RESOLUTION NO. 2012-22

A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE ANNEXATION OF LOTS 1,2,54 AND 55 OF BRIARWOOD ESTATES WEST SUBDIVISION, IN BASEHOR, LEAVENWORTH COUNTY, KANSAS

WHEREAS, the Governing Body of the City of Basehor, Kansas, wishes to consider the annexation of Lots 1, 2, 54 and 55 of Briarwood Estates West Subdivision, further described in the legal description and sketch attached as **Exhibit A**, pursuant to K.S.A. 12-520a and K.S.A. 12-520b; and

WHEREAS, the Governing Body of the City of Basehor, Kansas has approved a Report and Plan for Extension of Services in accordance with K.S.A. 12-520a and K.S.A. 12-520b on _____, 2012, and which Report and Plan for Extension of Services is on file and available for inspection in the City Clerk's office during normal business hours; and

WHEREAS, K.S.A. 12-520(a)(1) requires that the property proposed to be annexed adjoins the City of Basehor; and

WHEREAS, K.S.A. 12-520a requires that a public hearing be held on the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF BASEHOR, KANSAS:

Section 1. That the Governing Body of the City of Basehor, Kansas, wishes to consider the annexation of Lots 1, 2, 54 and 55 of Briarwood Estates West Subdivision, further described in the legal description and sketch attached as **Exhibit A**.

Section 2. That the Governing Body of the City of Basehor, Kansas, finds that Lots 1, 2, 54 and 55 of Briarwood Estates West Subdivision, further described in the legal description and sketch attached as **Exhibit A**, adjoins the City of Basehor.

Section 3. That in accordance with K.S.A. 12-521a, and to properly consider the proposed annexation of Lots 1, 2, 54 and 55 of Briarwood Estates West Subdivision, further described in the legal description and sketch attached as **Exhibit A**, the Governing Body orders the following:

a. A public hearing on the proposed annexation will be held on January 21, 2012, beginning at 7 p.m. at Basehor City Hall, located at 2620 N. 155th St, Basehor, Kansas for the determination of the advisability of the proposed annexation.

b. A copy of this resolution, and a sketch of the land proposed to be annexed, shall be sent by certified mail to each owner of land proposed to be annexed not more than 10 days following the date of the adoption of the resolution

c. A copy of this resolution, and a sketch of the land proposed to be annexed, shall be published in the official City newspaper not less than one week, but no more than two weeks, preceding the date fixed for the public hearing.

d. A copy of this resolution shall also be sent, no later than ten days following its adoption, by certified mail to the following (if applicable):

1. The board of county commissioners.

2. The governing body of any township where the land to be annexed is located.

3. Any special assessment district or governmental unit providing municipal services to the area proposed to be annexed including, but not limited to, sewer districts, rural water districts, fire districts, or improvement districts.

4. Any utilities having facilities within the area proposed to be annexed.

5. The governing body of any school district in the area proposed to be annexed.

6. Any city, county, township or joint planning commission having jurisdiction over the area proposed to be annexed.

7. Any other political or taxing subdivision located within the area proposed to be annexed.

Section 4. That at the public hearing, a representative of the City of Basehor will present the City's proposal for annexation, including the City's Report and Plan for Extension of Services to the area proposed to be annexed. In determining the advisability of the annexation, the Governing Body will consider the criteria set forth in K.S.A. 520a(e).

Section 5. That this resolution shall be effective upon its adoption by the Governing Body of the City of Basehor, Kansas.

ADOPTED by the Governing Body this 19th day of November, 2012.

APPROVED by the Mayor this 19th day of November, 2012.

[SEAL]

David K. Breuer

David K. Breuer, Mayor

ATTEST:

Corey Swisher, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney