**Chapter 1**

**GENERAL PROVISIONS**

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*(Revised 07/18)*

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**Chapter 1**

**GENERAL PROVISIONS**

**ARTICLE I**

**IN GENERAL**

**Sec. 1-1. Official regulation of central standard and daylight savings time.**

(a) ***Official time established -*** Central standard time shall be the official time within the city for the transaction of all city business, except that from 2:00 a.m. on the last Sunday in April of the year 1965 official time for the city shall be advanced one hour. At 2:00 a.m. on the last Sunday in October of the year 1965 such official time shall, by the retarding of one hour, be returned to central standard time.

(b) ***City proceedings governed; daylight savings time defined -*** All legal or official proceedings of the board of aldermen and all official business of the city shall be regulated as to time in accordance with the provisions of this section. When, by ordinance, resolution, or action of any municipal officer or body, an act must be performed at or within a prescribed time, it shall be performed according to the official time as herein prescribed. When the words *"daylight saving"* or *"daylight saving time"* are used in any official document or contract, it shall be understood to have reference to the time herein fixed for the period from the last Sunday in April to the last Sunday in October of each calendar year.

(c) ***Public clocks to use official time -*** All clocks or other timepieces in or upon public buildings or other premises maintained at the expense of the city shall be set and run according to the official time as provided in this ordinance. It is hereby made the duty of the officer or other person having control and charge of such building or buildings and premises to see that said clocks or other timepieces are set and run in accordance with official time. (Ord. 409, §§1-3.)

**Secs. 1-2 to 1-6. Reserved.**

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4**ARTICLE II**

**WARDS AND BOUNDARIES**

**Sec. 1-7. Division of city into Wards.**

The City of Potosi shall be divided into two wards pursuant to Revised Missouri Statute 79.060 (1969) and election of aldermen therefrom shall be conducted pursuant to said chapter. (Ord. 468, §1.)

**Sec. 1-8. First Ward boundaries.**

Ward No. 1 shall consist of all that part of the City of Potosi lying west of a line described as running from the point where the corporate limits of the City of Potosi intersects with the median line of North Missouri Street, said line running southward along the center of North Missouri Street to Jefferson Street, then running directly across Jefferson Street in a southerly direction until said line intersects with the southern corporate limit of the City of Potosi; provided however, that any disagreement as to the proper ward of any person who resides along the indistinguishable line, being that portion south of Jefferson Street and north of the southern corporate limit of the City of Potosi shall be resolved by action of the board of aldermen. (Ord. 468, §2.)

**Sec. 1-9. Second Ward boundaries.**

Ward No. 2 shall consist of all that portion of the City of Potosi lying east of the line described in Section 1-8; provided however, that all those persons living in the Housing Authority of the City of Potosi shall be and are hereby deemed a part of Ward No. 2. (Ord. 468, §3.)

**Secs. 1-10 to 1-14. Reserved.**

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6**ARTICLE III**

**CITY LIMITS**

**Sec. 1-15. Establishing the boundary line of the limits of the City of Potosi, Missouri.**

Be it ordained by the board of aldermen of the City of Potosi, State of Missouri, that the limits of the boundary of the City of Potosi with establishment of corners be as is set forth in Section One of this ordinance and as was set forth in ordinance number one hundred sixty and voted on by the people of the City of Potosi November 16, 1937, as follows:

Begin at a point South 39 degrees 45 feet West (219 feet) of corner No. 2 U.S.S. No. 430. Thence South 45 degrees 15 feet East 1201 feet to line of Evans and Russell; thence on at 3567 feet South line of Evans and Russell, on at 4522 1/2 feet May Townsend's fence on West side of Highway No. 21, on at 5071 feet the Southeast corner of corporation, in field of John Mallow, Elm 3 feet in diameter North 18 3/4 degrees West 183 feet Hickory 2 1/2 feet in diameter North 13 1/2 degrees East 177 1/2 feet.

Thence North 44 degrees 45 feet East at 91.5 feet fence between Mallow and Ferd Casey et al Line of U.S.S. #2148, on at 1000 feet North bank of Breton Creek at old Mill Dam, on at 2092 feet South of Highway No. 8, Ferd Casey's fence, on at 3122 feet center of Missouri Pacific Railroad track on at 4043 feet center of Old Mineral Point to Potosi Road, on at 5280 feet the Northeast corner of corporation, Stake and Stones, Black Jack 4 inches South 82 1/2 degrees West 33 feet. Thence North 45 degrees 15 feet West 4500 feet edge of Highway No. 21 on at 7687 feet East side Richeson Road, on at 8291 feet the Northwest corner of corporation Black Oak 6 inches South 86 degrees West 60 feet Black Oak 6 inches North 64 degrees West 29 1/2 feet Black Oak 30 inches North 16 1/2 degrees West 62 feet.

Thence South 44 degrees 45 feet West 3600 feet North bank Breton Creek at 3722 feet North side Old J. C. Road at 3873 feet Northeast corner Highway Garage, 3965 1/2 North side No. 8 at 5280 feet Southwest corner in field of National Pigment Company Rock Elm 4 inches South 51 degrees East 49 feet.

Thence South 45 degrees 15 feet East 1942 Southeast corner of Potosi High School Grounds on at 3220 feet the place of beginning. (Ord. 165, §1.)

**Sec. 1-16. Annexation by petition - October 14, 1985.**

whereas, on August 12, 1985, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

whereas, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

whereas, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 7 o'clock p.m. on September 23, 1985; and

7 whereas, notice of said public hearing was given by publication of notice thereof, on September 12, and September 19, 1985, in the Independent-Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri; and

whereas, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

whereas, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within seven days after the public hearing; and

whereas, the board of aldermen of the city of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the city; and

whereas, the city is able to furnish normal municipal services to said area within a reasonable time after annexation; now

therefore, be it ordained by the board of aldermen of the city of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

A parcel of land in U.S. Survey #3311, Township 37 North, Range 2 East, Washington County, Missouri, and being more particularly described as follows:

Beginning at a point on the Eastern line of Missouri State Route 21, distant North 11 degrees 01 minutes East 166.53 feet from the Northwestern corner of a tract of land now or formerly described to the Board of Trustees of Washington County Memorial Hospital in Deed Book 120 at page 306 of the Washington County Records; thence along the Eastern line of said Route 21, North 11 degrees 01 minutes East 78.97 feet and North 51 degrees 20 minutes East 141.90 feet to the Southern line of Missouri State Route 8; thence along the Southern line of said Route 8, South 84 degrees 26 minutes East 122.10 feet to the Western line of Henry Bub Drive, 75.00 feet wide; thence along the Western line of said Henry Bub Drive, South 13 degrees 02 minutes West 200.00 feet; thence North 78 degrees 43 minutes West 206.17 feet to the point of beginning, containing 35,100.78 square feet or 0.8058 acres, more or less.

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 583, §§1-3.)

**Sec. 1-17. Annexation by petition - November 11, 1985**

whereas, on October 14, 1985, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

8 whereas, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

whereas, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 7 o'clock p.m. on October 28, 1985; and

whereas, notice of said public hearing was given by publication of notice thereof, on October 17, and October 24, 1985, in the Independent-Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri; and

whereas, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

whereas, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within seven days after the public hearing; and

whereas, the board of aldermen of the city of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the city; and

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

therefore, be it ordained by the board of aldermen of the city of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

A parcel of land in U.S. Survey No. 3311, Township 37 North, Range Two (2) East of the 5th p.m., Washington County, Missouri, and being more particularly described as follows:

Beginning at a point on the Eastern line of Missouri Route 21, distant North 11 degrees 01 minutes East 166.53 feet from the Northwestern corner of a tract of land now or formerly described to the Board of Trustees of Washington County Memorial Hospital in Deed Book 120 page 306 of the Washington County Records; thence South 78 degrees 43 minutes East 206.17 feet to a set iron rod in the West right-of-way line of Henry Bub Drive, thence South 13 degrees 02 minutes East along the West line 166.6 feet, more or less, to a point, thence North 78 degrees 43 minutes West 207.50 feet to the point of beginning.

