

Exhibit "B"

Rec'd  
2-13-99

# CITY OF ELLISVILLE

## PLAN OF INTENT

FOR THE

ANNEXATION

OF

207 KIEFER CREEK ROAD



## TABLE OF CONTENTS

### **SECTION**

### **PAGE**

#### ***GENERAL INFORMATION***

Executive Summary .....	i
City Petition Requesting Simplified Boundary Change .....	iii
Legal Opinion that all Statutory Requirements have been Satisfied. ....	v
List of Possible Public Hearing Sites .....	vi
Proposed Public Hearing Notice .....	vii

#### ***MANDATORY CERTIFICATIONS***

Certification that subject area is unincorporated territory .....	viii
Certification of subdivision status of subject area and of no overlaps. ....	ix
Certification that fire and emergency medical services will not change ...	x
Certification of proposals mailed to County .....	xi
Certification that the City of Ellisville will bear all costs of proposal. ....	xii
Certification that 15% of the subject area is adjacent to Ellisville .....	xiii

#### ***MANDATORY REVIEW FACTORS***

Review Factor 1 .....	1
Review Factor 2 .....	3
Review Factor 3 .....	4
Review Factor 4 .....	5
Review Factor 5 .....	5
Review Factor 6 .....	6
Review Factor 7 .....	7
Review Factor 8 .....	10
Review Factor 9 .....	10
Review Factor 10 .....	12
Review Factor 11 .....	13

#### ***APPENDICES***

A - Maps of Subject Property: Overview and Road Access Map .....	A1
B - Metes and Bounds Legal Description of Subject Property .....	A4
C - Inventory of Municipal Services .....	A6
D - Proposed Zoning Map and County R-2 Zoning Code. ....	A14
E - Certified Petition for Ellisville Residency .....	A20
F - Certified Copy of City of Ellisville Ordinance Adopting Proposal ....	A23

#### ***ADDITIONAL ATTACHMENTS***

A - 1997 City of Ellisville Annual Budget and Program of Services	
B - 1995 City of Ellisville Comprehensive Annual Financial Report	



# City of Ellisville

## EXECUTIVE SUMMARY

Pursuant to RSMo 72.405(6), the City of Ellisville is pleased to submit this "simplified boundary change" application for annexation of the property located at 207 Kiefer Creek Road. Herein, please find all information applicable and required for this proposed boundary adjustment, in conformance with both state statutes and Boundary Commission Rules and Regulations.

The subject property is a single triangular-shaped tract of land of approximately 2.5 acres in size, located on Kiefer Creek Road. The property is surrounded by Ellisville on each of its three (3) sides and is located near the geographic center of the current City of Ellisville. The following is a brief background as to the purpose of this annexation, and why property owner is requesting this action.

Two relatively large tracts of land (fifteen acres between them) lying to the north of the subject property are under the same ownership as the subject property, however, those tracts are already located in Ellisville. In February 1997 at the property owner's request, the City rezoned these two tracts from *Open Space Residential* to *R-1 Single Family Residential*. Approximately two months earlier, the property owner was granted a zoning change by the St. Louis County Council to rezone the subject property from *County Non-Urban* to *County R-2 Residential*. Having now all zoning in place, the property owner is requesting that the City annex the subject property. It is the owner's intention to include the subject property, along with the two above-mentioned tracts, as part of a large residential subdivision development. In doing so, the subject property would contain approximately three (3) homes, while the current two larger tracts would contain the balance of the new homes. Throughout this report, the assumption of three new homes will be used for all tax computations and analysis with regard to the subject property.

The territory covered by this proposal currently contains a home, though it is unoccupied. The developer, upon receiving preliminary and final plat approval, intends to raze the house in order to develop the property. Throughout this report, the tax and revenue projections as required by many of the Review Factors, are presented for each of two scenarios: (i) the property as it currently exists, with only the farmhouse and open land around it, and (ii) the residential development, for which this portion would contain three (3) new homes.

### Basic Annexation Area Data

Statisticals	Farmhouse Scenario	Subdivision Scenario
Area in Acres	2.5	2.5
Population (most recent census)	2	8
Dwelling Units	1	3
Total Assessed Value	\$104,600	\$135,000
Assessed Value per Capita	\$52,300	\$16,875

Note: The Subdivision Scenario is simply an estimate, and is exclusive of any actual or census data.

This Plan of Intent will document and support, in quantifiable terms, the logic and advantages of annexing this subject property into the City of Ellisville's jurisdiction, in terms of (i)

compactness/geographic location, (ii) efficiency of service delivery, (iii) quality of services provided, (iv) community of interest, and (v) public taxation and finance. No complications are anticipated with regard to political representation, zoning, taxation, service delivery, or other. Note that while the City will assume responsibility for providing all municipal services to the new area, this proposal will not require any change in fire protection or emergency medical services, as the Metro West Fire Protection District will provide these services to this property, and currently does so, irregardless of jurisdiction.

New municipal revenues created by this annexation would entirely pay for services these residents will receive. The provision of services to these residents will not place any burden on the current or future finances of the City, nor will this new service area be relegated to receiving an inferior level of service as compared to the existing City of Ellisville. These assertions are all documented and supported in detail and in quantifiable terms within this proposal. The financial viability of this boundary change proposal is advantageous to the City of Ellisville, and the public service benefits will be extremely beneficial to the future residents of the subject area.

Once adopted by the Ellisville City Council, this plan will be made available to the St. Louis County Circuit Clerk's Office, in accordance

with the Boundary Commission Rules and Regulations. Consistent with those rules, the City of Ellisville will bear all costs of the Commission relating to publications, notifications, copies, etc.

Please accept this proposal for annexation of the unincorporated property located at 207 Kiefer Creek Road. In submitting this application, the City is honoring the wishes of the property owner to bring this property into Ellisville proper, as well as expanding this City's corporate boundaries in a logical and consistent manner, and in accordance with geographical, transportation, service delivery, and community of interest needs and purposes.

Summary of Revenues and Expenditures			
FARMHOUSE SCENARIO			
DESCRIPTION	1997 PROJECTED	1998 PROJECTED	1999 PROJECTED
Revenues	\$256	\$256	\$256
Expenditures (Services)	\$99	\$104	\$109
<b>NET REMAINING BALANCE</b>	<b>\$157</b>	<b>\$152</b>	<b>\$147</b>
SUBDIVISION SCENARIO			
DESCRIPTION	1997 PROJECTED	1998 PROJECTED	1999 PROJECTED
Revenues	\$1,004	\$1,004	\$1,004
Expenditures (Services)	\$0	\$713	\$828
<b>NET REMAINING BALANCE</b>	<b>\$1,004</b>	<b>\$291</b>	<b>\$176</b>
Note: Once the 2000 census is completed and recorded, the City will realize additional intergovernmental revenues of \$520 per year for the Farmhouse Scenario, or \$1,560 per year for the Subdivision Scenario.			

Respectfully Submitted,



Jeffrey LaGarce  
Assistant City Manager

## PETITION FOR SIMPLIFIED BOUNDARY CHANGE

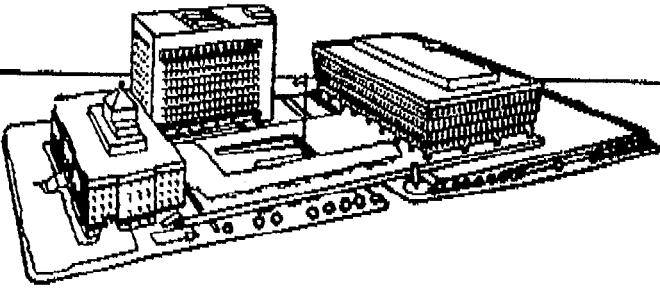
The *City of Ellisville* hereby petitions the Boundary Commission, St. Louis County to consider a proposal for a "Simplified Boundary Change" as provided for in RSMo Chapter 72.400 - 72.420.

Attached is a petition signed by the sole property owner with a fee interest of record for the property proposed for annexation. The petition has been verified by St. Louis County that the signature on the petition represents 100% of the residential property owners of all fee interests of record. A copy of that verification is attached hereto, and made a part of this petition.

There are no residential property owners with a fee interest who did not sign a petition requesting a Simplified Boundary Change for their property.

Submitted this 12<sup>th</sup> day of February, 1997.

CITY OF ELLISVILLE  
Name of City

**ST. LOUIS COUNTY, MISSOURI****BUZZ WESTFALL, COUNTY EXECUTIVE****DEPARTMENT OF PLANNING  
GLENN A. POWERS, ACTING DIRECTOR**

January 31, 1997

**Verification of Petition for Simplified Boundary Change**

The petition for simplified annexation to the City of Ellisville for the residential property at 207 Kiefer Creek Road, locator number 23T210032 has been verified by the St. Louis County Planning Department as having been signed by 100% of the owners of all fee interests in the property, based on our review of County records and the documentation submitted by the City of Ellisville.

Michael Duncan  
Research Manager  
St. Louis County Department of Planning

## **PUBLIC HEARING SITE LOCATIONS**

The following places would constitute suitable locations for conducting public hearings for this proposed annexation:

1. Ellisville City Hall  
1 Weis Avenue  
Ellisville, MO 63011  
Contact Person: Donna Wright  
Phone: 227-9660
2. St. Louis County Library-Daniel Boone Branch  
300 Clarkson Road  
Ellisville, MO 63011  
Contact Persons: Barb Bain or Donna Merz  
Phone: 227-9630
3. Crestview Middle School  
16025 Clayton Road  
Ellisville, MO 63011  
Contact Person: Becky Doolie  
Phone: 227-3220
4. Ellisville Elementary School  
1425 Froesel Drive  
Ellisville, MO 63011  
Contact Person: Sharon Gwiazdowski  
Phone: 227-5381

## **BOUNDARY COMMISSION, ST. LOUIS COUNTY**

### **NOTICE OF ANNEXATION PROPOSAL AND PUBLIC HEARING**

In accordance with Chapter 72 of the Revised Statutes of the State of Missouri, notice is hereby given that the Boundary Commission, St. Louis County will conduct a

Public Hearing on \_\_\_\_\_ at \_\_\_\_\_ at the Ellisville City Hall.

for the purpose of giving parties in interest and citizens an opportunity to be heard on the following proposed boundary changes:

Proposal No. \_\_\_\_\_. A proposal for a boundary change submitted on \_\_\_\_\_ by the City of Ellisville, Missouri to annex into the City the property located at 207 Old State Road, which is currently unincorporated territory within St. Louis County.

The Boundary Commission, St. Louis County, invites public comments on the proposals submitted for public hearing. Written and oral comments may be presented to the Commission in conjunction with the Public Hearing, or, in addition, written comments may be received for a period of twenty-one (21) days after the close of the Public Hearing and will be filed for the reference of the Commission.

A copy of each proposal, which includes the proposing agent, a copy of the map depicting the proposed annexation area, legal description, and plan of intent and required certifications, as received from the applicant, is available in the office of the Boundary Commission, St. Louis County, 1516 S. Brentwood Blvd., Suite 101, Brentwood, MO 63144, weekdays, during regular business hours, 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 3:00 p.m. If you have any questions regarding the proposal scheduled for public hearing, please contact the Boundary Commission, St. Louis County, at 961-7877.

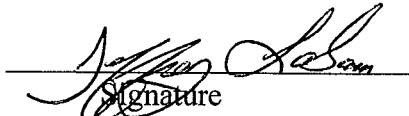
Persons requiring an accommodation to attend and participate in the Public Hearing should contact the Boundary Commission, St. Louis County in writing at 1516 S. Brentwood Blvd., Suite 101, Brentwood, MO 63144 or by telephone at 961-7877 or TDD 1-800-735-2966, at least two working days prior to the Public Hearing.

Carl E. Ramey  
Administrator  
Boundary Commission, St. Louis County



**CERTIFICATION THAT THE AREA COVERED BY THE PROPOSAL INCLUDES  
UNINCORPORATED TERRITORY WHICH IS LESS THAN FIFTY PERCENT OF  
THE COMBINED LAND SUBJECT TO THE PROPOSAL**

Consistent with the Rules and Regulations of the Boundary Commission, St. Louis County, Article III, Section A.3.c.ii., I certify that the proposed annexation area covered by the proposal includes unincorporated territory which is less than fifty (50%) percent of the combined land subject to the proposal, and currently lies exclusively within St. Louis County, Missouri.

  
Signature

**CERTIFICATION OF SUBDIVISION STATUS OF ANNEXATION TERRITORY, AND  
THAT NO OVERLAPS EXIST WITH RESPECT TO OTHER PROPOSALS BEFORE  
THE COMMISSION**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.3.d.i., I certify that the proposed annexation area is not part of any subdivision, has not been platted as a subdivision, nor recorded as a subdivision on file within St. Louis County. I further certify that, due to the absence of any subdivision status, no subdivisions are being split for purposes of this annexation.

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.3.d.ii., I further certify that the proposed annexation area does not overlap with other proposals before the St. Louis County Boundary Commission.

  
Signature


**CERTIFICATION THAT CURRENT FIRE AND EMERGENCY MEDICAL SERVICES  
WILL NOT CHANGE WITH THIS ANNEXATION**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.5.a., I certify that the proposed annexation area known is located entirely within the Metro West Fire Protection District and that this proposed annexation will have no impact or change on the provision of such services to this subject area.

  
Signature


**CERTIFICATION THAT COPIES OF THIS PROPOSAL HAVE BEEN MAILED TO  
THE ST. LOUIS COUNTY CLERK AND THE CITY CLERK OF ALL  
MUNICIPALITIES CONTIGUOUS WITH THE AREA COVERED BY THIS  
PROPOSAL**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.8.a., I certify that copies of this proposal have been mailed to the St. Louis County Clerk. I further certify that the proposal annexation area is not contiguous to any area of another municipality, thus precluding the need to mail copies of this proposal to any other municipality.

  
Signature

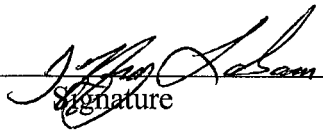
**CERTIFICATION THAT PROPOSING AGENT (CITY OF ELLISVILLE) WILL BEAR  
ALL COSTS OF THE BOUNDARY COMMISSION RELATING TO PUBLICATIONS,  
NOTIFICATIONS, COPIES, ETC. RELATING TO THIS PROPOSAL**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.10, I certify that the proposing agent (the City of Ellisville) will bear all costs of the Boundary Commission relating to publications, notifications, copies, etc. related to this proposal.

  
Signature

**CERTIFICATION THAT OF THE TERRITORY PROPOSED FOR ANNEXATION, AT  
LEAST FIFTEEN (15%) OF ITS BOUNDARY IS ADJACENT TO THE  
MUNICIPALITY WHICH IS PROPOSING THE ANNEXATION**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section C.1, I certify that, of the territory proposed for annexation, at least fifteen (15%) of its boundary is adjacent to the municipality which is proposing the annexation. Specifically, the boundary of the territory proposed for annexation is 100% adjacent to the City of Ellisville, with the proposed annex territory, an unincorporated pocket, being completely surrounded by the current City of Ellisville.

  
Signature

# Plan of Intent

## Watson Property at 207 Kiefer Creek Road

Proposed by

**THE CITY OF ELLISVILLE**

### Mandatory Review Factors

**FACTOR 1. THE IMPACT, INCLUDING BUT NOT LIMITED TO THE IMPACT ON THE TAX BASE OR ON THE ABILITY TO RAISE REVENUE, OF SUCH PROPOSAL ON:**

**A. The area subject to the proposed boundary change and its residents;**

The City of Ellisville levies higher property and utility tax rates than does St. Louis County, however, the City of Ellisville also provides a level of service whose monetary value serves to offset the differential in taxes paid. The proposed annexation could require the subject property owner(s) to pay a larger share of taxes, though there could also be some cost savings to the resident(s), depending on whether the property is developed. Net cost changes resulting from this annexation would range from a cost savings of \$48.44 per household if the present farmhouse remains, to a cost increase of \$39.50 per household if the area were developed with three (3) proposed lots.

<b><i>Financial Impact of Annexation to the Resident</i></b>				
<b>Public Financial Costs</b>	<b>Farm Scenario</b>		<b>Subdivision Scenario</b>	
	<b>STL County</b>	<b>Ellisville</b>	<b>STL County</b>	<b>Ellisville</b>
Real Estate Tax Liability	\$115.27	\$184.83	\$261.00	\$418.50
Personal Property Tax	\$86.91	\$86.91	\$260.74	\$260.74
Utility Tax Liability	\$120.00	\$168.00	\$120.00	\$168.00
Solid Waste Costs	\$166.00	\$0.00	\$166.00	\$0.00
<b>Total Public Financial Costs</b>	<b>\$488.18</b>	<b>\$439.74</b>	<b>\$807.74</b>	<b>\$847.24</b>
<b>Net Cost Increase to the Resident</b>	<b>Farm= (\$48.44)</b>		<b>Subdiv.= \$39.50</b>	

The City of Ellisville levies a real estate property tax of \$0.35 per \$100 assessed valuation in addition to the St. Louis County property taxes of \$0.58 per \$100. The City of Ellisville levies a

utility tax rate of 7%, compared with St. Louis County's utility tax of 5%. Aside from these factors, no other cost differentials exist between the two jurisdictions, as they relate to the property owners. Note that Ellisville's personal property tax rate is zero; residents of the subject area will still pay the County levy of \$58 per \$100 to St. Louis County, but no additional personal property taxes must be paid to Ellisville.

From a benefit standpoint, the City of Ellisville provides numerous services that will serve to offset the cost differential for the owner(s) of the subject property. Though the current site (the farmhouse) is not occupied, future residents of this property, would pay for their own trash collection, hauling, and disposal services if they remain unincorporated; an annual cost of approximately \$166.00 per year. Ellisville fully subsidizes trash collection, hauling, and disposal services, in addition to free recycling, thus, this annexation would serve to lower a significant portion of the public service costs for the resident. In all, the change in individual tax liabilities could decrease by \$48.44 under the Farmhouse Scenario, or could increase by \$39.50 under the Subdivision Scenario.

**B. The existing municipality or municipalities, if any, proposing the boundary change and the residents thereof;**

The proposed annexation will have very little, if any, impact on the City of Ellisville. No additional personnel will be needed to provide the same level of services as offered to the current property owners and residents in Ellisville. The only direct measurable costs will be (i) the provision of solid waste services, which would equate to \$99.24 per year for the Farmhouse Scenario, or \$297.72 per year if the area is developed with three lots, and (ii) minor street and stormwater maintenance costs (\$400-\$500 per year) which would be incurred by the City of Ellisville's Public Works Department.

Ordinarily, RSMo 260.247 would prohibit the City from providing solid waste collection, hauling, and disposal services to newly annexed residents for a period of two years following the annexation, however, the subject property currently contains only one home and the proposed development would include only three homes. As a result, RSMo 260.247 will not apply to the City of Ellisville for lack of the requisite population density of fifty (50) residential customers.

The current City of Ellisville residents should not see any changes in the City's ability to deliver services after the annexation has been completed since this proposal would only involve either one or three properties, depending on the scenario outcome for the use of this property.

**C. Adjoining areas not involved in the boundary changes and the residents thereof;**

Please refer to the map shown in Appendix "A" of the subject property to be annexed and those properties surrounding it. Immediately to the north of the subject property are two larger tracts, totaling fifteen (15) acres. The owner of this fifteen acre tract(s) also owns the subject property. The fifteen (15) acre tract is being planned for the development of a residential subdivision, and



the subject property, to consist of three (3) new homes, is to be part of that development (a 17.5 acre residential development, in all). To the immediate west, across Kiefer Creek Road, is a soon-to-be developed tract of land of approximately fifty-four (54) acres in size, and exclusive from the above-mentioned development. This tract has been successfully rezoned to *R-1 Single Family Residential* and final plat approval has been granted by the City. To the immediate southeast of the subject property is Woodhill Estates Subdivision. Being triangular in shape, the subject tract only has three (3) sides, and is surrounded by Ellisville on all sides.

The proposed annexation will have little impact, either positive or negative, on the adjacent property owners, since the land is only 2.5 acres in size. However, Ellisville zoning ordinances are more stringent than those of St. Louis County, and as a result, larger residential lots would generally be required in Ellisville. In theory, the larger lots would help maintain the property values of the adjacent property owners. Larger lots would also result in a lesser number of homes to be built, yielding a reduced number of motorists and vehicle traffic. However, these arguments are negligible here because the property is only 2.5 acres in size, and three (3) proposed homes are planned. No negative impacts to adjacent property owners are anticipated as a result of this annexation.

**D. The entire geographic area of the county and its residents;**

The subject area is currently a small pocket of unincorporated land situated near the geographical center of Ellisville. The proposed annexation will have no impact on St. Louis County as a whole.

**FACTOR 2. A LEGAL DESCRIPTION OF THE AREA TO BE ANNEXED, INCORPORATED, CONSOLIDATED, DISINCORPORATED, OR SUBJECT TO THE TRANSFER OF JURISDICTION.**

**A. All descriptions should be in a standard legal form by metes and bounds, prepared and signed and sealed by a registered surveyor or professional engineer:**

Refer to Appendix "B" for the detailed metes and bounds legal description.

**B. A standard format shall be used;**

Refer to Appendix "B" for the legal description.

**C. All descriptions shall close and indicate the included area in miles or acres.**

Refer to Appendix "B" for the legal description.

**FACTOR 3. THE ABILITY TO ACCOMMODATE THE ORDERLY INCORPORATION IN THE COUNTY, INCLUDING ITS ABILITY TO MAKE ADDITIONS, DELETIONS AND MODIFICATIONS WHICH ADDRESS LEGAL BOUNDARIES, TECHNICAL OR SERVICE DELIVERY PROBLEMS OR BOUNDARIES WHICH OVERLAP THOSE OF OTHER PROPOSALS; HOWEVER, SUCH ADDITIONS, DELETIONS AND MODIFICATIONS SHALL NOT MAKE SUBSTANTIVE CHANGES TO ANY PROPOSED BOUNDARY PETITION.**

**A. Ability to make additions, deletions and modifications which address:**

**1. legal boundaries;**

The proposal would constitute a move toward an orderly incorporation of the County by annexing into Ellisville's corporate limits, a pocket of property which is presently unincorporated, yet lies well within the geographic perimeter, if not the actual corporate boundaries, of Ellisville proper. This annexation would not create unique servicing requirements; conversely, it would eliminate complicated servicing requirements which currently exist and will continue to exist.

This proposal contains no overlapping features, conflicts, etc., involving another jurisdiction. The outcome of this annexation would result in greater jurisdictional order in the community (logical boundary lines) than the present circumstances offer.

**2. technical or service delivery problems;**

There are no technical or service delivery problems inherent in this proposal for two main reasons: (i) the subject area already lies well within the current service area, and (ii) the subject area is only 2.5 acres in size. Additional servicing costs (which would be negligible) can easily be absorbed through current operations.

