

RESOLUTION NO. 2016-26

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



ATTEST:



David K. Breuer, Mayor



Katherine M. Renn, City Clerk

APPROVED AS TO FORM:



Shannon M. Marciano, City Attorney

EXHIBIT A
Petition and Consent to Annexation

EXHIBIT B

Sketch of the Land to be Annexed

**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. Such land does not adjoin the City of Basehor, Kansas boundary line. 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 further consents to the Governing Body of the City of Basehor, Kansas annexing such land to the City pursuant to K.S.A. Supp. 12-520 c.

Property Owner of Record: **Kansas Property Management Company, LLC**

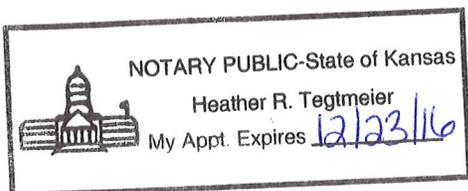
Property Owner signature: *Art Hancock KPMC*

Address of Owner: **P.O. Box 174, Seneca, Kansas 66538**

STATE OF KANSAS)
COUNTY OF LEAVENWORTH)

The foregoing petition and consent to annexation was acknowledged before me on this 2 day of November, 2016, by Art Hancock and I affixed my official seal on the day and year last above written.

Heather Tegtmeier Date: 11/2/2016
Notary Public



"Exhibit A"

A tract of in the North Half of Section 13, township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more particularly described as follows.

Commencing at the Northeast corner of the Northeast Quarter of said Section 13, thence south $87^{\circ}28'29''$ West, along a distance of 657.42 feet to the Northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Northeast Quarter of said Section 13; thence South $01^{\circ}28'06''$ East, along said West line, a distance of 1088.35 feet to the Point of Beginning; thence South $01^{\circ}28'06''$ East, continuing along said West line, a distance of 897.99 feet to the South of the North Three Fourths (N3/4) of said Northeast Quarter; thence South $87^{\circ}33'27''$ West, along said South line, a distance of 1094.98 feet to the west line of the East Eighty (80) Acres of the North three Fourths of said Northeast Quarter; thence South $87^{\circ}33'42''$ West, a distance of 880.04 feet; thence South $87^{\circ}35'05''$ West, a distance of 144.60 feet; thence North $01^{\circ}14'28''$ West, a distance of 100.00 feet; thence North $87^{\circ}35'05''$ East, a distance 144.59 feet; thence North $87^{\circ}33'42''$ East, a distance of 518.92 feet; thence North $01^{\circ}19'22''$ West, a distance of 917.07 feet; thence North $87^{\circ}30'02''$ East, a distance of 361.00 feet to the west line of the East Eighty (80) Acres of the North three Fourths of said Northeast Quarter; Thence South $01^{\circ}32'29''$ East along said West line a distance of 107.45 feet; thence North $88^{\circ}27'31''$ East, along the South line of Theno Estates, a distance of 153.55 feet to the West line of 142nd Street; thence Southerly along said west line of 142nd Street and along a non-tangent curve to the left and, said curve having an initial Tangent Bearing of South $14^{\circ}56'12''$ West, Radius of 330.00 feet and Arc Length of 78.76 feet to the South line of 142nd Street as it now exists; thence South $88^{\circ}44'14''$ East, along the South line, a distance of 60.00 feet; thence South $83^{\circ}23'02''$ East, continuing along the South line of Theno Estates, a distance of 221.65 feet; thence North $88^{\circ}27'31''$ East, a distance of 270.00 feet; Thence South $62^{\circ}46'04''$ East, continuing along said Theno Estates, a distance of 81.07 feet; Thence North $88^{\circ}31'54''$ East, continuing along said Theno Estates, a distance of 130.00 feet to the West line of 141st Street; thence North $01^{\circ}28'06''$ West, along said west line, a distance of 46.31 feet to a point of curvature; thence Northerly and Westerly along a curve to the left, said curve having a Radius of 270.00 feet and Arc Length of 91.92 feet to South line of 141st Street as now exists; Thence $69^{\circ}01'36''$ East, along said South line, a distance of 60.00 feet; thence North $88^{\circ}31'54''$ East, continuing along the South line of said Theno Estates, a distance of 163.94 feet to the Point of Beginning. Containing 30.71 acres, more or less.

"Exhibit B"

Parcel ID Numbers (CAMA Numbers):

1561300000070000,

1561300000016000, 1561300000025000, 1561300000026000, 1561300000027000,

1561300000028000, 1561300000029000, 1561300000030000, 1561300000031000,

1561300000032000, 1561300000033000, 1561300000034000, 1561300000035000,

1561300000036000, 1561300000037000, 1561300000038000, 1561300000039000,

1561300000040000, 1561300000041000, 1561300000042000, 1561300000043000,

1561300000044000, 1561300000045000, 1561300000046000, 1561300000047000,

1561300000048000, 1561300000049000, 1561300000050000, 1561300000051000,

1561300000052000, 1561300000053000, 1561300000054000, 1561300000055000,

1561300000056000, 1561300000057000, 1561300000058000, 1561300000059000,

1561300000060000, 1561300000061000, 1561300000062000, 1561300000063000,

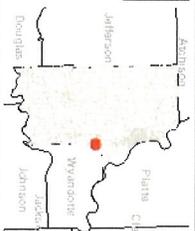
1561300000064000, 1561300000065000, 1561300000066000, 1561300000067000,

1561300000068000, 1561300000069000, 1561300000070000, 1561300000071000,

1561300000071000, 1561300000072000, 1561300000072000, 1561300000073000,

and 1561300000074000.

Theno Estates Phase 2



- Legend**
- Parcel
 - Parcel Number
 - Subdivisions
 - City Limit Line
 - Major Road
 - call other values
 - 70
 - Road
 - Railroad
 - Section
 - County Boundary

1 in. = 432ft.

Notes
Annexation area of Theno Estates Phase 2

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that are not current or otherwise available may not be visible.

THIS MAP IS NOT TO BE USED FOR NAVIGATION