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County clerk. (Ord. 584, §§1-3.)

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**Sec. 1-18. Annexation by petition - April 25, 1991.**

whereas, On 9-6-90; 2-19-91; 2-25-91; and 3-6-91 verified petitions signed by all of the owners of the real estate hereinafter described requesting annexation into the City of Potosi, Missouri were filed with the City Clerk; and

whereas, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Potosi, Missouri; and

whereas, a Public Hearing concerning said matter was held at the City Hall in Potosi, Missouri, at the hour of 6:30 o'clock p.m. on April 8, 1991; and

whereas, notice of said Public hearing was given by publication of notice thereof, on March 28, 1991, and April 4, 1991, in the Independent Journal, a weekly newspaper of general circulation in the County of Washington, State of Missouri; and

whereas, at said Public Hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

whereas, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Potosi, Missouri, within fourteen days after the Public Hearing; and

whereas, the Board of Aldermen of the City of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the City; and

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

therefore, be it ordained by the Board of Aldermen of the City of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012, RSMo., the following described real estate is hereby annexed into the City of Potosi, Missouri, to-wit:

tract 1: Begin at corner No. 1 of U. S. Survey 430, thence South 40 degrees West 445.95' to centerline of Jefferson Street, thence along the centerline of Jefferson Street South 60 degrees East 1174' to a point, thence South 38 degrees West 275.5' to the Southwest corner of Lot 34 of Old Town of Potosi, thence North 56 degrees 57 minutes East 317.9' to a point, thence South 32 degrees 53 minutes East 695.95' to a point, thence South 72 degrees 19 minutes East 380.7' to a point, thence South 41 degrees 08 minutes East 512.8' to a point, thence South 32 degrees 21 minutes East 537.2' to a point, thence South 19 degrees 33 minutes East 359.15' to a point, thence South 48 degrees 31 minutes East 665.5' to a point, thence South 44 degrees 31 minutes East 1170.35' to a point in the Right-of-way of State Highway #21, thence South 75 degrees 28 minutes East 112.85' to the point of beginning of the land to be surveyed, being the Southwest corner thereof; thence South 78 degrees 59 minutes East 660' to a point, thence North 11 degrees 01 minutes East 660' to a point, thence North 78 degrees 59 minutes West 460' to a point designated as Southwest roadway corner, thence on North 78 degrees 59 minutes West to a point on the Right-of-way line of State Highway #21, thence South 11 degrees 01 minutes West 660' along the edge of State

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Highway #21 right-of-way to point of beginning; containing 10 acres and being a part of U. S. Survey 3311, Township 37, Range 2 East. Also, a strip of land 75 feet in width and extending from the above described 10 acre tract in a general direction of North 11 degrees 01 minutes East to the South right-of-way line of State Highway #8, and being described as follows: Begin at the point above designated as the "Southwest Roadway corner", thence northwardly parallel to the East right-of-way line of State Highway #21 to the South Right-of-way line of State Highway #81; thence Eastwardly along the South right-of-way line of Highway #8 for 75 feet; thence Southwardly parallel with the East right-of-way line of State Highway #21 to the North boundary of the 10 acre tract above described; thence North 78 degrees 59 minutes West 75' to the said Southwest roadway corner.

A tract of land located in and being a part of Spanish Grant No. 3311, Township Thirty-Seven (37) North, Range Two (2) East of the Fifth Principal Meridian, situated in Washington County, Missouri, and more particularly described as follows: Commencing from a steel post found at the NW COR. of the Washington County Memorial Hospital 10-acre tract; thence South 78 degrees 43 minutes East 275.0 feet along the North line of said 10-acre tract to a steel rod, which is the Point of Beginning of the land hereby conveyed; thence North 13 degrees 02 minutes East 373.5 feet to a steel rod set on the South right-of-way line of Route A (8); thence South 83 degrees 41 minutes East 387.6 feet along said South right-of-way line to a steel rod; thence South 13 degrees 02 minutes West 407.8 feet leaving said right-of-way line to a steel rod set on said North line of said 10-acre tract; thence North 78 degrees 43 minutes West 385.0 feet along said North line to the true point of beginning, containing 3.453 acres of land, more or less.

tract 2: All of a two (2) acre tract described as follows: Begin at the Northeast corner of U. S. Survey #3311, Township 37 North, Range 2 East, thence South 24° 00' East 1060.0 feet to a point in the north right-of-way line of Missouri State Highway #8; thence North 84° 45' West 419.0 feet along the north right-of-way line of Missouri State Highway #8 to a point; thence North 86° 20' West 218.0 feet along the north right-of-way line of Missouri State Highway #8 to the point of beginning of the land to be conveyed; Thence North 3° 40' East 210.0 feet to a point; thence North 86° 20' West 420.0 feet to a point; thence South 3° 40' East 210.0 feet to a point on the north right-of-way line of Missouri State Highway #8; thence South 86° 20' East 420.0 feet along the north right-of-way line of Missouri State Highway #8 to the point of beginning. All in U. S. Survey #3311, Township Thirty-seven (37) North, Range Two (2) East in Washington County, Missouri.

A tract of land containing 4.91 acres more particularly described as follows: Begin at the Northeast corner of United States Survey #3311, Township Thirty-seven (37) North, Range Two (2) East; thence south 24° 00' East 565.0 feet to a point on the South Right-of-way line of the Missouri Pacific Railroad tract, this point being the point of beginning of the land to be conveyed; thence South 24° 00' East 495.0 feet to a point on the north Right-of-way line of Missouri State Highway #8; thence North 84° 45' West 419.0 feet along the North right-of-way line of Missouri State Highway #8 to a point; thence North 86° 20' West 178.0 feet along the north right-of-way line of Missouri State Highway #8 to a point; thence North 3° 40' East 515.0 feet to a point on the South Right-of-way line of the Missouri-Pacific Railroad, thence in a Easterly direction approximately 400 feet along the south right-of-way line of the Missouri-Pacific railroad to the place of beginning, all in U. S. Survey #3311, Township 37 North Range 2 East.

Parties of the first part do further grant to party of the second part an easement over, across and upon a tract of land forty (40) feet wide lying immediately adjacent to the West line of the

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above described land and between said land and a two (2) acre tract of land heretofore conveyed by first parties to party of the second part which said deed is recorded in Book 158 at page 77 of the deed records of Washington County, Missouri. It is the intention of the granting of this easement to give party of the second part absolute free access to and from the parcels sold by parties of the first part to party of the second part, as well as to Missouri Highway #8. This easement shall run with the land and inure to and be binding upon the successors in title of the respective parties.

tract 4: A parcel of land 30 feet in width running along and with the entire length of the south side of the following described tract: A part of Log Five (5) of U. S. Survey No. 1851 in Township 37 North, Range 2 East, Washington County, Missouri, described as follows: Begin at a point on the West line of Lot 5 of U. S. Survey No. 1851 where said line intersects with the North line of State Highway No. 8 at Station 27+67.65, thence in an Easterly direction along the North right of way line of State Highway No. 8 to a point 90 feet perpendicular distance Northwest of the centerline at Station 28+00, thence running easterly to a point 65 feet perpendicular distance Northeast of said centerline at Station 31+81.35, thence continuing along the North Right of Way line, a total distance of 586.75 feet from the beginning corner to a corner on the West side of a 40 foot roadway, thence N 9° 29' E. 402.50 feet along the West side of a 40 foot Roadway to a corner on the South side of the Missouri Pacific Railroad Right of Way, thence in a Westerly direction along the South Right of Way line of the Missouri Pacific Railroad Right-of-way 821 feet to the point where the South Right of Way line of the Missouri Pacific Railroad intersects with the West line of Lot 5 of U. S. Survey No. 1851, thence S. 24° E. along the West line of Lot 5 of U. S. Survey No. 1851, 433 feet to the beginning corner at the North Right of Way line of State Highway No. 8, containing 6.8 acres, more or less.

