTANTS</b> 1000 W. Nifong Blvd. Building 1 Columbia, Missouri 65203 (573) 447-0292 www.crockettengineering.com	CORPORATE NUMBER 2000151304	<b>R-A ZONING TRACT</b>  A TRACT OF LAND LOCATED IN THE E. HALF OF SECTIONS 8 & 5-T48-R16W COOPER COUNTY, MISSOURI
	DATE: 10/28/2021	
	PROJECT: 200108	



BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE), OBTAINED FROM GPS OBSERVATION.



ZONING TRACT R-A	
TROY THURMAN CONSTRUCTION COMPANY, INC. LOCATED IN THE EAST 1/2 OF SECTION 8 AND THE NE 1/4 OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 15 WEST COOPER COUNTY, MISSOURI	
CORPORATE NUMBER 200015004	
DATE: 03/28/2021	SCALE: 1"=500'
PROJECT: 200006	DRAWN BY: DWS
 1000 W. Wagon Box, Building 1 Columbia, Missouri 65201 (314) 447-0492 <a href="http://www.crocketteng.com">www.crocketteng.com</a>	



PIERRE LANE

R-2

R-A

R-1

HWY 58

## VAN MATRE LAW FIRM, P.C.

CRAIG A. VAN MATRE (RETIRED)  
ROBERT N. HOLLIS  
GARRETT S. TAYLOR  
CASEY E. ELLIOTT  
RICHARD B. HICKS  
KAREN E. HAJICEK  
BRIAN R. HAJICEK

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
1103 EAST BROADWAY  
POST OFFICE BOX 1017  
COLUMBIA, MISSOURI 65201

(573) 874-7777  
TELECOPIER (573) 875-0017  
E-MAIL [robert@vanmatre.com](mailto:robert@vanmatre.com)

THOMAS M. HARRISON  
JOSHUA J. SIEG  
ROGER W. JOHNSON  
EVERETT S. VAN MATRE  
(1912-1998)

October 7, 2021

City of Boonville  
Office of City Administrator  
Attn: Kate Fjell  
401 Main Street  
Boonville, Missouri 65233

Re: Thurman Development

Dear Ms. Fjell,

On behalf of my client, Troy Thurman Construction Company., Inc., please consider this as a request that the City of Boonville (the "City") City Council continue its consideration of that certain Petition Requesting Annexation of Land to the City of Boonville, Missouri and Designation of Zoning Classifications (the "Petition") submitted to the City by my client. Based on feedback from the **community** and the City **following** the public **hearing** on the Petition, we are providing supplemental information. More specifically, there is no longer condition to annexation that **tax** increment financing be approved or that a deannexation agreement be approved. There is now a condition to annexation that a development agreement be approved, with terms substantially similar to terms that have been submitted to the City. There also **remains** a condition to annexation for the **approval** of **zoning designations** substantially the same as originally submitted and as shown on the plans submitted herewith. All other aspects of the **Petition** remain unchanged except as **described** above.

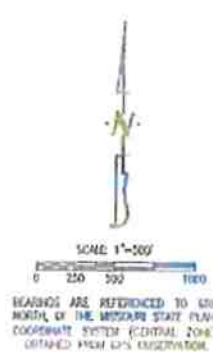
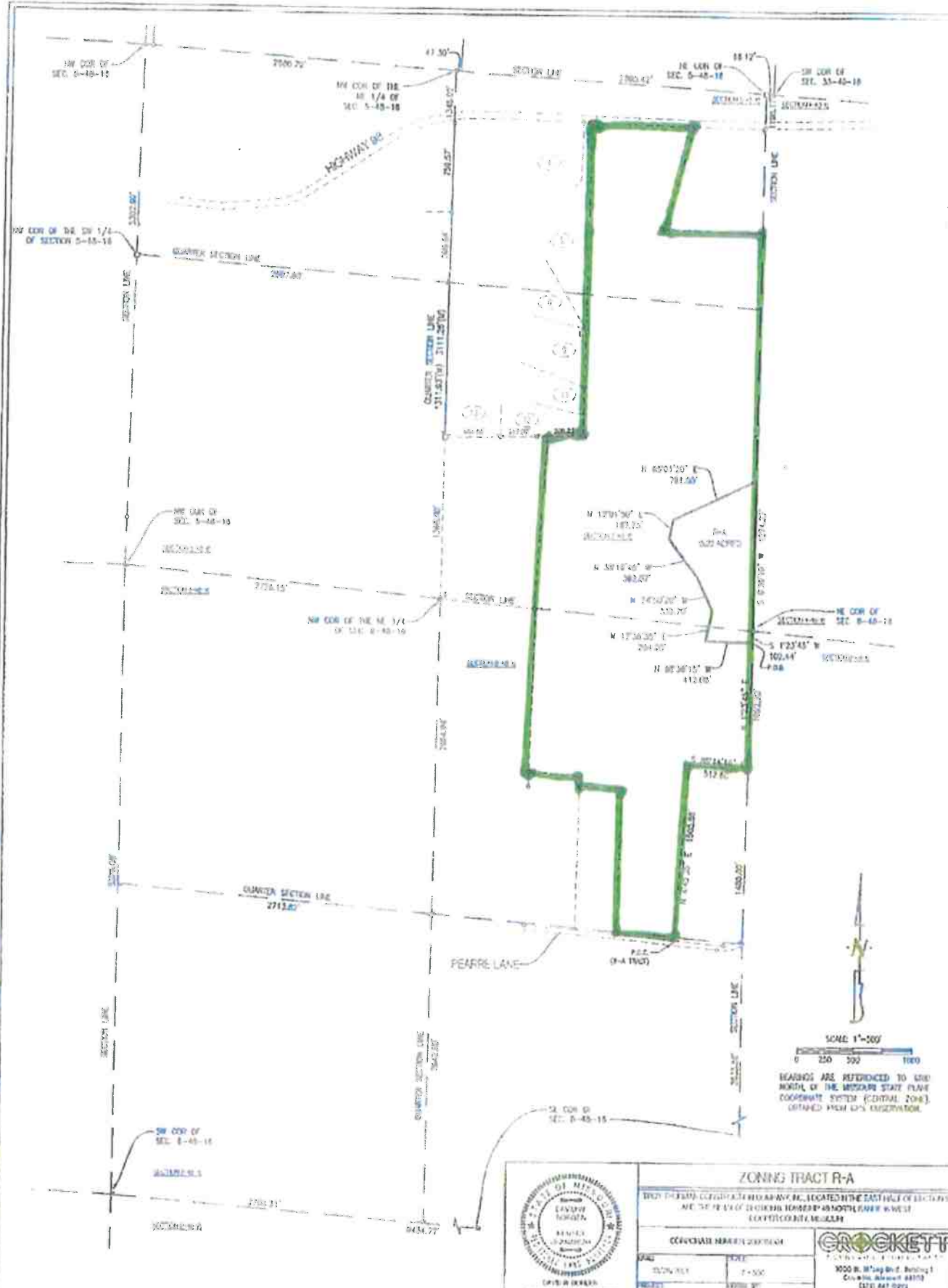
Should you have any questions about the foregoing, please do not hesitate to contact me. Thank you in advance for your time and consideration.

Very truly yours,

Van Matre Law Firm, P.C.

By:

  
Robert N. Hollis



BEARINGS ARE REFERENCED TO THE NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE), OBTAINED FROM GPS OBSERVATION.

	<b>ZONING TRACT R-A</b>	
	WEST CHERRY COUNTRYSIDE HOMES, INC., LOCATED ON THE EAST SIDE OF SECTION 16, NE 1/4 OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 10 WEST, COUNTY OF COCHRAN, MISSOURI.	
<b>COCHRAN COUNTY ZONING</b>		
<b>DATE:</b> 2/26/2013	<b>SCALE:</b> 1" = 500'	
<b>PROJECT:</b> ZONING	<b>DATE:</b> 2/20/13	
DATE OF REVISION: REVISION 1 AND 2 BY P. W. H. 2/20/13 AND 2/26/13		www.crockett-engineering.com