RESOLUTION NO. 2016-25

A RESOLUTION OF THE CITY OF BASEHOR, KANSAS, REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, TO MAKE CERTAIN FINDINGS REGARDING THE ANNEXATION OF PROPERTY.

WHEREAS, a Petition and Consent to Annexation (attached as Exhibit A) for the tract of land legally described as part of the Petition and Consent (the "Land") and as shown on Exhibit B, was filed with the Governing Body of the City of Basehor, Kansas by the record title owners of the Land; and

WHEREAS, the Land does not adjoin any boundary of the City of Basehor as required pursuant to K.S.A. 12-520(a)(3) because it only adjoins land that was annexed into the City pursuant to K.S.A. 12-520c; and

WHEREAS, K.S.A. 12-520c outlines conditions for annexation of land not adjoining the city, including:
(1) the land is located within the same county as such city;
(2) the owner or owners of the land petition for or consent in writing to the annexation of such land; and
(3) the board of county commissioners of the county by 2/3 vote find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within such county; and

WHEREAS, the land is located within Leavenworth County, Kansas, and the owner of the land has petitioned and consented in writing to the annexation of the Land, thereby satisfying the first two conditions outlined in K.S.A. 12-520c; and

WHEREAS, the third condition outlined in K.S.A. 12-520c requires, prior to annexation of land by the Governing Body by ordinance, the Leavenworth County, Kansas, Board of County Commissioners to find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within such county.

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

Section 1. That the Governing Body of the City of Basehor, Kansas, finds that a Petition and Consent to Annexation (attached as Exhibit A) of the Land, legally described as a part of Exhibit A and as shown on Exhibit B, which does not adjoin any boundary of the City of Basehor, and is located within the boundaries of Leavenworth County, Kansas has been presented to it.

Section 2. That the Governing Body of the City of Basehor, Kansas, finds that such annexation, at the request of the property owner, is advisable, desirable, beneficial, and in the interest of the public.

Section 3. That the City of Basehor, Kansas, hereby respectfully requests that the Board of County Commissioners of Leavenworth County, Kansas, by 2/3 vote find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Leavenworth County, Kansas, all as provided in K.S.A. 12-520c.

Section 4. That this resolution shall become effective upon passage.

ADOPTED by the Governing Body this 16th day of November, 2016.

SIGNED by the Mayor this 16th day of November, 2016.

SEAL

SEAL OF THE CITY OF BASEHOR, KANSAS
CORPORATE
SEAL

David K. Breuer, Mayor

ATTEST:

Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney

EXHIBIT A

Petition and Consent to Annexation

PETITION AND CONSENT TO
ANNEXATION INTO THE
CITY OF BASEHOR, KANSAS

To: The Governing Body of the City of Basehor, Kansas:

The undersigned owner of record of the following described tract of real property hereby petitions the Governing Body of the City of Basehor, Kansas (the "City") to annex such land to the City pursuant to K.S.A Supp. 12-520c. The land to be annexed is legally described in Exhibit A, which is attached to this petition and incorporated by reference as if fully set forth herein.

The undersigned further warrants and guarantees that they are the only owners of record of the tract of property described in Exhibit A.

The undersigned owner of record of the following described tract of real property hereby consents to the Governing Body of the City of Basehor, Kansas annexing such land to the City pursuant to K.S.A. Supp. 12-520c.

Property Owner of Record: Duayne Madl

Property Owner signature: Duayne Madl

Address of Owner: 350 East Kaw Lane, Lake Quivira, Kansas, 66217

State of Kansas)
County of Leavenworth)

The foregoing petition and consent to annexation was acknowledged before me this 7 day of Novembes, 2016, by Duayne Madl (Petitioner)

and I affixed my official seal on the day and year last above written..

Notary Public

Date: 11/7/2016

JACOB NEMECHEK
Notary Public
State of Kansas
My Commission Expires 4/17/17

EXHIBIT A

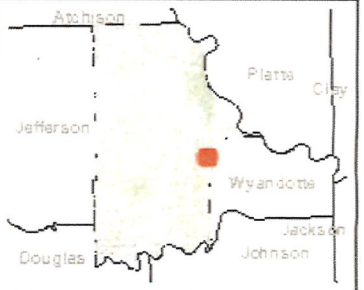
Commencing at the Southwest corner of the Southwest One-Quarter of Section 24, Township 10 South, Range 22 East; thence South 89 degrees 52 minutes 27 seconds East (Deeded North 89 degrees 54 minutes 38 seconds East), along the South line of the said Southwest One-Quarter, a distance of 2138.76 feet to a point; thence North 00 degrees 07 minutes 33 seconds East (Deeded North 00 degrees 05 minutes 22 seconds West) a distance of 1851.62 feet to a point, said point being the POINT OF BEGINNING; thence North 03 degrees 05 minutes 01 seconds West (Deeded North 03 degrees 17 minutes 56 seconds West) a distance of 89.52 feet to a point; thence North 86 degrees 54 minutes 59 seconds East (Deeded North 86 degrees 42 minutes 04 seconds East) a distance of 124.68 feet to a point; thence South 04 degrees 50 minutes 29 seconds East (Deeded South 05 degrees 03 minutes 24 seconds East) a distance of 89.57 feet to a point; thence South 86 degrees 54 minutes 59 seconds West (Deeded South 86 degrees 42 minutes 04 seconds West) a distance of 127.42 feet to the POINT OF BEGINNING.

EXHIBIT B

Sketch of the Land to be Annexed

Madl Property Falcon Lakes

single lot



Legend

- Parcel
- City Limit Line
- Major Road
  - <all other values>
  - 70
- Road
- Railroad
- Section
- County Boundary

1 in. = 967ft.

1,933.3 0 966.63 1,933.3 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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Notes