Subject to easements of record.

tract 6: Part of Lot of United States Survey Number 1851, Township 37 North, Range 2 East of the Fifth Principal Meridian, described as follows: Beginning at a set #6 pipe with cap, said #6 pipe lying South 56° 07' 16" East, 1750.18 feet from the Northeast corner of United States Survey Number 3311, Township 37 North, Range 2 East, presently marked by a M.S.L.S. Aluminum Monument; thence South 09° 29' West, 206.95 feet to a #6 pipe set on the North Line of Mo. Rte. (A) "8"; thence on said North Line, North 80° 31' West, 155.50 feet to a set #6 pipe; thence leaving said North Line, North 10° 10' 43" East, 206.86 feet to a #6 pipe set on the South Line of a 40 foot wide roadway; thence on said South Line, South 80° 33' 20" East, 152.99 feet to the point of beginning. Containing 0.73 of an acre.

Further, an easement for the purpose of ingress and egress to the above described property, described as follows: Beginning at a set #6 pipe, said #6 pipe lying South 56° 07' 16" East, 1750.18 feet from the Northeast Corner of United States Survey #3311, presently marked by a M.S.L.S. Aluminum Monument; thence North 09° 29' East, 20.00 feet to the center of said road easement; thence North 80° 33' 20" West, 417.50 feet to the point of termination at the public road.

subject to terms, conditions, restrictions and reservations of record, if any.

tract 7: A part of Lot No. 5 of U. S. Survey No. 1851, Twp. 37 North Range 2 East described as follows:

12 Begin at a point, which is distance 1134.80 South and 1148.89 feet East of the Northeast corner of U. S. Survey No. 3311, same being 65 feet perpendicular distance Northeast of the Center line of State Route A (8) at P.T. Station 34 81.35, thence running South 80 degrees 31 minutes East parallel with the said center line 63.77 feet to the beginning corner; thence North 9 degrees 29 minutes East, 208.5 feet to a corner; thence South 80 degrees and 31 minutes East, 209 feet to a corner; thence South 9 degrees 29 minutes West to a corner on the North Right of Way line of Route A (8); thence North 80 degrees and 31 minutes West along the North Right of Way line of Route A (8) 209 feet to the beginning corner, containing 1 acre more or less.

Subject to Easements, restrictions and Reservations of Record.

tract 8: A part of Lots 5, 6 and 7 of U. S. Survey No. 1851 in Township 37 North, Range 2 East, Described as follows: Begin at a point on the West line of U. S. Survey No. 1851 where said line intersects with the North Right-of-way line of Old State highway No. 8, thence S. 66° 30' E. along the North Right-of-way line of Old State highway No. 8, 758 feet to the beginning corner of land, the same corner being the Southeast corner of the Ivan Gibson Tract, thence continuing S. 66° 30' E. along the North Right of Way line of Old State Highway 8, a distance of 792 feet to a point 30 ft. perpendicular distance Northeasterly of center line of Old State Highway No. 8 at Station 45+20. Thence Northeasterly along the West Right-of-way line of New State Highway U, 121.44 feet to a point 50 ft. perpendicular distance West of the center line of New State Highway U at Station 7+25, thence North 11° 12' E. to a point 75 feet perpendicular distance westerly of the centerline of New State Highway U, 597.96 feet at Station 1+30 on the centerline of New State Highway U, thence Northwesterly along the South Right-of-way line of New State Highway 8, 57.42 feet to a point 90 feet perpendicular distance South of the centerline of New State Highway 8 at Station 44+70, thence North 80° 31' W. parallel with the centerline of New State Highway 8, 594.80 feet to a point 90 feet perpendicular distance from the centerline of New State Highway 8, thence South 23° 70' W. 516.78 feet to the beginning corner containing 10.78 acres of land, more or less.

subject to terms, conditions, restrictions and reservations of record, if any.

tract 9: A fractional part of Lot 7 USS, 1851, Twp. 37, R. 2 E., bordering Old Highway No. 8 and New Highway U, described as follows: Begin at the Northeast corner of USS. 3311, Twp. 37 N., R. 2 E. as recorded in plat book in Potosi, Missouri, thence S. 24 deg. E. along the line between USS. 3311 and USS. 1851 a distance of 1600 feet to an iron bar corner on the N. right-of-way line of Old Highway No. 8, thence S. 62 deg. E. 1662 feet to a steel post right-of-way marker on the S. right-of-way of Old Highway No. 8 and the W. right-of-way of New Highway U., thence N. 65 deg. W. 200 feet to a corner on the S. right-of-way of Old Highway No. 8, thence S. 15 deg. 30' W. 270 feet to a corner, thence S. 65 deg. E. 300 feet to a corner on the W. right-of-way of New Highway U., thence N. 15 deg. 30' E. 100 feet, thence N. 17 deg. 30' W. 202.62 feet to the beginning corner, containing 1.65 acres, more or less.

tract 10: A fractional part of the Lot Seven (7) of U.S. Survey No. 1851 lying between Old Highway U and New Highway U and South of Old Highway No. 8 in Township 37 North, Range 2 East, described as follows: Begin at the Northeast corner of U.S.S. 3311, Township 37 North, Range 2 East, as recorded in the Plat Book in the Courthouse in Potosi, Missouri, thence South 24 degrees East along the line between U.S.S. 3311 and U.S.S. 1851 a distance of 1600 feet to an iron bar corner on the North right of way line of Old No. 8 Highway, thence South 60 degrees East 751.74 feet to the Northwest corner of the Lowell Middleton property on the South right of way of Old Highway No. 8, thence South 65 degrees

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East 511 feet to the beginning corner of the land being conveyed thence South 20 degrees West 336.60 feet to a corner, thence South 35 degrees East 551 feet to a corner on the West right of way of New Highway U, thence North 15 degrees 30' East 452.76 feet to a steel post right-of-way marker thence North 17 deg. 30' West 202.62 feet to a right of way marker on Old No. 8 Highway, thence North 65 degrees West 300 feet to the beginning corner, containing 5 acres, more or less. EXCEPTING FROM THE ABOVE 1.65 acres conveyed by Warranty Deed dated July 17, 1974, recorded in Book 151, Page 487 of the Deed Records of Washington County, Missouri to Irondale Bank.

subject to terms, conditions, restrictions and reservations of record, if any.

tract 12: Lot Number One (1), of Block "B", of the Eversole Subdivision of a Part of U.S. Survey No. 1851, Twp. 37, N.R.2E.

tract 13: All of Lots Five (5) and Six (6) of Block A of Eversole Subdivision in U.S. Survey No. 1851, in Township Thirty-seven (37) North, Range Two (2) East.

tract 14: All of Lot Four (4) of Block "A" of Eversole's Subdivision of U.S. Survey #1851, Township 37 North, Range 2 East, as shown by plat on file in Recorder's Office of Washington County, Missouri.