**3. boundaries which overlap those of other proposals;**

There are no boundary disputes or overlapping proposals associated with this proposed annexation property.

**4. Such additions, deletion and modifications shall not make substantive changes to any proposed boundary petition.**

It is not anticipated that any substantive changes will be necessary in order to accommodate this proposal. Only one piece of property is involved, and this land is not being proposed for annexation by any other jurisdiction.

**FACTOR 4. THE PRESENT LEVEL OF MAJOR SERVICES PROVIDED BY THE MUNICIPALITY OR OTHER PROVIDER, PROVIDED TO THE UNINCORPORATED AREA BY THE COUNTY, AND PROPOSED TO BE PROVIDED BY THE ANNEXING MUNICIPALITY OR MUNICIPALITY TO BE INCORPORATED OR CONSOLIDATED, INCLUDING, BUT NOT LIMITED TO POLICE PROTECTION, FIRE PROTECTION, WATER AND SEWER SYSTEMS, STREET MAINTENANCE, UTILITY AGREEMENTS, PARKS, RECREATION AND REFUSE COLLECTIONS;**

**A. If one or more municipalities are included in the proposed boundary change, itemize the following:**

- 1. A full inventory of typical municipal services extended by any included municipality(ies);**

Appendix "C" provides an inventory of the services provided by City of Ellisville and St. Louis County.

- 2. A description of each service;**

A description of each service, when necessary, is provided in Appendix "C".

- 3. Any municipal services provided by a source other than included municipality(ies) together with a description of agreements or special arrangements;**

Appendix "C" discusses any municipal services which are provided by contract or agreement through another provider or public agency.

**B. If unincorporated areas are included in the proposed boundary change, itemize the full inventory of municipal type services provided by the County; other cities or private parties.**

Appendix "C" includes a full range of services provided by the City of Ellisville, St. Louis County, and other agencies in response to this question.

**FACTOR 5. A PROPOSED TIME SCHEDULE WHEREBY THE MUNICIPALITY OR PROPOSED MUNICIPALITY PLANS TO PROVIDE SUCH SERVICES TO THE RESIDENTS OF THE ARE TO BE ANNEXED, INCORPORATED OR CONSOLIDATE WITHIN THREE YEARS FORM THE DATE OF THE MUNICIPAL BOUNDARY CHANGES IS TO BECOME EFFECTIVE.**

**A. Give the date(s) at which each service proposed to be extended would be initiated;**

All services would be provided immediately upon the effective date of the proposed boundary change, including solid waste services, should the farmhouse be occupied or new homes constructed in its place.

**B. A description of agreements and arrangements required to attain the scheduled change.**

No agreements/arrangements would be required, other than to formally notify St. Louis County of final approval by the Boundary Commission.

**FACTOR 6. THE CURRENT TAX RATES OF THE AREAS SUBJECT TO THE PROPOSAL.**

**A. Provide current listing of tax rates for area affected by boundary change.**

<b>Tax/Levy</b>	<b>St. Louis County</b>	<b>Ellisville</b>	<b>Comments</b>
Real Estate Property Tax Levy	\$0.58/\$100 AV	\$0.35/\$100 AV	*\$0.93/\$100 total
Personal Property Tax Levy	\$0.58/\$100 AV	\$0.00/\$100 AV	\$0.58/\$100 total
Utility Tax Rate	5% of Gross Rec.	7% of Gross Rec.	7% total-2% increase
Cable TV Franchise Tax	5% of Gross Rec.	5% of Gross Rec.	5% total-no increase

\*\$0.93 equals the County levy of \$0.58/100 plus the City levy of \$0.35/100.

**B. Provide current listing of licenses and fees for the area affected by boundary change.**

	<b>Ellisville</b>	<b>St. Louis County</b>
Business License for Home Occupation	\$0.25/sq. ft.	\$5.00/year
Occupancy Permit	\$15.00	\$45.00

Both the City of Ellisville and St. Louis County utilize the issuance of building permits and electrical permits, and have appropriate fee schedules for each. Comparisons of these permit fee structures between the two jurisdictions are difficult to draw because (i) the fees are variable in nature, with the final costs dependent upon many factors, and (ii) the fees are calculated using drastically different formulas, so much so that relative comparisons cannot readily be drawn.

Through this proposed annexation, the City of Ellisville would assume the inspection and permitting responsibilities related to the subject property. Inspections and permits will become necessary if (when) this property is developed.

**FACTOR 7. WHAT SOURCES OF REVENUE OTHER THAN PROPERTY TAX ARE COLLECTED OR ARE PROPOSED TO BE COLLECTED BY THE MUNICIPALITY OR PROPOSED MUNICIPALITY.**

**A. List all current sources of revenue, including rates and projected revenue realized for:**

**1. All municipal taxes and fees;**

Through this annexation, the City will realize increased revenues, including pooled sales taxes and intergovernmental revenue, of funds ranging from \$775.39 to \$2,375.28, depending on whether the farmhouse remains on the property or the tract is developed with three homes. These new revenues are not completely attributed to new taxes. Some of this revenue increase is due to new taxes, while the remaining portion would result from money Ellisville would now collect in lieu of St. Louis County.

Impact of Annexation on City of Ellisville Revenues			
TAXES AND FEES	LEVY/RATE	ANN. REVENUE INCREASE	
		Farmhouse	Subdivision
Real Estate Property Tax Levy	\$0.35/\$100 AV	\$69.56	\$472.50
Personal Property Tax Levy	\$0.00/\$100 AV	\$0.00	\$0.00
Utility Tax Rate	7%	\$168.00	\$504.00
Cable TV Franchise Tax	5%	\$18.00	\$27.00
*Pool Sales Tax	\$115 per capita	\$304.75	\$914.25
*Missouri Gasoline Tax	\$25.42 per capita	\$67.36	\$202.09
*Motor Vehicle Sales Tax	\$5.45 per capita	\$14.44	\$43.33
*Motor Vehicle Fees	\$4.45 per capita	\$11.79	\$35.38
*County Bridge and Road Tax	\$0.105/\$100 AV	\$109.83	\$141.75
*Cigarette Tax	\$4.40 per capita	\$11.66	\$34.98
<b>TOTAL PROJECTED REVENUE INCREASE</b>		<b>\$775.39</b>	<b>\$2,375.28</b>

\*These revenue sources will not be realized until the next decennial census (2000) has been completed and recorded.

**2. All investment income;**

The City does not propose to collect any revenue specifically for investment income purposes. New revenues realized through this annexation will be appropriated annually by the City Council for general fund operations and capital improvements purposes, just as any other general revenue source would be treated.

**3. Fire district rates, if applicable:**

The proposed area will remain in the Metro West Fire Protection District which currently has a property tax rate of \$1.04 per \$100 assessed valuation.

**4. All reserves, fund balances, enterprise funds;**

It is unlikely that the City of Ellisville would direct these new revenues to the City's Contingency Reserve Fund. Instead, new revenues will be used to help fund general services such as trash collection, law enforcement, parks and recreation, street maintenance, code enforcement, and administration services. Irregardless of its destination, this revenue will become a part of the

fund balance of whichever fund the Council appropriates the money toward, until such time that it is expended. The City of Ellisville does not operate any enterprise funds.

**5. Any proposed changes to the revenue structure.**

At this time, the City of Ellisville is not proposing any changes to the revenue structure, other than the nominal increase which would come about as a result of this annexation, if approved.

**B. In addition to those existing city revenue instruments that may be extended to the unincorporated area proposed to be annexed, indicate all proposed new sources or revenue (including new tax rates and new fees), their proportion of the proposed budget, whether or not new revenues are earmarked for a specific source, and a three year projection.**

At this time, the City of Ellisville is not proposing any changes to the revenue structure and no earmarking is planned. The City is simply anticipating a revenue increase of \$775 to \$2,375 through this annexation, and this money is to be directed to the general fund for general operations use.

**C. Summary of current and projected expenditures.**

The City is anticipating total expenditures in the \$6.3 million range in each of the next three years. The City delineates its expenditures into three main budgetary categories: Payroll, Operations, and Capital Outlay. Capital outlay includes (i) infrastructure improvements to streets, stormwater systems, sidewalks, etc., (ii) facilities expansions, and (iii) major equipment purchases. The City anticipates its operations costs to increase approximately 2% each year over the next three (3) years. Capital expenditures are primarily driven by the City's 1/2 cent Stormwater Improvement Program, with the annual expenditures based on the number and magnitude of projects slated for construction in any given year.

<b>Three-Year Departmental Budget Summaries</b>			
<b>CATEGORY OF EXPENDITURES</b>	<b>1997 PROJECTED</b>	<b>1998 PROJECTED</b>	<b>1999 PROJECTED</b>
Administration	\$1,475,258	\$1,504,763	\$1,534,858
Police	\$1,465,812	\$1,524,444	\$1,554,933
Public Works	\$868,478	\$885,848	\$903,565
P.I.E. (planning, insp. & eng.)	\$1,872,782	\$1,891,510	\$1,910,425
Parks and Recreation	\$589,238	\$422,375	\$430,823
Municipal Courts	\$59,260	\$60,445	\$61,654
<b>TOTAL EXPENDITURES</b>	<b>\$6,330,828</b>	<b>\$6,289,385</b>	<b>\$6,396,258</b>

#### **D. Cost of extending services to annexation area(s) if applicable.**

Although the City's service extension costs will be minimal, they must be examined separately under (i) the present farm scenario and (ii) the subdivision scenario.

##### **1. Farm Scenario**

If the area remains undeveloped farmland consisting of a single home, the City's service costs will consist solely of solid waste services, beginning in 1997. Solid waste services are administered by the Administration Department.

The driveway of the subject property accesses Kiefer Creek Road only, and since Kiefer Creek Road is a county arterial road, neither street maintenance nor snow removal would be required by the City. As a result, this annexation would result in an additional \$100 to \$109 per year in expenditures if the property maintains its present state and use.

All other services (brush and leaf collection, administration, police, etc.), excluding snow removal, can be provided at minimal cost due to the compactness of the subject parcel relative to the existing City of Ellisville. To provide such additional services, the City can absorb the impact of the new area and provide public services to the residents of the subject property at negligible costs.

Estimated Expenditures for Area to be Annexed			
FARMHOUSE SCENARIO			
DEPARTMENT	1997 PROJECTED	1998 PROJECTED	1999 PROJECTED
Administration	\$99	\$104	\$109
Police	\$0	\$0	\$0
Public Works	\$0	\$0	\$0
P.I.E. (planning, insp. & eng.)	\$0	\$0	\$0
Parks and Recreation	\$0	\$0	\$0
Municipal Courts	\$0	\$0	\$0
NEW EXPENDITURES	\$99	\$104	\$109
SUBDIVISION SCENARIO			
DEPARTMENT	1997 PROJECTED	1998 PROJECTED	1999 PROJECTED
Administration	\$0	\$313	\$328
Police	\$0	\$0	\$0
Public Works	\$0	\$400	\$500
P.I.E. (planning, insp. & eng.)	\$0	\$0	\$0
Parks and Recreation	\$0	\$0	\$0
Municipal Courts	\$0	\$0	\$0
NEW EXPENDITURES	\$0	\$713	\$828

##### **2. Subdivision Scenario**

If the property is developed for single family residential housing, the City's service costs will consist of solid waste services for three homes (beginning in 1998), in addition to minimal costs for the maintenance of street and stormwater systems (\$400-\$500 annually). Since the infrastructure will be brand new (it does not yet exist), major street and stormwater maintenance costs will not be necessary, however, \$400-\$500 is anticipated as a contingency.

All other services can be provided at minimal cost due to (i) the compactness of the subject area relative to the existing City of Ellisville, and (ii) the relatively small magnitude (three homes) which would result from this boundary change. To provide such additional services (snow removal, brush and leaf collection, administration, etc.), the City can absorb the impact of the new area and provide public services to these residents at negligible costs.

**FACTOR 8. THE EXTRAORDINARY EFFECT THE BOUNDARY CHANGE WILL HAVE ON THE DISTRIBUTION OF TAX RESOURCES IN THE COUNTY.**

This annexation would produce a miniscule impact on the tax resources of St. Louis County. Because the area will become part of the corporate boundaries of the City of Ellisville, some taxes previously paid to the County will now be paid to the City. In addition, net tax resources will increase because Ellisville has several tax rates which are higher than those of St. Louis County. Among them are the property tax and utility taxes.

Revenue Impact to St. Louis County		
TAXES AND FEES	REV. IMPACT TO COUNTY	
	Farmhouse	Subdivision
Utility Tax	\$120.00	\$360.00
Cable Television Franchise Tax	\$18.00	\$27.00
*Pool Sales Tax	\$304.75	\$914.25
*Missouri Gasoline Tax	\$67.36	\$202.08
*Motor Vehicle Sales Tax	\$14.44	\$43.32
*Motor Vehicle Fees	\$11.79	\$35.38
*State Bridge and Road Tax	\$109.83	\$141.75
Miscellaneous Permits and Inspection Fees	Variable	Variable
<b>TOTAL REVENUE IMPACT</b>	<b>\$646.17</b>	<b>\$1,723.78</b>

\*These revenue sources will not be realized until the next decennial census (2000) has been completed and recorded.

In addition, this annexation will result in the City of Ellisville assuming all of the inspection and permitting responsibilities, and thus, will receive all fees associated thereof.

Though there will be no loss to St. Louis County of their property tax base, the County will lose only a negligible portion of revenue which was directly generated by utility tax and cable television franchise fees. Other occurrences of revenue loss will involve certain statewide or county wide taxes where the revenue distribution is broken down and allocated to municipalities on a per capita basis, however, revenue changes associated with these state and countywide (intergovernmental) taxes will not be realized by either jurisdiction until the next decennial census (year 2000) has been completed and recorded.

Revenue losses which would be realized by St. Louis County would be \$646.17 if the farmhouse were to remain, and \$1,723.78 if the property were developed. These figures do not include permits and inspection fees, which would not be significant for the three (3) new homes proposed.

**FACTOR 9. HOW THE MUNICIPALITY OR PROPOSED MUNICIPALITY PROPOSES TO ZONE ANY AREA NOT PRESENTLY INCORPORATED.**

- A. The existing zoning maps plus an accurate and complete description of zoning regulations which apply to existing categories;**



The proposed annexation area is presently zoned R-2 under St. Louis County's zoning ordinance. A zoning map of the subject parcel, a copy of St. Louis County Ordinance 18,254 rezoning this property to R-2, and a copy of the County's existing R-2 zoning ordinance is provided in Appendix "D".

**B. The projected zoning of unincorporated areas should be mapped and identified by existing zoning districts. Any transition of land use character should be indicated and described;**

A zoning map depicting land use has been provided in Appendix "D", along with the County's R-2 zoning codes. There are no transitions of land use character under consideration by the City of Ellisville, other than those already permitted under the current (St. Louis County) zoning. Instead, the City proposes to incorporate the St. Louis County R-2 Zoning District into its own zoning code, under the title "CR-2", and adopt (honor) the current zoning criteria for the subject property which presently exists in St. Louis County.

**C. Other regulations such as subdivision, flood plain management ordinances; special districts such as historic preservation; or any other relevant regulations should be included with zoning information if any significant effects are likely to result from their extension into the unincorporated area.**

There are no significant effects likely to result from the annexation proposal with regard to subdivisions, flood plain management ordinances, special districts or other regulations. Obviously, the proposed subdivision (to which the subject property would belong) would maintain its own subdivision indentures, however, the City of Ellisville does not enforce the regulations of homeowners associations; hence, this would be a non-factor.

**D. Zoning and land use regulation;**

**1. Description of projected zoning changes which would affect residents and/or other property owners.**

There are no projected zoning changes proposed for the area to be transferred to the City of Ellisville. The zoning district will be accepted into the City of Ellisville as it presently exists in St. Louis County.

**2. Identification of non-conforming setbacks, lot sizes, land uses, etc. which would result from zoning and remedies being instituted or intended;**

No zoning changes will take place, other than to adopt the County R-2 zoning ordinance and apply those criterion to the subject property. Future zoning decisions will be measured against the criteria established for the current County R-2 zoning district, which will be known as

"CR-2" in Ellisville. Presently, no non-conforming zoning issues exist in the subject property, as the land contains only a single home built on 2.5 acres. If, during the development of this property, variances are needed by the developer, he/she can always seek relief through the City of Ellisville's Board of Adjustment.

**3. Identification of ongoing development projects and indication of provision for transition of jurisdiction.**

The proposed area has recently been rezoned by St. Louis County (to R-2) in anticipation of a residential subdivision project. The two (2) immediately adjacent undeveloped properties (approximately fifteen acres between them), which will also be part of this same subdivision, are already incorporated into Ellisville, and have been rezoned to R-1 Single Family Residential in Ellisville for the same purpose. At this time, the developer has not submitted a preliminary plat to the City for consideration, but is expected to do so soon. This annexation proposal was requested by the proposed developer in anticipation of the residential development project.

**FACTOR 10. THE COMPACTNESS OF THE AREA SUBJECT TO SUCH PROPOSAL**

- A. Service delivery/access...the use of roads within the proposed city for safe and efficient delivery of services and access to properties within city. It implies that properties shall not be left stranded, or unable to be accessed by the jurisdiction that contains them.**

"Compactness" is one of the primary logical purposes for the proposed annexation. At the present time, the subject property is accessed from Ellisville via Kiefer Creek Road. Further, the property is completely surrounded by Ellisville on all sides. Through this annexation, the properties can be more efficiently served, and an unincorporated pocket can be eliminated to the benefit of both the County and the City of Ellisville.

- B. Community of interest...A geographic area within which one property owner or resident will be significantly affected by municipal decisions concerning another property within that area (either public or private); also, a geographic area within which the residents use many of the same public and private facilities, e.g. churches, parks, elementary schools, grocery stores, etc.**

There is a strong community of interest between the City of Ellisville and the proposed area. The City has or will be considering development issues along the main access route, Kiefer Creek Road, which may pose a number of developmental and traffic concerns for the residents of the subject area. The Ellisville City Hall is located approximately one (1) mile from the subject property.

Should the subdivision be built, the residents would benefit by being a part of Ellisville community. These residents would undoubtedly shop at the same stores and participate in the

same community activities as other Ellisville residents. Further, this proposed subdivision, of which the subject property would be a part, is immediately adjacent to Bluebird Park, the City's largest park, which contains a swimming pool, tennis courts, ballfields, an amphitheater, several miles of walking trails, picnic shelters, playgrounds, and a significant amount of open space.

**C. Natural and/or man-made barriers may serve as boundaries as they are obstacles to safe and efficient service delivery/access. Examples include discernible features such as rivers/creeks and other bodies of water; rail systems that block access.**

There are no natural or man-made barriers to serve as obstacles to service delivery, in relation to the subject property. The Kiefer Creek, itself, runs parallel to Kiefer Creek Road, but does not cross the road at any point which might impact service delivery to the subject property.

**FACTOR 11. WHEN THE PROPOSED BOUNDARY CHANGE SHALL BECOME EFFECTIVE.**

**A. Provide the proposed effective date for the boundary changes as proposed.**

The changes will become effective as soon as is legally permitted under the Boundary Commission rules and regulations and State Statutes. Currently the Boundary Commission has set a period of no more than four months for review and decision of a "simplified boundary change". The Commission may choose to require a vote, however, the City of Ellisville asks that the proposal be approved without a vote for the following reasons:

1. The sole property owner of the subject property has signed a petition document requesting that the City of Ellisville adjust its boundaries to incorporate the subject property into Ellisville, which, in our opinion, indicates the necessary support from the subject area of annexation, and
2. With the subject area consisting of only 2.5 acres, there will be no drain on the financial resources of the existing City, as was previously established. As a result, opposition to this proposal by existing residents would be negligible, if any.

We request that, due to the reasons stated immediately above, the Boundary Commission waive the requirement for a costly election. A copy of the petition is included in Appendix "E". Appendix "F", the final appendix of this document, contains the certified and approved City Council ordinance adopting this Plan of Intent.

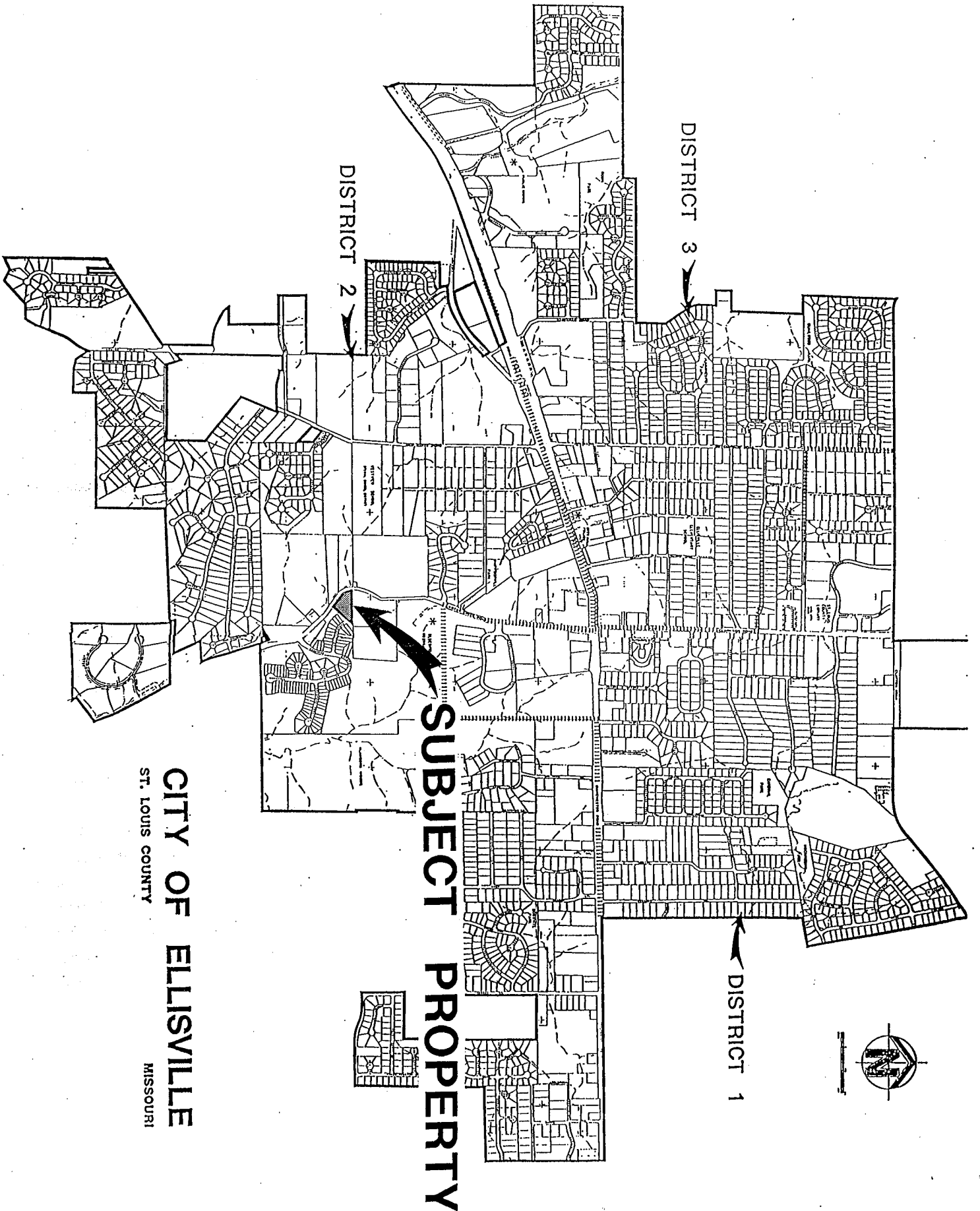
**B. No simplified boundary change involving territory already described in an annexation resolution or incorporation petition filed with the Commission shall occur unless the annexation or incorporation proposal first filed has been disapproved by the Commission or defeated by the voters.**

This proposal does not involve territory already described in an annexation resolution or incorporation petition filed with the Commission.

