ORIGINAL

RESOLUTION NO. 2011-03

A RESOLUTION OF THE CITY OF BASEHOR, KANSAS, REGARDING A PUBLIC HEARING TO CONSIDER ANNEXATION OF LOTS 1, 28, AND 57 WITHIN CEDAR FALLS SUBDIVISION.

WHEREAS, the Governing Body is considering annexation of Lots 1, 28, and 57 within Cedar Falls Subdivision, with addresses of 15383 Bradfort Court, 15251 Bradfort Court, and 15233 Pine Ridge, respectively, which Subdivision is a platted subdivision adjoining the City and generally located in the vicinity of 153rd Street and Bradfort Court.

WHEREAS, City Staff has prepared an Annexation Plan (attached as **Exhibit 1**) and an Annexation Guide (on file with the City Clerk) regarding the annexation of the above-referenced Lots, which Plan and Guide contains all of the information required by K.S.A. 12-520a and K.S.A. 12-520b, including a plan for extension of services to the Lots proposed to be annexed, which Plan and Guide are available for inspection in the City Clerk's office during normal business hours; and

WHEREAS, a public hearing on the proposed annexation will be held pursuant to K.S.A. 12-520a.

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

SECTION 1. The Governing Body approves the Annexation Plan (attached hereto as **Exhibit 1**) and Annexation Guide (on file with the City Clerk) for Lots 1, 28, and 57.

SECTION 2. The Governing Body of the City of Basehor, Kansas is considering the annexation of the following described land:

Lot 1
Part of the Southeast one-Quarter of Section 11, Township 11 South, Range 22 East, in Leavenworth County, Kansas being more particularly described as follows:
All of Lot 1 within the Cedar Falls subdivision, a subdivision in Leavenworth County, Kansas, as filed in the Leavenworth County Register of Deeds Office on April 7, 2005.

Lot 28
Part of the Southeast one-Quarter of Section 11, Township 11 South, Range 22 East, in Leavenworth County, Kansas being more particularly described as follows:
All of Lot 28 within the Cedar Falls subdivision, a subdivision in Leavenworth County, Kansas, as filed in the Leavenworth County Register of Deeds Office on April 7, 2005.

Lot 57
Part of the Southeast one-Quarter of Section 11, Township 11 South, Range 22 East, in Leavenworth County, Kansas being more particularly described as follows:
All of Lot 57 within the Cedar Falls subdivision, a subdivision in Leavenworth County, Kansas, as filed in the Leavenworth County Register of Deeds Office on April 7, 2005.

SECTION 3. The Governing Body finds that the above described Lots meet one or more of the following criteria pursuant to K.S.A. 12-520:

- The land is platted, and some part of the land adjoins the city.
- The land lies within or mainly within the city and has a common perimeter with the city boundary line of more than 50%.
- The tract is so situated that 2/3 of any boundary line adjoins the city, except no tract in excess of 21 acres shall be annexed under this condition.

SECTION 4. To properly consider the proposed annexation of the Lots described above, the Governing Body orders the following:

a. A public hearing on the proposed annexation will be held on **May 16, 2011 beginning at 7:00 p.m. at Basehor City Hall**, 2620 N. 155th St., Basehor, Kansas 66007 for the purpose of the Governing Body determining the advisability of such annexation.

b. A copy of this Resolution, and a sketch of the Lots 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 including the Lots 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 10 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 5. At the public hearing, a representative of the City will present the City's proposal for annexation, including the plan of the City for the extension of services to the Lots proposed for annexation. In determining the advisability of annexation, the Governing Body will consider the criteria set forth in K.S.A. 520a(e).

ADOPTED AND APPROVED by the Governing Body of the City of Basehor, Kansas, this 7th day of March, 2011.

Terry Hill – Mayor

SEAL OF THE CITY OF BASEHOR, KANSAS CORPORATE SEAL

ATTEST:

Corey Swisher – City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey – City Attorney