tract 15: A part of Lots Five and Seven of U.S. Survey #1851 in Township 37 North, Range 2 East, described as follows, to-wit: Begin on the West line of U.S. Survey #1851 where said line intersects with the North right of way line of Old Highway 8, thence S. 66° 30' E. along the North right of way line of Old Highway 8, 254.76 feet to a corner, thence N. 23° 70' E. 200 feet to a corner, thence S. 66° 30' E. 500 feet to a corner, thence N. 23° 70' E. 316.78 feet to the South right of way line of New Highway 8 for a corner, thence N. 80° 31' W. along the South right of way line of New Highway 8, 947.74 feet to the West line of U.S. Survey #1851, thence S. 24° E. along the West line of U.S. Survey #1851, 312.18 feet to the beginning corner, containing 5.82 acres of land, more or less.

except 2.918 acres conveyed to Vic W. Kwan by deed dated December 3rd, 1986, and recorded December 4, 1986 in Book 197 page 323 of the Deed Records of Washington County, Missouri.

tract 16: All of Lot One (1), Block "D" of Eversole's Subdivision in U.S. Survey Number 1851, Township Thirty-seven (37) North, Range Two (2) East.

tract 19: A part of Lot 7, of U.S. Survey No. 1851 in Township 37 North, Range 2 East described as follows: Begin at a point (iron stake) on the South line of U.S. Survey No. 1851 in Township 37 North, Range 2 East where said line intersects with the West line of State Highway U, thence West va. 4° along the South line of U.S. Survey No. 1851, 320 feet to a corner (pile of rocks) in a fence corner, thence North 24° W. along the West line of U.S. Survey No. 1851, 1859 feet to a corner (pile of rocks) in a fence, thence North 23° 30' E. 254 feet to a corner on the South Right of Way line of Old State Highway 8 (pile of rocks) thence South 65° 30' E. along the South Right of Way line of Old Highway 8, 226 feet to a corner (iron stake), thence in a Southeasterly direction along the Right of Way of Old State Highway U, 85 feet to a corner (iron stake), thence continuing in a Southeasterly direction along the West Right of Way line of Old U. Highway 1693 feet to a corner (iron stake) said corner being on the West Right of Way line of New State Highway U, thence continuing along the West Right of Way line of New State Highway U in a Southeasterly direction 91 feet to a corner

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(iron stake) thence continuing along West Right of Way line of New State Highway U, 83 feet to a corner (iron stake), thence continuing in a Southeasterly direction along the West Right of Way line of New State Highway U, 32 feet to a corner (iron stake) thence continuing in a Southeasterly direction along the West Right of Way line of New State Highway U, 9 feet to beginning corner, containing 17.7 acres, more or less.

tract 20: A fractional part of Lot 7 of U.S. Survey #1851, Township 37 North, Range 2 East, described as follows: Begin at the Southwest corner of U.S. Survey #1851, thence North 24° West 1859 feet to the beginning corner of land being conveyed (iron bar and rocks), thence North 30° 30' East 254 feet to a corner on the South right-of-way of Old Highway 8 highway (iron pipe corner), whence South 65° 30' East parallel to the highway 158 feet to an iron pipe corner, thence South 30° 30' West 288 feet to an iron bar corner, thence North 55° West 162 feet to the beginning corner, containing one (1) acre, more or less.

tract 21: A tract of land being part of Lot Number Six of U.S. Survey Number 1851 in Township Thirty-seven North, Range Two east described as follows: Beginning at a point in the North marginal line of Missouri Route "8" and on the East line of said Lot Six said point being 167.26 feet North 9° 23' 26" East from the Southeast corner of said Lot Six, thence North 9° 23' 26" East 819.67 feet along said East line to an iron rod on the East marginal line of Missouri Route "O", thence along said East marginal line the following courses, South 61° 06' 35" West 28.11 feet, thence South 59° 04' 55" West 236.62 feet, thence South 45° 34' 49" West 344.86 feet, thence South 27° 27' 14" West 238.96 feet, thence South 9° 42' 42" West 98.23 feet, thence South 31° 09' 43" East 47.60 feet to said North marginal line of Missouri Route "8", thence along said North marginal line the following courses South 78° 14' 58" East 290.01 feet, thence South 81° 33' 41" East 100.31 feet, thence South 81° 33' 41" East 59.79 feet to the point of beginning, containing 5.71 acres and excepting therefrom all existing easement, right-of-ways and restrictions of record.

tract 22: Lot Number Seven (7), of Block "A", of the Eversole Subdivision of a Part of U.S. Survey No. 1851, Twp. 37, N.R.2E.

tract 25: All that part of United States Survey No. 3311 lying East of the current corporate limit for the City of Potosi, Missouri, north of the north right of way line of current Missouri Highway No. 8, and south of the south right of way line of the Old Missouri Pacific Railroad right of way, except the following:

All of a two (2) acre tract described as follows: Begin at the Northeast corner of U.S. Survey #3311, Township 37 North, Range 2 East, thence South 24° 00' East 1060.0 feet to a point in the north, right-of-way line of Missouri State Highway #8; thence North 84° 45' West 419.0 feet along the north right-of-way line of Missouri State Highway #8 to a point; thence North 86° 20' West 218.0 feet along the north right-of-way line of Missouri State Highway #8 to the point of beginning of the land to be conveyed; Thence North 3° 40' East 210.0 feet to a point; thence North 86° 20' West 420.0 feet to a point; thence South 3° 40' East 210.0 feet to a point on the north right-of-way line of Missouri State Highway #8; thence South 86° 20' East 420.0 feet along the north right-of-way line of Missouri State Highway #8 to the point of beginning. All in U.S. Survey #3311, Township Thirty-seven (37) North, Range Two (2) East in Washington County, Missouri.

A tract of land containing 4.91 acres more particularly described as follows: Begin at the Northeast corner of United States Survey #3311, Township Thirty-seven (37) North, Range Two (2) East; thence south 24° 00' East 565.0 feet to a point on the South Right-of-way line of

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the Missouri Pacific Railroad tract, this point being the point of beginning of the land to be conveyed; thence South 24° 00' East 495.0 feet to a point on the north Right-of-way line of Missouri State Highway #8; thence North 84° West 419.0 feet along the North right-of-way line of Missouri State Highway #8 to a point; thence North 86° 20' West 178.0 feet along the north right-of-way line of Missouri State Highway #8 to a point; thence North 3° 40' East 515.0 feet to a point on the South Right-of-way line of the Missouri-Pacific Railroad, thence in a Easterly direction approximately 400 feet along the south right-of-way line of the Missouri-Pacific railroad to the place of beginning, all in U.S. Survey #3311, Township 37 North Range 2 East.

Parties of the first part do further grant to party of the second part an easement over, across and upon a tract of land forty (40) feet wide lying immediately adjacent to the West line of the above described land and between said land and a two (2) acre tract of land heretofore conveyed by first parties to party of the second part which said deed is recorded in Book 158 at page 77 of the deed records of Washington County, Missouri. It is the intention of the granting of this easement to give party of the second part absolute free access to and from the parcels sold by parties of the first part to party of the second part, as well as to Missouri Highway #8. This easement shall run with the land and inure to and be binding upon the successors in title of the respective parties.

tract 26: All that part of U.S.S. 3311 lying south of the south right of way line of current Missouri Highway No. 8, north of the north right of way line of Old Highway 8, and east of the tract currently owned by Georgian Gardens, Inc. which is more particularly described in conveyance recorded in Book 177, Page 331.

(b) The boundaries of the City of Potosi, Missouri, are hereby altered so as to encompass the above described tracts of land lying adjacent and contiguous to the present City limits.

(c) The Clerk of the City of Potosi is hereby ordered to cause three certified copies of the Ordinance to be filed with the Washington County Clerk. (Ord. 622, §§1-3).