# **APPENDIX A**

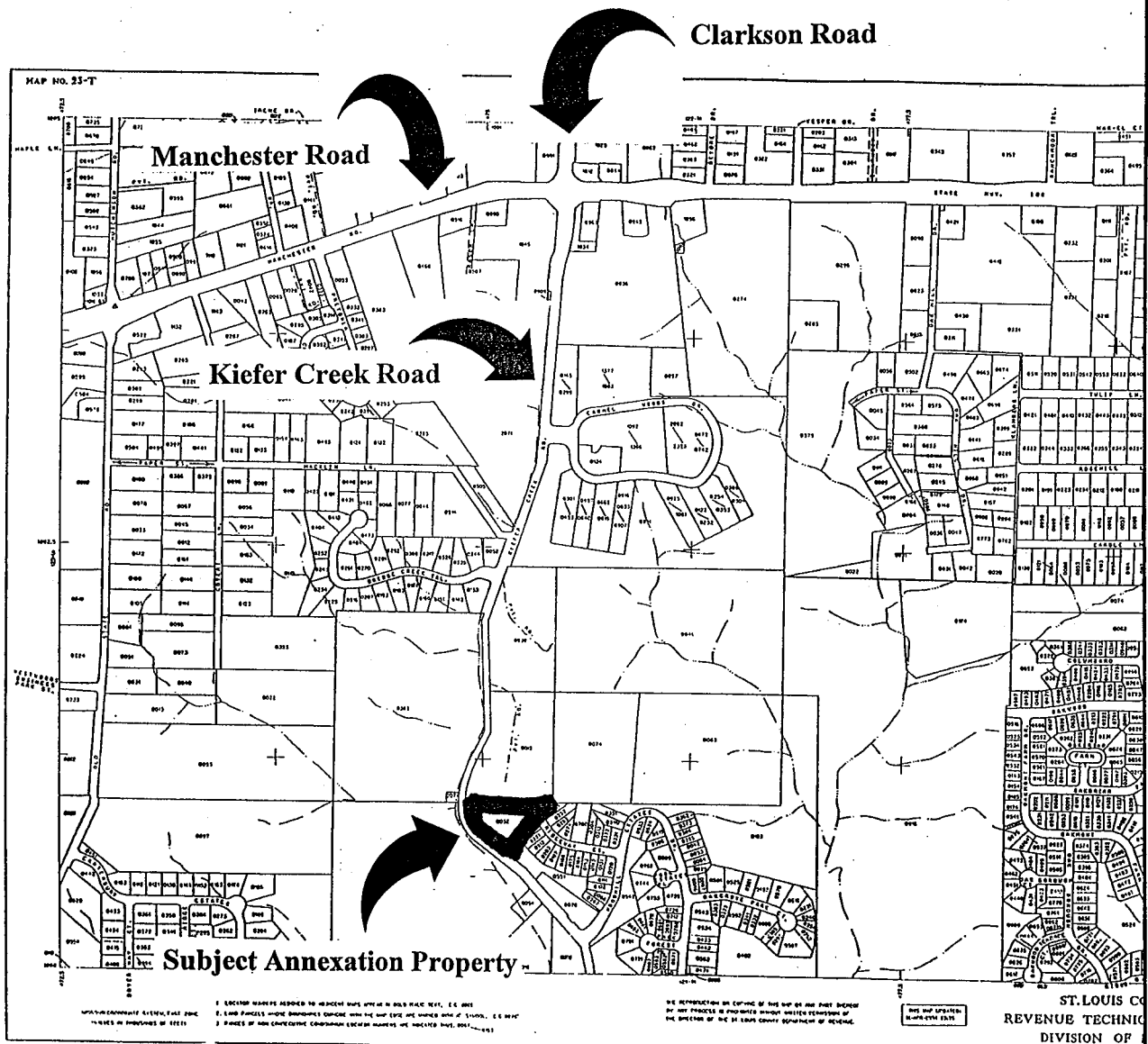
## **MAPS OF SUBJECT PROPERTY**

### **Overview Map and Road Access Map**



CITY OF ELLISVILLE  
ST. LOUIS COUNTY  
MISSOURI

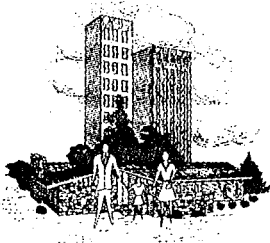
# SUBJECT AREA ROAD ACCESS MAP



# **APPENDIX B**

## **LEGAL DESCRIPTION OF SUBJECT PROPERTY**





ORDER NUMBER:

95-12-259

# THE STERLING COMPANY

ENGINEERS, SURVEYORS & PLANNERS  
COMPLETE PROFESSIONAL SERVICES

5055 NEW BAUMGARTNER RD. • ST. LOUIS, MO 63129 • (314) 487-0440 • FAX (314) 487-8944

## LEGAL DESCRIPTION

**PROJECT:**  
**LOCATION:** Bent Grass  
**DESCRIPTION:** City of Ellisville Annexation

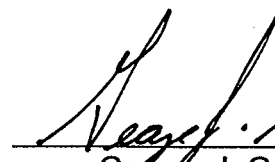

**PAGE** 1 **OF** 1  
**DATE:** January 9, 1997  
**BY:** G.F.W.

A tract of land being part of Lot 27 of Captain B.F. Hutchinson's Subdivision of his Ellisville Farm according to the plat thereof recorded in Plat Book 9, Page 60 of the City (former County) of St. Louis Records, also part of the Southeast 1/4 of Section 5, Township 44 North, Range 4 East, in St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northeast corner of the Southeast 1/4 of said Section 5; thence along the South line of a tract of land described to Clemence M. Watson by deed recorded in Book 3409, Page 407 of the St. Louis County records South 42°22'32" West a distance of 444.82 feet to a point in the centerline of Kiefer Creek Road; thence along the centerline of Kiefer Creek Road the following courses and distances: North 53°50'28" West 232.63 feet, North 37°22'28" West 95.68 feet, and North 7°18'28" West a distance of 115.86 feet to the East-West centerline of Section 5; thence North 89°57'36" East 560.44 feet to the point of beginning, and containing 2.47 acres more or less.

This was prepared from available information, and not the result of a boundary survey.

THE STERLING COMPANY

  
George J. Gower, President  
MO Reg. #2336  


# **APPENDIX C**

## **INVENTORY OF SERVICES**

## INVENTORY OF SERVICES

Service	Current Provider	New Provider	Notes
Governance and Administration	St. Louis County	Ellisville	St. Louis County jurisdiction remains in effect, but Ellisville Mayor and City Council provide primary services
Police	St. Louis County	Ellisville	St. Louis County jurisdiction remains in effect, but Ellisville provides primary services
Parks and Recreation	St. Louis County	Ellisville	County facilities are available to residents
Solid Waste/Recycling	Resident	Ellisville	100% City subsidized
Yard Waste	Resident	Ellisville	Resident user-fee where user pays for tags
Recycling	Resident	Ellisville	100% City subsidized
Brush Chipping	Resident	Ellisville	New service to annexation area
Leaf Collection	Resident	Ellisville	New service to annexation area
Stormwater Control	MSD	Ellisville and/or MSD	Includes repair, maintenance, and improvements, as required and approved
Code Enforcement	St. Louis County	Ellisville	County R-2 zoning codes apply to new area
Planning/Zoning	St. Louis County	Ellisville	All zoning decisions are through Ellisville, using County R-2 zoning
Street Lighting	Residents through Subdivision Assoc.	Ellisville	Installation as requested and approved, plus ongoing operations paid
Street / Sidewalk Maint. & Repairs	St. Louis County	Ellisville	St. Louis County provides arterial road services; Ellisville to provide residential road services
Street Maintenance	St. Louis County	Ellisville	St. Louis County provides arterial road services; Ellisville to provide residential road services
Municipal Court	St. Louis County Circuit Court	Ellisville	Becomes Ellisville's jurisdiction
Fire / EMS	Metro West Fire Protection District	Same	No change
Utility Agreements	St. Louis County	Ellisville	Ellisville would administer
Health & Social Services	St. Louis County	Same	No change
Electric Service	Union Electric	Same	No change
Natural Gas Service	Laclede Gas	Same	No change
Water Service	STL County Water	Same	No change
Sewer Service	MSD	Same	No change
Cable Television Service	Charter Communic.	Same	No change
Telephone Service	Southwestern Bell	Same	No change

## 1. A LIST OF MAJOR SERVICES PRESENTLY PROVIDED BY THE CITY:

**(a) Representation and Administration:** The City of Ellisville is governed under a City Charter which established a Council/Manager form of government. The new organization is a "weak mayor" system comprised of six council members who are elected, two from each of the three districts of the City, and a Mayor, elected at large. All elected officials are limited to two (2) consecutive three (3) year terms. With an Ellisville population of approximately 8,200, each Council Member represents approximately 1,350 residents. Upon the effective date of the annexation, the subject parcel would become part of Council District II in Ellisville, which presently includes most residents south of Manchester Road (Highway 100) in Ellisville.

The City Manager is charged with the responsibility of controlling, supervising and monitoring all City departments, personnel and operations, and managing the City in a fiscally prudent and proficient manner. All department heads and key administrative personnel report to the City Manager. Only the appointed positions of Municipal Judge, Prosecuting Attorney, City Attorney, and City Clerk are controlled by the elected body. All other employees serve under a "performance based" personnel system established by the City Charter. The City Manager serves at the pleasure of the Mayor and City Council, and is directed to carry out all matters of policy decided by the elected body.

**(b) Board and Commissions:** In addition to the City Council, the City has several boards and commissions to deal with local issues such as the Planning and Zoning Commission, Park Advisory Board, Human Rights Commission, Personnel Review Commission, and Board of Adjustment. With the exception of the City Council, membership on these boards and commissions is available to any resident that is recommended by the Mayor and approved by the City Council, as openings become available.

**(c) Police Department:** The Ellisville Police Department is comprised of twenty-two (22) fully qualified, highly professional officers including the Chief of Police, a Captain, three (3) Lieutenants, three (3) patrol squads, a detective division consisting of two (2) detectives, and one D.A.R.E. officer assigned to area schools on a part-time basis. The Police Department also employs two civilian police clerks, and operates both a Police Reserve program and an Emergency Preparedness Program.

The area currently patrolled by the Ellisville Police Department is divided into two sectors. On evening and midnight shifts, an additional officer roams both sectors to provide assistance as required. All officers assist in traffic control with two officers being specially trained in traffic enforcement and accident investigation. Due to the compactness of the subject parcel in relation to the existing City of Ellisville, no adjustments, whatsoever, will be necessary to service the new area. No additional police officers will be required by the City. The Ellisville Police Department currently has a ratio of 2.56 officers for every 1,000 residents. This proposed annexation will only increase the City's population by an estimated three (3) to eight (8) residents, hence, the ratio of officers in Ellisville will not be impacted. Note that the City of Ellisville exceeds the national average of 1.5 officers per 1,000 residents. Ellisville also tends to exceed most of its surrounding communities in the number of police officers per 1,000 residents.

The department's typical emergency response time averages three (3) minutes and non-emergency response times average four minutes and thirty-six seconds (4.6 minutes). Actual response times will vary depending upon prevailing traffic and weather conditions.

The department's detective bureau is staffed by two full-time detectives who are thoroughly trained in the latest investigative and surveillance techniques.

There is one full-time officer assigned one day per week to the Drug Awareness Resistance Program (D.A.R.E.), which is an anti-drug use campaign waged at the grade school level to encourage children to stay away from or quit using drugs.

Ellisville's police communications needs are provided contractually with St. Louis County Communications. State-of-the-art Computer-Aided Dispatching (C.A.D.) results in efficient and effective response times and communications, and sophisticated Computer-Assisted Report Entry (C.A.R.E.) enables officers to verbally communicate and computerize report entry to enable the officer to return to patrol sooner and spend more total time on patrolling and other matters because of decreased time writing reports.

In March, 1994 the Ellisville Police Department moved into a new modern, completely equipped police facility. The building cost approximately \$1 million to construct and was paid-for without incurring any debt. The new facility has three (3) holdover cells outfitted with audio/visual equipment to monitor the prisoners. The new building has greatly enhanced the operational efficiency of the police department.

The Police Department offers many popular services and programs to the community including Neighborhood Crime Prevention Programs, Silver Posse, Kid's Day, Bicycle Rodeos, child fingerprinting, Halloween Candy Apple program, Christmas Candy Cane program, Baseball Card program, vacation security checks, home security evaluation, Operation Ident, and others.

The Police Department administers the City's Emergency Preparedness/Civil Defense program which has mechanisms, staff, and equipment in place in the event of natural or other types of disasters.

The City's contracted animal control services with St. Louis County work in conjunction with our Police Department to help ensure resident's safety from stray or wild animals.

The Ellisville Police Department is well respected and professionally operated. It welcomes the opportunity to extend its services to the proposed annexation area.

**(d) Public Works Department:** The Ellisville Public Works Department is responsible for a myriad of infrastructural concerns throughout the City, along with a number of special programs which include:

The repair, maintenance and improvement of public concrete and asphalt streets, gutters, curbs and sidewalks using the appropriate materials and methods. The priority, scheduling, timing, and performance of this work is coordinated by the Planning, Inspections and Engineering Department which undertakes a city-wide infrastructure survey/assessment and combines this with a compilation of the non-emergency requests and concerns received from staff and elected officials through their constituents. A complete study has been made of all of the current road surfaces in Ellisville. Through the aid of a computerized pavement management program, the engineering staff is better able to schedule future improvements, as needed. Since Kiefer Creek Road is a county arterial, and the portion of Kiefer Creek Road serving the subject property is county-maintained, no street surveys, analysis, or scheduling of repairs will be required for Kiefer Creek Road. If/when the impending development occurs on the subject property, street and sidewalk surveys, analysis, and repairs will be necessary with regard to the subdivision street(s). However, no more than \$400-\$500 per year is anticipated for the maintenance of these subdivision streets during the first several years of their existence. At this time, the subdivision has not even been platted, much less having the streets and sidewalks constructed.

Storm water control services and projects includes, but is not limited to gabion basket projects, ditch line cleaning or digging, clearing debris from creeks, and pipe installation as required, plus repairs and maintenance of all, as required along certain right-of-ways, easements, or wherever the City is legally allowed to perform such work or projects. These types of services and projects are also assigned priority and performed as a result of staff analysis and input received from residents.

The City has completed one phase of an aggressive capital improvement schedule through a \$3.9 General Obligation Bond Issue, whose projects ended in 1996. The second phase of this capital thrust involves a multitude of stormwater improvements citywide using the newly enacted 1/2 cent sales tax. Since the Stormwater Improvement Program is a nineteen (19) to twenty (20) year capital improvement program, it may be considered ongoing, for all intents and purposes, and at this time.

A Fall Curbside Leaf Collection Program is offered to all residents, and involves specially-equipped trucks which vacuum leaves previously raked to the curb by residents. The City has made ongoing arrangements with a local nursery to accept the leaves for compost.

A Fall and Spring Curbside Brush Chipping Program entails towing our portable brush chipper throughout all areas of the City in a systematic manner, chipping branches and brush, and hauling such materials to a designated area in our primary park. A tub grinder is then used to (i) chip the brush into wood chips and (ii) provide mulch material for use on City trails and for free pickup by residents to use as their residences as mulch material. A year round drop off site for brush is also available to residents.

A post-holiday curbside and drop-off site Christmas Tree Program is offered to residents which gives them a convenient means to dispose of their Christmas trees. The trees are then chipped and the resulting material is available as winter mulch. This program provides

convenience to residents and allows the City an opportunity to recycle these trees in an environmentally acceptable and useful manner.

Highly praised snow removal services are provided by our Public Works Department utilizing our own staff and equipment. Crews are called out as required 24 hours a day and stay on the job until streets are cleared using the proper combination of plowing and application of salt and calcium chloride. Though these services are not necessary on Kiefer Creek Road, a county arterial road, they would be necessary in the proposed subdivision of the subject property, should the property develop.

"Stop" signs, "No Parking" signs and other permanent traffic control signage may be petitioned for and will be erected as studies warrant same.

Mosquito larviciding is performed on a regular scheduled basis and on demand, especially as susceptible seasons dictate.

By request, the City fully subsidizes street lighting costs in Ellisville subdivisions. Should the subject property be successfully annexed and ultimately developed, the City would, by request, begin funding the street lighting services for the subject property on an ongoing basis.

The Ellisville Public Works Department can and will extend all services and programs to the subject parcel. The hiring of additional Public Works employees will not be necessary as a result of this annexation proposal. The City will be able to provide the same level of service to residents of the subject properties as it does the existing City, and without additional human resource requirements.

**(e) Parks and Recreation Department:** Ellisville operates a total of ten parks. Bluebird Park, the City's primary park, is approximately 160 acres in size and offers a vast number of recreational facilities and activities. These include a swimming pool, wading pool, tennis courts, softball/baseball fields, a soccer field, volleyball courts, fitness trail, nature trail, playgrounds, shelters, an amphitheater, a gazebo, basketball play area, activity room and more. The other nine satellite parks offer playgrounds, picnic tables and open space in areas adjacent to residential developments.

The Parks and Recreation Department conducts a large number of recreational programs, classes, and leagues and camps which serve all age groups from small youths to adults. These include, but are not limited to, a swimming and diving team, swim lessons, volleyball league, aerobics, street hockey, fitness clinics, tennis lessons, tennis leagues, T-Ball, day camps, theater workshops, basketball lessons/league, karate, youth gymnastics and developmental physical activities, orienteering, and the Lafayette Older Adults Program.

The Ellisville Parks and Recreation Department also conducts or sponsors special events including Birthdays in the Park, Concerts in the Park, Hershey Track and Field Clinic and Meet,

Annual July 4th Celebration, Harvest Festival, Jazz Festival, Senior Fun Fest, River Run, Halloween Spooktacular, Santa's House, and hayrides.

While the City's facilities, programs, lessons, leagues, camps, etc., are open to both residents and non-residents, residents often receive preferential, advance or priority registration, and resident rates are, in most cases, substantially less than non-resident rates. If the subject property were developed with homes, the new residents and their families would have tremendous access to Bluebird Park, and the impending development (as a whole) is directly adjacent to the park, and the residents could easily walk to this site without having to use Kiefer Creek Road. The Ellisville Parks and Recreation Department welcomes the increase in activity and program participation which the proposed area may bring.

The Parks and Recreation Department helps in carrying out the City's ongoing objectives of open green space and the preservation and planting of trees. Ellisville has had the distinction of being awarded the Tree City, U.S.A. award for fifteen (15) consecutive years. To qualify for this award a community must demonstrate that they have budgeted certain levels of funds per capita for plantings and promote forestry conservation practices.

A new community center is currently being discussed and may receive consideration in the near future, and would have tremendous impact on the types, number, and size of available recreational activities.

**(f) Planning and Zoning:** The City of Ellisville has mature, refined, and tested zoning regulations in place which address all zoning districts and uses therein.

The City Engineer serves as the City's primary zoning administrator and is a member of the City's Planning and Zoning Commission. The Planning and Zoning Commission hears all matters pertaining to zoning changes within the City or applications of the zoning code, and makes recommendations to the City Council. Positive recommendations from Planning and Zoning require only a simple majority vote by the City Council for final approval. Negative recommendations from the Planning and Zoning Commission will require a 2/3 (overriding) vote of the City Council for final approval.

The City stringently enforces its zoning codes in an effort to promote the health, safety, and general welfare of the community on an ongoing basis. To facilitate this proposed annexation, the City will incorporate a new zoning district called "CR-2" (County R-2) which pertains to the present zoning of the subject property. The City will simply adopt the County's R-2 zoning district in order to accommodate the existing zoning of the subject property.

**(g) Code Enforcement and Plan Review:** The City of Ellisville performs plan review services, conducts inspections, and issues permits of many types, including building, electrical, signage, excavation, sewer, street, grading, and demolition. All inspections are performed by staff with the exception of electrical, which is performed by a contracted electrical inspector, certified and active in the field.



All development plans are reviewed by both a third-party Landscape Consultant and third-party Traffic Engineer, and appropriate revisions/recommendations of such plans are made to the City for consideration in granting final approval for developments.

The City has adopted the 1993 B.O.C.A. Building Code which is the code in use by St. Louis County, the 1992 C.A.B.O. code for review of single and two-family dwelling units, and the 1990 National Electrical Code.

All residential property requires an approved occupancy inspection prior to issuance of an occupancy permit. The City has adopted the 1990 B.O.C.A. National Property Maintenance Code to provide standards for inspection.

**(h) Solid Waste Program:** The City currently engaged in a three-year contract, with two optional extension years, with Wilson Refuse for the provision of a 100% City subsidized weekly solid waste collection, hauling, and disposal service, and a 100% City subsidized curbside recyclable collection program. Any resident who wishes to participate in this City-funded program may do so. The City's program provides for weekly curbside collection of an unlimited amount of refuse with the exception of yard waste, and an unlimited number of larger items, by appointment with the hauler. The recyclable material pick-up presently includes aluminum cans, tin cans, glass, plastic milk and plastic "liter" soda bottles, newspaper and waste motor oil. The state law (RSMo 260.247) which prohibits the City from offering the solid waste program until two full years has expired following an annexation will not apply to the subject property because the residential density of the property (one to three homes) does not meet the minimum customer density called for in the state law.

**(i) Municipal Court:** Although all of St. Louis County is served by the St. Louis County Circuit Court, certain violations, complaints, summons, etc., are directed through the City's municipal court division, rather than to a County Circuit Court.

## **2. PROPOSED TIME SCHEDULE WHEREBY THE CITY PLANS TO PROVIDE SUCH SERVICES TO THE RESIDENTS OF THE ANNEXATION AREA:**

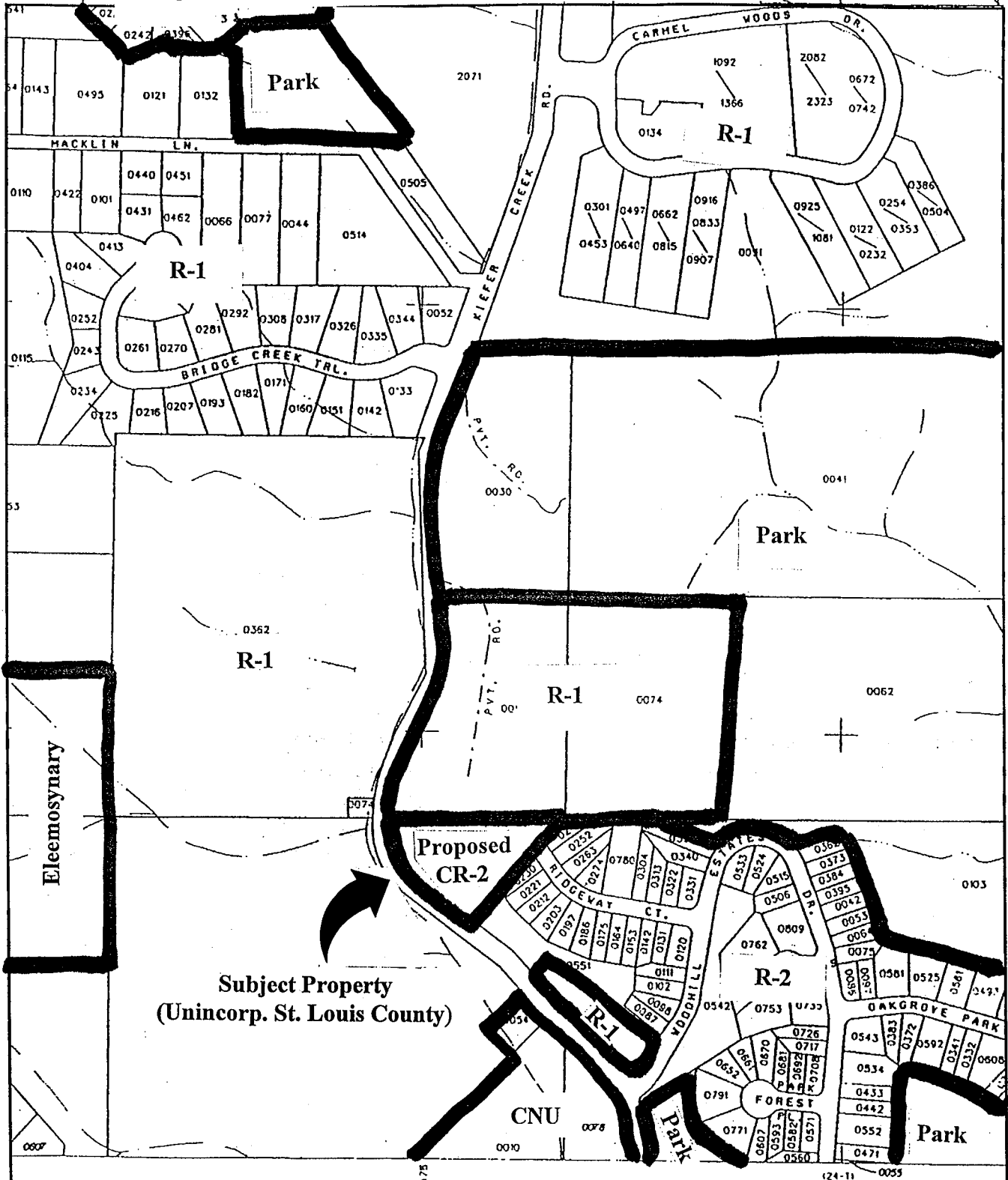
The City of Ellisville will provide all municipal services immediately, upon the effective date of the annexation. No reasons nor laws exist for the need to delay the delivery of any of the City's services.

**APPENDIX D**

**PROPOSED ZONING MAP  
AND  
ST. LOUIS COUNTY R-2 ZONING CODE**

# SUBJECT AREA ZONING MAP

P23-T 2 C-3



## **1003.113 "R-2" Residence District Regulations.**

### **1. Scope of Provisions.**

This section contains the district regulations of the "R-2" Residence District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this section by reference.

### **2. Permitted Land Uses and Developments.**

The following land uses and developments are permitted in this District:

- (1) Churches.
- (2) Day care homes licensed under Chapter 819 of Title VIII SLCRO 1974, as amended.
- (3) Dwellings, single family.
- (4) Forests and wildlife reservations as well as conservation projects.
- (5) Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
- (6) Home occupations.
- (7) Libraries, public or private not-for-profit.
- (8) Local public utility facilities, sixty (60) feet or less in height, provided that any installation, other than poles and equipment attached to the poles, shall be:
  - (a) adequately screened with landscaping, fencing or walls, or any combination thereof, or
  - (b) placed underground, or
  - (c) enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- (9) Parks, parkways, and playgrounds, public or private not-for-profit.
- (10) Schools, public or private kindergarten, secondary, and collegiate.
- (11) Schools, public or private elementary, on a tract of land of at least five (5) acres.

### **3. Conditional Land Use and Development Permits Issued by the Commission.**

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (1) Child care centers, nursery schools, and day nurseries.
- (2) Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
- (3) Foster homes for handicapped children.
- (4) Golf courses which are illuminated and practice driving tees. Miniature golf courses are excluded.
- (5) Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility.
- (6) Group homes for the elderly.
- (7) Group living facilities providing a permanent residence for not more than nine (9) individuals, all over eighteen (18) years of age and who are ordained or hold a designated religious position with the same religious institution.
- (8) Hospitals and hospices.
- (9) Local public utility facilities over sixty (60) feet in height.
- (10) Nursing homes.
- (11) Police and fire stations.

- (12) Public utility facilities.
- (13) Retreats owned and operated by religious, educational, or other not-for-profit establishments.
- (14) Schools, public or private elementary, on a tract of land of at least three (3) acres but less than five (5) acres.
- (15) Sewage treatment facilities, other than facilities permitted as an accessory use.
- (16) Specialized private schools.

#### 4. Accessory Land Uses and Developments.

Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Detached above-ground accessory structures shall not cover more than a total of 7% of the lot area. Accessory uses include the following:

- (1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
- (2) Individual sewage treatment facilities serving an individual dwelling or non-residential use, as approved by the appropriate regulatory agency. The sewage treatment facilities shall not exceed 5,000 gallons per day flow.
- (3) Private stables.
- (4) Signs (directional and information).

#### 5. Performance Standards.

All uses in the "R-2" Residence District shall operate in conformity with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations.

#### 6. Height Limitations for Structures.

The maximum height of structures in the "R-2" Residence District shall be as set out below:

- (1) No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.
- (2) All other structures, other than a public utility tower or a local public utility facility authorized by a Conditional Use Permit, shall not exceed a height of sixty (60) feet above the average finished ground elevation at the perimeter of such structure; except that the height of structures may be further restricted as provided in Section 1003.161 Air Navigation Space Regulations.

#### 7. Lot Area, Yard, and Density Requirements.

The minimum lot area and yard requirements for land uses and developments in the "R-2" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

##### (1) Minimum Lot Area Requirements:

- (a) The following Permitted and Conditional Land Uses shall be situated on tracts of land providing not less than the following areas:

Use	Minimum Area
Child care center	30,000 sq. ft.
Church	3 acres
Dwelling, single family	15,000 sq. ft.

Use	Minimum Area
Group living facilities for religious purposes	15,000 sq. ft.
Library	1 acre
Group homes for the developmentally disabled	15,000 sq. ft.
Local public utility facilities	10,000 sq. ft.
Mechanical sewage treatment facility	15,000 sq. ft.
Schools	
nursery or day nursery	15,000 sq. ft.
kindergarten (separate)	1 acre
elementary (permitted use)	5 acres
elementary (conditional use)	3 acres
junior high	10 acres
senior high	20 acres
collegiate	10 acres

- (b) Any lot or tract of record on the effective date of this Ordinance, which contains less than 15,000 sq. ft., may be used as a site for one (1) single family dwelling together with accessory structures and uses.
- (c) Foster homes for handicapped children, group homes for the elderly, and not-for-profit private clubs and recreational land uses, including community centers, as approved by the Planning Commission via a Conditional Use Permit, may be established on tracts of land less than five (5) acres where the related parking needs, outdoor facilities, size of buildings, and maximum membership of the developments and uses are deemed consistent with the intensity of land use in the neighborhood of the uses and developments. However, the minimum tract area for the conditional developments and uses shall not be less than 15,000 square feet.
- (d) Police and fire stations as approved by the Planning Commission via a Conditional Use Permit may be established on tracts of less than five (5) acres where the related parking needs, outdoor facilities, and size of buildings are deemed consistent with the intensity of land use in the neighborhood of these uses.
- (e) Specialized private schools shall be located on a tract of land containing one (1) acre for each fifteen (15) pupils, but in no case less than five (5) acres, nor more than that required by the school land area requirements, as listed in paragraph 7.(1)(a).
- (f) Mechanical sewage treatment facilities may be located on tracts of land less than 15,000 square feet in area where the facility is located on platted common land within a subdivision. The minimum lot area, however, shall in no case be less than 10,000 square feet.
- (g) All other Permitted or Conditional Land Uses in this District shall be situated or conducted on tracts of land at least five (5) acres in area.

(2) Creation of New Lots.

No new lots shall be created of less than 15,000 square feet in area except for police stations and local public utility facilities. Lots of less than 15,000 sq. ft., created for the above uses, shall not be used for any other use and, in the event the permitted use terminates, the lot shall be established as common ground for an adjacent development or combined with an adjacent parcel or parcels by means of a boundary adjustment. Prior to the approval of a Subdivision Record Plat creating a lot of less than 15,000 sq. ft., a deed or other legal instrument must be approved by the County Counselor and recorded with the St. Louis County Recorder of Deeds, which guarantees the required transfer of the property in the event the permitted use is terminated.

(3) Minimum Yard Requirements: General.

- (a) Front yard. No structure shall be allowed within twenty-five (25) feet of any roadway right-of-way line.

- (b) Side yard. No structure shall be allowed within ten (10) feet of any side property line.
- (c) Rear yard. No structure shall be allowed within fifteen (15) feet of any rear property line.

(4) Specific Yard Requirements and Exceptions.

- (a) Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
- (b) Boundary walls or fences, six (6) feet or less in height, are allowed within the minimum yard requirements.
- (c) Permitted information signs, six (6) feet or less in height, are allowed within the minimum front yard setback.
- (d) Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback.
- (e) Light standards for street lighting or at points of ingress and egress, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (f) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than ten (10) feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than fifty (50) feet be required.
- (g) If a lot of record existing on the effective date of this Ordinance has a width of sixty (60) feet or less, the side yard on each side of any structure erected on such lot may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instances shall such yard be less than five (5) feet in width.
- (h) Any non-residential structure, other than a public utility tower authorized by a Conditional Use Permit, which exceeds thirty (30) feet in height shall be set back from all property lines at least one (1) additional foot for every foot of height above thirty (30) feet.
- (i) No private stable shall be allowed within one hundred (100) feet of any property line. Affiliated pasture areas shall be fenced.

(5) Maximum Density, Maximum Height, and Minimum Yard Requirements for Nursing Homes:

- (a) Densities of self-care units shall not exceed fifteen (15) units per acre.
- (b) No building within a nursing home development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.
- (c) No building within a nursing home development shall be allowed within a minimum of fifty (50) feet of any property line.

**8. Off-Street Parking and Loading Requirements.**

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Section 1003.165 Off-Street Parking and Loading Requirements.

**9. Sign Regulations.**

Sign regulations are set forth in Section 1003.168 Sign Regulations.

(O.No. 15379 - Adopted 2/15/91).

# **APPENDIX E**

## **CERTIFIED PETITION FOR ANNEXATION**



TO: MAYOR AND COUNCIL  
CITY OF ELLISVILLE  
COUNTY OF ST. LOUIS  
STATE OF MISSOURI

Verified Petition  
for Annexation

Comes now the undersigned party(ies), Jack N. Ross, Trustee, for a Verified Petition for Annexation, and certify and state:

1. That the following described real property is an area or tract of land, situated entirely within St. Louis County, Missouri;
2. That the real property is contiguous to the existing corporate limits of the City of Ellisville, Missouri;
3. That the real property consists of one parcel of land, identified as

Lot #	Subdivision
<u>207 Kiefer Creek Road</u>	
Property Address	
<u>23T210032</u>	
St. Louis County Locator Number	

and the real property is herein described below as follows (Plat Book location and legal description using attachments, if needed):

**A tract of Land being part of Lot 27 of Captain B.F. Hutchinson's Subdivision of his Ellisville Farm according to the plat thereof recorded in Plat Book 9 Page 60 of the City (former county) of St. Louis Records, also part of the Southeast 1/4 of Section 5, Township 44 North, Range 4 East in St. Louis County, Missouri, and being more particularly described as follows:**

**Beginning at the Northeast corner of the Southeast 1/4 of said Section 5; thence along the South line of a tract of land described to Clemence M. Watson by deed recorded in Book 3409 Page 407 of the St. Louis County records South 42 degrees 22 minutes 32 seconds West a distance of 444.82 feet to a point in the centerline of Kiefer Creek Road; thence along the centerline of Kiefer Creek Road the following courses and distances: North 53 degrees 50 minutes 28 seconds West 232.63 feet, North 37 degrees 22 minutes 28 seconds West 95.68 feet, North 7 degrees 18 minutes 28 seconds West a distance of 115.86 feet to the East-West centerline of Section 5; thence North 89 degrees 57 minutes 36 seconds East 560.44 feet to the point of beginning. Containing 2.47 acres more or less.**

Address: \_\_\_\_\_

Said property being owned in fee by The Clemence M. Watson Trust U.T.A. dtd 4/7/76 ~~and~~

WHEREBY, the said Jack N. Ross, Trustee, and  
of said Trust \_\_\_\_\_, respectfully request the City of Ellisville,  
Missouri, to annex the real property and extend the corporate limits of the City of Ellisville,  
Missouri, to include the above described real property.

Respectfully submitted,

The Clemence M. Watson Trust U.T.A.  
dtd 4/7/76

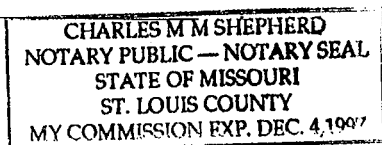
by: Jack N. Ross, Trustee  
Trustee

STATE OF MISSOURI     )  
                                  ) ss  
ST. LOUIS COUNTY     )

I, Charles M. M. Shepherd, a Notary Public, do hereby certify that on  
the 8th day of January, 1997, before me personally  
appeared Jack N. Ross, Trustee,  
being first duly sworn by me acknowledged that he/she/they signed the same as his/her/their free  
act and deed, and declared that the statements herein contained are true to the best of his/her/their  
knowledge, information and belief.

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

My Commission expires:



Charles M. M. Shepherd  
NOTARY PUBLIC

# **APPENDIX F**

## **CERTIFIED CITY OF ELLISVILLE ORDINANCE ADOPTING ANNEXATION PROPOSAL**

**INTRODUCED BY MAYOR NOVAK AND COUNCIL MEMBERS  
COMPTON, SCHNEIDER, ANDERSON, NORWOOD & KHOURY**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ELLISVILLE, MISSOURI, BY ANNEXATION OF CERTAIN TERRITORY WITHIN ST. LOUIS COUNTY, MISSOURI, HEREIN DESCRIBED, AND PROVIDING FOR APPROVAL OF AN ANNEXATION PLAN OF INTENT AND BOUNDARY CHANGE PROPOSAL TO BE SUBMITTED TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR ITS CONSIDERATION**

**WHEREAS**, the City of Ellisville ("City") desires to extend its corporate limits by annexation of areas of land ("Watson Property") described in Exhibit "A" and hereinafter referred to as "Annexation Area", adjoining the City of Ellisville and within the corporate limits of St. Louis County; and

**WHEREAS**, the City has received a Verified Petition signed by all fee interests of record in the tract of real property located within the area proposed to be annexed; and

**WHEREAS**, the City has determined that the Watson Property is adjacent to and contiguous to the present corporate limits of the City; and

**WHEREAS**, the City has developed an annexation plan of intent to be submitted to the St. Louis County Boundary Commission for approval of the annexation of the Annexation Area setting forth, among other things, the various impacts of the boundary change proposal, legal description of the Annexation area, present level of major services provided by the City of Ellisville and St. Louis County and proposed to be provided to the Annexation Area, proposed time schedule for the provision of services to the Annexation Area, current tax rates, revenue sources, effect of the boundary change on St. Louis County, resource distribution, proposed zoning, compactness of the Annexation Area, effect on other political subdivisions such as fire districts; and

**WHEREAS**, a copy of the proposed ordinance was available for public inspection prior to consideration by the Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The City declares its desire to extend its corporate limits by annexation of area of land referred to as "Annexation Area", adjoining the City of Ellisville and within the corporate limits of the St. Louis County, and states as follows:

(A) The description by metes and bounds of the unincorporated Annexation Area sought to be annexed is set out in Exhibit "A" which is attached hereto and made a part hereof.

(B) The annexation is reasonable and necessary for the proper development of the City.

(C) The City has developed a Plan of Intent, a copy of which is marked "Exhibit B", attached hereto and made a part hereof, to provide services to the Annexation Area proposed for annexation which is in conformity with the Statutes of the State of Missouri, which Plan of Intent includes, but is not limited to:

- (1) A list of major services presently provided by the City;
- (2) Proposed time schedule whereby the City plans to provide such services to the residents of the annexation area;
- (3) The level at which the City assesses property and the rate at which it taxes that property;
- (4) How the City proposes to zone the area to be annexed; and
- (5) The effective date of the proposed annexation.

**SECTION 2:** That the City hereby adopts a Plan of Intent labeled Exhibit "B" which shall be attached hereto and incorporated herein by reference as if fully set forth in this Ordinance.

**SECTION 3:** The City Clerk and all City personnel are directed to take whatever action as is necessary to effectuate the annexation of the Annexation Area.

**SECTION 4:** Upon the passage of this Ordinance a certified copy thereof, together with a map of the area to be annexed, shall be forwarded to the St. Louis County Boundary Commission, to the election authorities of St. Louis County and to the governing body of St. Louis County.

**SECTION 5:** This Ordinance shall be effective on adoption, pursuant to Article III, Section 3.13(g) of the Charter, as an emergency measure.

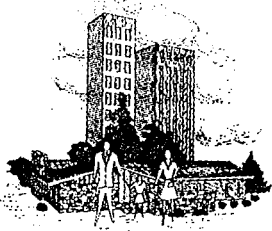
This Bill No. 2292 having been read in its entirety at least once prior to passage, and once by title, and having been duly considered and voted upon was finally passed and approved this 5th day of February, 1997, by an affirmative vote of two-thirds (2/3) of all the members of the Council.

**CITY OF ELLISVILLE**

**ATTEST:**

  
CITY CLERK

  
MAYOR



# THE STERLING COMPANY

ENGINEERS, SURVEYORS & PLANNERS  
COMPLETE PROFESSIONAL SERVICES

5055 NEW BAUMGARTNER RD. • ST. LOUIS, MO 63129 • (314) 487-0440 • FAX (314) 487-8944

ORDER NUMBER:

95-12-259

## LEGAL DESCRIPTION

**PROJECT:**  
**LOCATION:** Bent Grass  
**DESCRIPTION:** City of Ellisville Annexation

**PAGE** 1 **OF** 1  
**DATE:** January 9, 1997  
**BY:** G.F.W.

A tract of land being part of Lot 27 of Captain B.F. Hutchinson's Subdivision of his Ellisville Farm according to the plat thereof recorded in Plat Book 9, Page 60 of the City (former County) of St. Louis Records, also part of the Southeast 1/4 of Section 5, Township 44 North, Range 4 East, in St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northeast corner of the Southeast 1/4 of said Section 5; thence along the South line of a tract of land described to Clemence M. Watson by deed recorded in Book 3409, Page 407 of the St. Louis County records South 42°22'32" West a distance of 444.82 feet to a point in the centerline of Kiefer Creek Road; thence along the centerline of Kiefer Creek Road the following courses and distances: North 53°50'28" West 232.63 feet, North 37°22'28" West 95.68 feet, and North 7°18'28" West a distance of 115.86 feet to the East-West centerline of Section 5; thence North 89°57'36" East 560.44 feet to the point of beginning, and containing 2.47 acres more or less.

This was prepared from available information, and not the result of a boundary survey.

THE STERLING COMPANY

*George J. Gowen*  
George J. Gowen, President  
MO Reg. #2336

STATE OF MISSOURI  
REGISTERED LAND SURVEYOR  
NO. LS2336  
GEORGE J. GOWEN  
#2336

**INTRODUCED BY MAYOR NOVAK AND COUNCIL MEMBERS  
COMPTON, SCHNEIDER, ANDERSON, NORWOOD & KHOURY**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ELLISVILLE, MISSOURI, BY ANNEXATION OF CERTAIN TERRITORY WITHIN ST. LOUIS COUNTY, MISSOURI, HEREIN DESCRIBED, AND PROVIDING FOR APPROVAL OF AN ANNEXATION PLAN OF INTENT AND BOUNDARY CHANGE PROPOSAL TO BE SUBMITTED TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR ITS CONSIDERATION**

**WHEREAS**, the City of Ellisville ("City") desires to extend its corporate limits by annexation of areas of land ("Watson Property") described in Exhibit "A" and hereinafter referred to as "Annexation Area", adjoining the City of Ellisville and within the corporate limits of St. Louis County; and

**WHEREAS**, the City has received a Verified Petition signed by all fee interests of record in the tract of real property located within the area proposed to be annexed; and

**WHEREAS**, the City has determined that the Watson Property is adjacent to and contiguous to the present corporate limits of the City; and

**WHEREAS**, the City has developed an annexation plan of intent to be submitted to the St. Louis County Boundary Commission for approval of the annexation of the Annexation Area setting forth, among other things, the various impacts of the boundary change proposal, legal description of the Annexation area, present level of major services provided by the City of Ellisville and St. Louis County and proposed to be provided to the Annexation Area, proposed time schedule for the provision of services to the Annexation Area, current tax rates, revenue sources, effect of the boundary change on St. Louis County, resource distribution, proposed zoning, compactness of the Annexation Area, effect on other political subdivisions