

**ORDINANCE NO. 2605**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF GARDNER, KANSAS;**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

**SECTION ONE:** That having received a recommendation from the Planning Commission on February 26, 2019, and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas Land Development Code, the zoning classification or districts of the lands legally described hereby are changed as follows:

The following described properties shall hereafter have a zoning classification of R-4 (Mixed Density Neighborhood) District:

**CASE NO. Z-18-08**

Rezoning from A (Agriculture) District to R-4 (Mixed Density Neighborhood) District:

**Legal Description:**

A Replat and Resurvey of all of Lot 1, SACRED HEART CHURCH, a subdivision of land in the City of Gardner, Johnson County, Kansas, containing 7.2959 acres, more or less, of replatted land.

Together with;

Part of the Northwest Quarter of Section 26, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 26; thence S 01°38'08" E along the East line of said Northwest Quarter, a distance of 736.03 feet to a point on the South Right-of-Way of Warren Street as now established; thence S 88°19'43" West along said South Right-of-Way of Warren Street, a distance of 1320.38' to the Northeast plat corner of said SACRED HEART CHURCH; said point also being the Northwest plat corner of MEDICALODGES ADDITION NO. 1, a subdivision of land in the City of Gardner, Johnson County, Kansas; thence S 1°29'41" E along the East line of said SACRED HEART CHURCH, said line also being the West line of said MEDICALODGES ADDITION NO. 1, a distance of 660.00 feet to the Southeast plat corner of SACRED HEART CHURCH, said point also being the Southwest plat corner of said MEDICALODGES ADDITION NO. 1 and the Point of Beginning; thence N 88°19'43" E along the South line of said MEDICALODGES ADDITION NO. 1, a distance of 1.73 feet; thence S 1°38'08" E, a distance of 48.00 feet; thence S 88°19'43" W, a distance of 159.97 feet; thence N 1°40'17" W, a distance of 48.00 feet to a point on the South line of said SACRED HEART CHURCH; thence N 88°19'43" E along the South line of said SACRED HEART CHURCH, a distance of 158.27 feet to the Point of Beginning and containing 0.1763 acres of unplatted land.

**SECTION TWO:** That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Land Development Code as amended.

**SECTION THREE:** That this Ordinance shall take effect and be in force from and after its adoption by the Governing Body and publication in the official City Newspaper.

PASSED by the Governing Body this 18<sup>th</sup> day of March, 2019.

SIGNED by the Mayor this 18<sup>th</sup> day of March, 2019.

CITY OF GARDNER, KANSAS

(SEAL)

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Steve Shute, Mayor

Attest:

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Amy Nasta, City Clerk

Approved as to form:

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Ryan B. Denk, City Attorney