**Sec. 1-19. Annexation by petition - January 10, 1994.**

whereas, on December 7, 1993 verified petitions signed by all of the owners of the real estate hereinafter described requesting annexation into the City of Potosi, Missouri were filed with the city clerk; and

whereas, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Potosi, Missouri; and

whereas, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 6:00 p.m. on December 22, 1993; and

whereas, notice of said public hearing was given by publication of notice thereof, on December 9, 1993 and December 16, 1993, in the Independent Journal, a weekly newspaper of general circulation in the County of Washington, State of Missouri; and

whereas, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

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whereas, no written objection to the proposed annexation was filed with the board of aldermen of the City of Potosi, Missouri, within fourteen days after the public hearing; and

whereas, the board of aldermen of the City of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the City; and

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

therefore, be it ordained by the board of aldermen of the City of Potosi, Missouri, as follows;

(a) Pursuant to the provisions of Section 71.012, RSMo., the following described real estate is hereby annexed into the City of Potosi, Missouri, to-wit:

tract 1: All of a tract of ground in Lots Six (6) and Seven (7) of U.S. Survey No. 1851, Township 37 North, Range 2 East, Washington County, Missouri, bounded on the North by the South right-of-way line of Missouri State Highway No. Eight (8) bounded on the West by the East right-of-way line of Missouri State Highway "U"; bounded on the South by the North right-of-way line of Old Missouri State Highway No. Eight (8); bounded on the East by the West boundary line of the Old Mineral Point Road. Containing 6 acres, more or less.

tract 2: A tract of land being a part of U.S.S. 3311, Township 37 North, Range 2 East of the Fifth Principal Meridian, lying and situated in Washington Co., Missouri, described as follows:

"Commencing at the Southwest Corner of U.S.S. 3311, Township 37 North, Range 2 East; thence on the Southwest Line of said U.S.S. 3311, North 22°25'14" West, 2310.26 feet to the point of beginning of the tract herein described; thence continuing North 22°25'14" West, 766.33 feet to the intersection of said Southwest Line and the East R/W Line of Mo. Rte. "21"; thence on said East Line as follows, North 12°09'55" East, 918.94 feet, North 00°51'20" East, 101.98 feet and North 12°09'55" East, 289.34 feet to the Southwest Corner of the Washington Co. Memorial Hospital Tract as recorded in Deed Record Book 120 at Pages 306 and 307; thence leaving said East Line of the South Line of said Hospital Tract, South 78°10'37" East, 455.01 feet; thence leaving said South Line, South 12°09'55" West, 1941.90 feet to the point of beginning, containing 16.38 acres, more or less."

tract 3: All that part of U.S. Survey No. 2115, Township 37 North, Ranges 2 and 3 East which lies North of the North right-of-way line of new Missouri State Highway No. "8" and South of the South right-of-way line of Missouri Route "O".

except: All that part conveyed to the State of Missouri for highway purposes by Deed recorded in Book 97 at page 531.

except: Part of U.S.S. 2115, Township 37 North, Range 3 East of the Fifth Principal Meridian, lying and situated in Washington County, Missouri, described as follows: Beginning at a #4 rebar w/cap set on the East line of U.S.S. 2115, Township 37 North, Range 3 East, said set #4 rebar w/cap lying North 08°00'00" East, 1703.53 feet from a found stone pile marking the Southwest corner of U.S.S. 2134, Township 37 North, Range 3 East, on the East line of said U.S.S. 2115; thence leaving said East line, South 85°32'45" West, 404.84 feet to a

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set #4 rebar w/cap; thence North 04°27'15" West 476.15 feet to a #4 rebar w/cap set on the South line of Mo. Rte. "O"; thence on said south line, North 85°32'45" East, 510.00 feet to a #4 rebar w/cap set at the intersection of said South line with the abovesaid East line of U.S.S. 2115; thence on said East line, South 08°00'00" West, 487.62 feet to the point of beginning. Containing 5.00 acres, more or less. Subject to terms, conditions, restrictions and reservations of record, if any.

(b) The boundaries of the City of Potosi, Missouri, are hereby altered so as to encompass the above described tracts of land lying adjacent and contiguous to the present City Limits.

(c) The clerk of the City of Potosi is hereby ordered to cause three certified copies of the Ordinance to be filed with the Washington County Clerk. (Ord. 652, §§1-3)

**Sec. 1-20. Annexation by petition - August 21, 1995.**

WHEREAS, on February 14, 1994, verified petitions signed by all of the owners of the real estate hereinafter described requesting annexation into the City of Potosi, Missouri were filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Potosi, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 6:00 p.m. on August 21, 1995; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on August 3, 1995 and August 10, 1995, in the Independent Journal, a weekly newspaper of general circulation in the County of Washington, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the board of aldermen of the City of Potosi, Missouri, within fourteen days after the public hearing; and

WHEREAS, the board of aldermen of the City of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the City; and

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

THEREFORE, be it ordained by the board of aldermen of the City of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012, RSMo, the following described real estate is hereby annexed into the City of Potosi, Missouri, to-wit:

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TRACT 1: All that part of U. S. Survey No. 3311, described as follows: Commencing at the Northeast Corner of U. S. Survey 3311, Township 37 North, Range 2 East, said corner presently marked by a M.S.L.S. Aluminum Monument and more particularly located by Missouri State Coordinates 763,522.489 N and 422,296.400 E; thence West 285.47 feet; thence South 1023.13 feet to an iron rod set on the South right-of-way line of Missouri Route A "8", being the true point of beginning; thence along said right-of-way line, North 83 degrees 06 minutes 54 seconds West 200.00 feet to a point from which an old iron rod within the right-of-way of Missouri Route A "8" bears North 12 degrees 31 minutes 06 seconds East 3.90 feet; thence leaving said right-of-way line south 12 degrees 31 minutes 06 seconds West 665.58 feet to an iron rod with cap set in concrete; thence South 77 degrees 39 minutes 37 seconds East 500.00 feet to a point from which an iron rod with cap set in concrete bears South 77 degrees 39 minutes 37 seconds East 180.00 feet; thence North 12 degrees 20 minutes 23 seconds East 200.00 feet to a point; thence North 19 degrees 19 minutes 24 seconds West 569.30 feet to the true point of beginning.

TRACT 2: Appurtenant, non-exclusive easement and right of way 40 foot wide for ingress and egress according to instrument dated March 31, 1981 and recorded March 31, 1981 in Book 174 page 747, the centerline of which is described as follows: Commencing at the Northeast corner of USS #3311, presently marked by a stone pile, and more particularly located by Missouri State Coordinates 763,522.489 N and 422,296.400 E; thence West 504.874 feet and 1087.996 feet South to the point of beginning, said point of beginning being at the intersection of the West Property line of Georgian Gardens, Inc. and the centerline of an existing paved road and more particularly located by Missouri State Coordinates, 762,434.493 N and 421,791.526 E; thence along said centerline North 70 degrees 10 minutes 59 seconds West 167.00 feet to the PC of a curve to the left; thence leaving said centerline of existing paved road along a chord South 85 degrees 49 minutes 01 seconds West 56.00 feet to the point of said curve; thence South 60 degrees 49 minutes 01 seconds West 100.00 feet to the point of a curve to the right; thence along a chord South 70 degrees 49 minutes 01 seconds West 44.50 feet to the point of said curve; thence North 84 degrees 10 minutes 59 seconds West 80.00 feet to a point being the intersection of said centerline and the East right of way line of Henry Bub Drive.

TRACT 3: A portion of USS No. 3311, Township 37 North, Range 2 East, 5 PM, lying and situated in Washington County, Missouri and more particularly described as follows, to-wit: Commencing at the Northeast corner of USS #3311, Township 37 North, Range 2 East, said corner presently marked by a stone pile and more particularly located by Missouri State Coordinates 763,522.489 N and 422,296.400 E; thence East 189.15 feet to a point; thence South 1098.44 feet to the point of beginning of the land hereby surveyed, being also the Northeast corner of said land and marked by an iron pin with cap which was set on the South right of way line of Missouri Rte. "A" (8) and more particularly located by Missouri State Coordinates 762,424.050 North and 422,485.548 East; thence along said right of way line North 80 degrees 20 minutes 07 seconds West, 382.53 feet to a point; thence North 82 degrees 20 minutes 20 seconds West, 298.88 feet to an iron pin; thence leaving said South right of way line, South 12 degrees 20 minutes 23 seconds West, 669.46 feet to an iron pin with cap; thence South 77 degrees 39 minutes 37 seconds East, 680.00 feet to an iron pin with cap; thence North 12 degrees 20 minutes 23 seconds East, 711.69 feet to the true point of beginning.

(b) The boundaries of the City of Potosi, Missouri, are hereby altered so as to encompass the above described tracts of land lying adjacent and contiguous to the present city limits.

*(Revised 11/01)*

18.1

(c) The clerk of the City of Potosi is hereby ordered to cause three certified copies of the ordinance to be filed with the Washington County Clerk. (Ord. 667, §§1-3)

**Sec. 1-21. Annexation by petition – November 13, 2001.**

WHEREAS, on September 10, 2001, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 6:30 o'clock p.m. on October 8, 2001; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on September 27, and October 4, 200 1, in the Independent-Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within seven days after the public hearing; and

WHEREAS, the board of aldermen of the city of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development ofthe city; and

WHEREAS, the city is able to furnish normalmunicipal services to said area within a reasonable time after annexation; and

THEREFORE, be it ordained by the board of aldermen of the city of Potosi, Missouri as

follows:

(a) Pursuant to the provisions of Section 71.012 RSMO., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

From corner No. 3 of U.S. Survey No. 430 in Twp. 37 N, R 2 E, proceed N 40 degrees 40 minutes W for 41.0 feet to the west side of Lead Street (Station O plat); thence N 40 degrees 00 minutes E for 100.0 feet to Station 1 plat which is the point of beginning of the land herein described.

Thence N 40 degrees 00 minutes E for 532.00 feet to the Southwest corner of College Avenue and Lead Street (Station 2 plat); thence N 40 degrees 00 minutes W for 384.00 feet to a point on the south side of College Avenue (Station 3 plat); thence N 36 degrees 30 minutes W for 463.00 feet to a point on the south side of College Avenue (Station 4 plat); thence S 40 degrees 00 minutes W for 590.0 feet to a corner (Station 5 plat); thence S 40 degrees 40 minutes E for 634.0 feet to the point of beginning (Station 1 plat) and containing ten acres, more or less.

*(Revised 11/01)*

18.2

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 798, §§1-3)

**Sec. 1-22. Annexation by petition – March 18, 2002.**

WHEREAS, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 6:30 o’clock p.m. on February 25, 2002; and

WHEREAS, notice of said hearing was given by publication of notice thereof, in the Independent Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri twice prior to said hearing; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within seven days after the public hearing; and

WHEREAS, the board of aldermen of the city of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the city; and

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

THEREFORE, be it ordained by the board of aldermen of the city of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

Annexation for R-1 (Residential) Zoning District

Commencing at the northeast corner of United Sates Survey Number 3311, Township 37 North, Range 2 East of the Fifth Principal Meridian, being a MLS Aluminum Monument with the City of Potosi coordinates of (763560.45 N) and (742469.90 E); thence along the east line of said United States Survey Number 3311, South 23°12’44” East 1,271.66 feet to the south right of way line of Missouri Highway “8” and the Point of Beginning of the tract herein described; thence leaving the said east line along the said south right of way line to the northeast corner of a tract conveyed to

*(Revised 3/03)*

18.3

Deaconess Long Term Care of Missouri, Inc. by Warranty Deed in Book 256 at Page 937; thence along the east line of said Book 256 at Page 937 to the southeast corner; thence along the south line of said Book 256 at Page 937 to the east line of a tract conveyed to the Board of Trustees of Washington County Memorial Hospital by Warranty Deed in Book 120 at Page 306; thence leaving the said south line of said Book 256 at Page 937, 369.91 feet, more or less; thence leaving the said east line of said Book 120 at Page 306, South 77°41’00” East, 458.00 feet; thence South 12°19’00” West, 664.89 feet; thence South 77°41’00” East, 1,791.70 feet, more or less, to the said east line of said United States Survey Number 3311; thence along the said east line to the point of beginning. Containing 47.04 acres, more or less.

Annexation for C-2 (Commercial) Zoning District

Commencing at the northeast corner of United States Survey Number 3311, Township 37 North, Range 2 East of the Fifth Principal Meridian, being a MLS Aluminum Monument with the City of Potosi coordinates of (763560.45 N) and (742469.90 E); thence along the east line of said United States Survey Number 3311, South 2,107.88 feet; thence West, 262.18 feet to the Point of Beginning of the tract herein described; thence South 12°19’00” West, 664.89 feet thence North 77°41’00” West, 653.66 feet; thence North 12°19’00” East, 634.89 feet; to the south line of a tract conveyed to the Board of Trustees of the Washington County Memorial Hospital by a warranty deed in Book 120 at Page 306; thence along the said south line, South 77°41’00” East, 195.66 feet to the southeast corner of said Book 120 at Page 306; thence leaving the said south line along the east line of said Book 120 at Page 306, North 12°19’00” East, 30.00 feet; thence leaving the said east line, South 77°41’00” East, 458.00 feet to the point of beginning. Containing 9.84 acres, more or less.

(b) The boundaries of the city of Potosi, Missouri are hereby altered as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 583; Ord. 803, §§1-3)

**Sec. 1-23. Annexation by petition – December 26, 2002.**

WHEREAS, on November 12, 2002, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 6:00 o’clock p.m. on November 26, 2002; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on November 21, 2002, in the Independent-Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

*(Revised 3/03)*

18.4

WHEREAS, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within seven days after the public hearing; and

WHEREAS, the board of aldermen of the city of Potosi, Missouri, does now find and determine that said annexation is reasonable and necessary to the proper development of the city; and

WHEREAS, the parties petitioning to be annexed have agreed to pay for the cost of extending sewer services to their residents, and the City has agreed to accept payments for a period of five years, with no interest, posted yearly as a special use tax, but payable monthly as an addition to the monthly Municipal Utilities bill to each Petitioner; and

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

THEREFORE, be it ordained by the board of aldermen of the city of Potosi, Missouri as follows:

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described Real estate is hereby annexed into the City of Potosi, Missouri, to-wit:

Commencing at a limestone found marking ‘Corner No. 2’ of United States Survey Number 430, Township 37 North, Range 2 East of the Fifth Principal Meridian; thence North 3930’ 38” East, 5,085.12 feet, more or less, to the intersection of the present north corporate limits of the City of Potosi with the west right-of-way line of Louise Street being the POINT OF BEGINNING of the parcel herein described; thence along said west right-of-way line of Louise Street, North 4058’ 44” East, 36.58 feet, more or less, to the south right-of-way line of Glendale Street; thence leaving said south right-of-way line, North 3928’ 31” East, 40.13 feet, more or less, to the north right-of-way line of said Glendale Street; thence leaving said north right-of-way line along said west right-of-way line of Louise Street, North 4137’ 24” East, 219.85 feet, more or less; thence leaving said west right-of-way line, South 4141’ 26” East, 37.75 feet, more or less, to the east right-of-way line of said Louis Street and the west line of Book 239 at Page 229 of the Land Records of Washington County, Missouri; thence leaving said east right-of-way line along said west line, North 4057’ 23” East, 135.00 feet, more or less, to the northeast corner of said Book 239 at Page 229; thence leaving said west line along the north line of said Book 239 at Page 229, South 4141’ 26” East, 140.00 feet, more or less, to the northeast corner of said Book 239 at Page 229; thence leaving said north line along the east line of Book 239 at Page 229, South 4057’ 23” West, 150.00 feet, more or less, to the northwest corner of Lot 3, Block 4 of the Revised Plat of J.J. Coleman’s 8th Subdivision as recorded in Plat Book 4 at Page 17 of said Land Records of Washington County, Missouri; thence leaving said east line, South 4141’ 26” East, 140.00 feet, more or less, to the northeast corner of Lot 4 of said Block 4 of the Revised Plat of J.J. Coleman’s 8th Subdivision; thence South 4057’ 23” West, 94.91 feet, more or less, to the west right-of-way line of Casey Street; thence leaving said west right-of-way line, South 4101’ 25” East, 41.57 feet, more or less, to the east right-of-way line of said Casey Street; thence leaving said east right-of-way line, South 4101’ 25” East, 176.46 feet, more or less, to the southeast corner of Lot 8 of the First Addition to Coleman’s 8th Subdivision as recorded in Plat Book 5 at Page 13; thence North 5816’ 55” East, 421.22 feet, more or less, to the northwest corner of Lot 5 of said First Addition to Coleman’s 8th Subdivision; thence South 3221’ 12” East, 259.95 feet, more or less, to the northeast corner of Lot 4 of said First Addition to Coleman’s 8th Subdivision; thence South 5816’ 55” West, 383.69 feet, more or less, to the southeast corner

*(Revised 3/03)*

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of Lot 1 of said First Addition to Coleman’s 8th Subdivision; thence South 4131’ 49” East, 60.36 feet, more or less, to the northeast corner of Book 2000 at Page 664; thence South 5318’ 25” West, 97.84 feet, more or less, to the northwest corner of Lot 2, Block 3 of Coleman’s 4th Subdivision as recorded in Town Plats at Page 53 of said Land Records of Washington County, Missouri; thence South 6131’ 58” West, 33.87 feet, more or less, to the intersection of the west line of said Coleman’s 4th Subdivision and the said present north corporate limits of the City of Potosi; thence leaving said west line along said north line, North 4457’ 48” West, 168.29 feet, more or less, to the east right-of-way line of Campbell Street; thence leaving said east right-of-way line and continuing on said north line, North 4457’ 48” West, 40.42 feet, more or less, to the west right-of-way line of said Campbell Street; thence leaving said west right-of-way line and continuing along said north line, North 4457’ 48” West, 256.82 feet, more or less, to the east right-of-way line of Casey Street; thence leaving said east right-of-way line and continuing along said north line, North 4457’ 48” West, 40.36 feet, more or less, to the west right-of-way line of Casey Street; thence leaving said west right-of-way line and continuing along said north line, North 4457’ 48” West, 275.85 feet, more or less, to the east right-of-way line of said Louise Street; thence leaving said east right-of-way line and continuing along said north line, North 4457’ 48” West, 40.10 feet, more or less, to the point of beginning. Containing 6.67 Acres, more or less, or 290,355 square feet, more or less.

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 820, §§1-3)

**Sec. 1-24. Annexation by petition – March 19, 2003.**

WHEREAS, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territory into the city of Potosi, Missouri was filed with the city clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the city of Potosi, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the city hall in Potosi, Missouri, at the hour of 7:00 o’clock p.m. on January 13, 2003; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, in the Independent-Journal, a weekly newspaper of general circulation in the county of Washington, state of Missouri twice prior to said hearing, run January 2, 2003 and January 9, 2003; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the board of aldermen of the city of Potosi, Missouri within ten days after the public hearing; and

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WHEREAS, the board of aldermen of the city of Potosi, Missouri, did find and determine that said annexation is reasonable and necessary to the proper development of the city; and

WHEREAS, the city approved the annexation by Ordinance No. 824, but the description contained therein was incorrect in that the Book was incorrectly noted as Book 187 by the property owner and the correct book was Book 181, and that the description requires correcting;

THEREFORE, be it ordained by the board of aldermen of the city of Potosi, Missouri that the Ordinance No. 824 is amended to read as follows:

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

Annexation for C-2 (Commercial) Zoning District

Commencing at the Southeast corner of the tract of land recorded in Book 181 at Page 647, the POINT OF BEGINNING of the tract herein described; thence North 78° 58’ 30” West, 219.91 feet; thence North 39° 32’ 15” West, 232.22 feet to the City of Potosi Charter Limit line; thence along said Charter Limit line, North 44° 16’ 23” East, 728.06 feet to the West right-of-way line of Missouri Highway 21; thence leaving said Charter Limit line, South 11° 01’ 09” West 756.40 feet along said West right-of-way line to the Point of Beginning. Containing 3.839 Acres, more or less.

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 824, §§1-3; Ord. 828, §§1-3)

**Sec. 1-25. Annexation by petition – June 29, 2005.**

(a) Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the city of Potosi, Missouri, to-wit:

Annexation for C-2 (Commercial) Zoning District

TRACT 1

Begin at the Southernmost corner of United States Survey No. 3311; thence North 22 degrees 38’ 59” West, 2,259.08 feet to a point on the Northeast line of United States Survey No. 2148; thence South 42 degrees 46’42” West, 374.96 feet to an old angle iron; thence South 34 degrees 09’24” West 275.47 feet to a ½” rebar pin located on the North right-of-way of County Road 542, said pin also marking the Southeast corner of a tract of land described in Deed Book 2002 at page 16019 in the Land Records of Washington County, being the POINT OF BEGINNING of the land described herein; thence along the North right-of-way South 65 degrees 42’06” East, 45.13 feet; thence South 59 degrees 15’13” East 175.60 feet; thence leaving the North right-of-way South 30 degrees 51’33” West, 40.34 feet to a rebar pin set by PLS 1594 on the South right-of-way and marking the Northeast corner of a tract of land described in Deed Book 2004 at page 23770 in the Land Records of

*(Revised 7/05)*

18.7

Washington County; thence along the South right-of-way and the North line of said tract, North 59 degrees 15’13” West, 173.00 feet; thence North 65 degrees 47’06” West, 205.00 feet to a set rebar pin located on the East right-of-way line of State Highway 21; thence along the right-of-way North 11 degrees 49’25” East, 40.95 feet; thence leaving the right-of-way line South 66 degrees 47’06” East, 170.94 feet along the South line of the tract described in Deed Book 2002 at page 16019 to the Point of Beginning; containing 0.35 Acres, more or less.

TRACT 2

Begin at the Southernmost corner of United States Survey No. 3311; thence North 22 degrees 38’59” West, 2,259.08 feet to a point on the Northeast line of United States Survey No. 2148, being the POINT OF BEGINNING of the land described herein; thence South 42 degrees 46’42” West, 374.96 feet to an old angle iron; thence South 34 degrees 09’24” West, 275.47 feet to a ½” rebar pin located on the North right-of-way of County Road 542; thence along the County right-of-way South 65 degrees 42’06” East, 45.13 feet; thence South 59 degrees 15’13” East 175.60 feet to a point on the County right-of-way; thence crossing the right-of-way South 30 degrees 51’33” West, 40.34 feet to a point on the South right-of-way; thence leaving the right-of-way South 18 degrees 47’14” West, 188.36 feet; thence North 75 degrees 40’31” West, 341.36 feet to a point on the East right-of-way of State Highway 21; thence along the right-of-way, North 11 degrees 49’25” East, 1,529.33 feet to a point on the right-of-way; thence leaving the right-of-way, South 22 degrees 38’59” East, 820.64 feet to the Point of Beginning; containing 9.81 Acres more or less.

TO CITY OF POTOSI for STREET

Begin at the Southernmost corner of United States Survey No. 3311; thence North 22 degrees 38’59” West, 2,259.08 feet to a point on the Northeast line of United States Survey No. 2148; thence South 42 degrees 46’42” West, 374.96 feet to an old angle iron; thence South 34 degrees 09’24” West 275.47 feet to a ½” rebar pin located on the North right-of-way of County Road 542, said pin also marking the Southeast corner of a tract of land described in Deed Book 2002 at page 16019 in the Land Records of Washington County; thence along the South line North 65 degrees 47’06” West, 170.94 feet to a point on the East right-of-way of State Highway 21; thence along the right-of-way South 11 degrees 49’25” West, 40.95 feet to a set rebar pin marking the Northwest corner of the tract of land described in Book 2004 at Page 23770 and being the POINT OF BEGINNING of the land described herein; thence leaving the right-of-way South 65 degrees 47’06” East, 205.0 feet along the South right-of-way of County Road #542 to a point; thence continuing along the right-of-way South 59 degrees 15’13” East, 173.00 feet to a rebar pin marking the Northeast corner of the land described in Deed Book 2004 at Page 23770; thence leaving the right-of-way along the East line of the land described in Deed Book 2004 at Page 23770 South 18 degrees 47’14” West, 10.22 feet to a point; thence North 59 degrees 15’13” West 174.55 feet to a point; thence North 65 degrees 47’06” West, 202.23 feet to a point located on the East right-of-way of State Highway 21; thence North 11 degrees 49’25” East, 10.24 feet to the Point of Beginning; containing 0.09 Acres more or less.

(b) The boundaries of the city of Potosi, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

(c) The city clerk of the city of Potosi is hereby ordered to cause three certified copies of this ordinance to be filed with the Washington County Clerk. (Ord. 889, §1)

*(Revised 07/18)*

18.8

**Sec. 1-26. Annexing Casey Property – September 7, 2017**

* 1. Pursuant to the provision of Section 71.012 RSMo, the following described real estate is hereby annexed into the City of Potosi, Missouri, to wit:

A tract of land being part of United States Survey 3311, Township 37 North, Range 2 East, described as follows: Commencing at the Southwest Corner of said USS 3311: thence North 15’35’56’’ East, 3289.34 feet to the South Line of an eighty foot wide roadway easement, the Point of Beginning of the tract herein described: thence leaving said South Line, South 44’48’49’’ West, 500.00 feet: thence North 45’11’11’’ West, 350.00 feet: thence North 44’48’49’’ East, 500.00 feet to the above said South Line: thence on said South Line, South 45’11’11’’ East, 350.00 feet to the point of beginning, containing 4.02 acres, more or less. (Ord. 1136, §1)

* 1. The boundaries of the City of Potosi, Missouri, hereby are altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits. (Ord. 1136, §2)
  2. The City Clerk of the City of Potosi hereby is ordered to cause three certified copies of this Ordinance to be filed with the Washington County Clerk. (Ord. 1136, §3)
  3. EFFECTIVE DATE OF ORDINANCE. This ordinance shall be in full force and effect from and after the date of its passage and approval. (Ord. 1136, §4)

**Sec. 1-27. Annexing City Park and Fitzwater-Gibson Property – December 19, 2017**

1. Pursuant to the provision of Section 71.012 RSMo, the following described real estate is hereby annexed into the City of Potosi, Missouri, to wit:

Tract 1

A tract of land being part of United States Survey 2148, Township 37 North, Range 2 East, described as follows: Beginning at the intersection of the Northeast line of U.S. Survey 2148 and the West right-of-way line of U.S. Highway 21, thence South 11 01’ West 473.28 feet to a point; thence South 12 46’ West 499.76 feet to a point; thence 12 55’ West 300.27 feet to a point; thence South 4 48’ West 201.40 feet to a point; thence South 11 01’ West 654.47 feet to a point; thence North 48 15’ West 1818.54 feet to a point; thence North 27 47’ East 486.79 feet to a point; thence South 48 24’ East 387.77 feet to a point; thence North 39 09’ East 1035.57 feet to a point; thence South 49 45’ east 325.64 feet to a point; thence North 11 39’ 30” East 399.81 feet to a point; thence South 51 36’ east 357.10 feet to the point of beginning, containing 44.681 acres, more or less.

Tract 2

A tract of land being part of United States Survey 2148, Township 37 North, Range 2 east of the Fifth Principal Meridian, situated in Washington County, Missouri, described as follows: Beginning at a found fence corner post marking the most Southerly corner of a tract recorded in Deed Record Book 146 at Page 127 of the Recorder of Deeds Office, Washington County, Missouri, said found fence corner lying on the West line of Missouri Route “21”; thence on said West line as follows: South 12 35’ 10” West, 2.93 feet to a found right of way marker; thence South 11 53’ 32” West, 146.85 feet to a found right of way marker; thence South 17 37’ 42” West, 100.12 feet to a found right of way marker; thence 12 05’ 27” West, 1000.00 feet to a found right of way marker; thence South 14 54’

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41” West, 165.00 feet to a set #4 rebar with cap; thence leaving said West line North 68 31’ 11” West, 1475.78 feet to a #4 rebar with cap set on the East line of Old Missouri Route “21”; thence on said East line North 02 35’ 01” West, 722.25 feet to a set #4 rebar with cap marking the most Southerly corner of a tract recorded in Deed Record Book 185 at Page 219; thence on the Southeast line of tract North 38 53’ 17” East, 468.08 feet to a found fence corner post marking the most Easterly corner of said tract; thence South 49 20’ 14” East, 545.99 feet along the South line of a tract recorded in Deed Record Book 258 at Page 894 to a #4 rebar with cap set on the centerline of Mine Au Breton Creek; thence on said centerline as follow: North 39 03’ 12” East, 46.72 feet, North 08 30’ 34” East, 38.71 feet, North 57 17’ 20” East, 97.41 feet, North 24 31’ 17” East, 77.28 feet, North 14 41’ 51” East, 65.81 feet, North 05 49’ 09” East, 56.10 feet, North 44 23’ 22” East, 81.26 feet, North 40 25’ 14” East, 93.53 feet, North 22 54’ 07” East, 107.46 feet, North 18 59’ 39” East, 104.70 feet and North 18 12’ 42” East, 47.91 feet to a #4 rebar with cap set at the intersection of said centerline and the South line of said tract recorded in Deed Record Book 146 at Page 127; thence on said South line South 47 21’ 49” East, 857.14 feet to the point of beginning, containing 47.27 acres more or less of Rural Property and subject to conditions, reservations, restrictions and easements of record and not of record. (Ord. 1137, §1)

1. The boundaries of the City of Potosi, Missouri, hereby are altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits. (Ord. 1137, §2)
2. The City Clerk of the City of Potosi hereby is ordered to cause three certified copies of this Ordinance to be filed with the Washington County Clerk. (Ord. 1137, §3)
3. EFFECTIVE DATE OF ORDINANCE. This ordinance shall be in full force and effect from and after the date of its passage and approval. (Ord. 1137, §4)

**Secs. 1-28 to 1-36. Reserved.**

*(Revised 07/18)*

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